

**NORTHFIELD TOWNSHIP PLANNING COMMISSION
NOTICE OF REGULAR MEETING
October 2, 2019 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 BUSINES:**
 - A. Update Zoning Ordinance Revision Project Tasks Schedule**
 - B. Discussion: Revisions to Whitmore Lake/North Territorial Road Overlay District**
- 11. NEW BUSINESS:**
- 12. APPROVAL OF PRECEDING MINUTES:** September 18, 2019 Regular Meeting
- 13. FINAL CALL TO THE PUBLIC**
- 14. COMMENTS FROM THE COMMISSIONERS**
- 15. ANNOUNCEMENT:** Next Regular Meeting – October 16, 2019
- 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**

July 19, 2018



MCKENNA

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

Table of Contents

Introduction	1
Clarity and Simplicity of Use	1
Hyperlinks and Cross-References	1
Land Use Table*	1
Zoning District Summaries	2
Reorganization	2
Definitions	3
General Definitions	3
Sign Definitions	5
Administrative Procedures and Standards	5
Site Plan Review	5
Board of Zoning Appeals	6
Enforcement, Violations, and Penalties.....	6
Development Standards for Specific Land Uses	7
Supplemental Regulations And Standards	9
Landscaping and natural features Preservation (New Chapter Heading)	9
Fences and Lighting (New Chapter Heading)	10
Temporary Uses and structures (New Chapter Heading)	10
Vision clearance/visibility at intersections	10
Open Space Development Option (New Chapter Heading).....	10
Site Condominiums (New Chapter Heading).....	11
Alternative Energy.....	11
OTHER ARTICLES	11
Off-STREET PARKING AND LOADING	11
Nonconformiities	12
Zoning Districts.....	12
Agriculture (AR) District	12
Multiple-family residential (mr) distRict.....	12
Manufactured housing community (MHC) district.....	12
Whitmore lake (wld) district(s).....	12
Whitmore lake/north territorial overlay District (wlnt).....	13
<i>Sample: Single Page Zoning District</i>	14

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)). *

REORGANIZATION

We recommend that several sections of the Zoning Ordinance be reorganized for clarity and user-friendliness. One such reorganization would relocate the regulations applicable to specific land uses that are currently in Supplementary Regulations and Standards to a new article, Development Standards for Specific Uses. Similarly, landscaping, lighting, fencing and environmental regulations should be located together, perhaps under new chapter(s) in Supplementary Regulations, or in a new article. Several other reorganization recommendations are noted elsewhere in this review.

A conceptual table of contents is outlined below:

1. Title, Purposes and Legal Clauses
2. Definitions
3. Establishment of Districts and Schedule of Regulations (establishment of districts, official zoning map, rules for interpretation from Gen Provisions; table of permitted and conditional land uses; new Schedule of Regulations table and footnotes/some text from current Schedule of Regulations)
4. General Provisions
5. Zoning Districts (individual districts as current – unless the single page option is selected. Then the districts would go in Article 3)
6. Development Standards for Specific Uses
7. Supplementary District Regulations
 - a. Storage
 - b. Environmental Regulations
 - c. Site Condominiums
 - d. Open Space Option
 - e. Roads and Driveways
 - f. Landscaping and Natural Features
 - g. Fences and Lighting
 - h. Other Provisions
8. Parking and Loading
9. Same articles as existing through the end (maybe put the whole article dedicated to Public Notice into another article)

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 or 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.

NONCONFORMITIES

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



**NORTHFIELD TOWNSHIP
ZONING ORDINANCE UPDATE
Project Tasks and Schedule
September 25, 2019**

Chapter Title and Description of Task	Tentative Meetings Schedule
<p>Technical Review Review of the current Zoning Ordinance an article-by-article summary of potential and known problems with the Ordinance in terms of format, consistency with enabling legislation and case law, and our experience in other communities. We will review the following topics for compliance with federal and state law, as well as sound planning and zoning practices:</p> <ul style="list-style-type: none"> • Permitted and Conditional Uses by District • Standards for Specific Land Uses • Administrative Procedures and Standards • Development Standards 	<p align="center">2018 Feb – July <i>Complete</i></p>
<p>Initiate Amendment Review on Previously Identified Urgent Zoning Amendment Issues An example of an urgent issue is revisions to accommodate temporary fireworks sales during the Fourth of July Celebration</p>	<p align="center">2018 Feb – May <i>Complete</i></p>
<p>Submit Zoning Technical and to Review with Planning Commission. Currently, Planning Commission, with the advice of the Township Board, Planner, and Zoning Administrator have already identified several Zoning Amendments that are consistent with the 2014 Township Master Plan. We anticipate that the Technical Review will identify additional amendments that are consistent with the 2014 Master Plan. McKenna will prepare technical and minor amendments for approval following the Technical Review.</p>	<p align="center">2018 May – July <i>Complete</i></p>
<p>Definitions, Inconsistencies and Conflicts and Other City Codes and Standards Recommend new or revised definitions for contemporary uses and issues. Consult with Administration for procedures and enforcement issues and problems. Review other codes and regulations provided by the Township, such as fire or engineering design standards, and identify drainage, pavement, road widths, and parking standards that need to be referenced or which may subtract from the Township’s character.</p>	<p align="center">2018 July <i>Ongoing</i></p>
<p>Work with Planning Commission on Addressing Items from the Technical Review When the Technical Review is completed items will be scheduled for discussion of draft amendments at each Planning Commission meeting.</p>	<p align="center">July - Oct</p>



Chapter Title and Description of Task	Tentative Project Schedule
<p>Zoning Board Appeals (ZBA) Decisions and Current Legal Issues. Review with Township Manager and Planning Commission recent ZBA variance applications that identify recurring problems (accessory building size, lot areas, setbacks, etc.) from ZBA minutes provided by Township Administration.</p> <p>Review with the Township Attorney potential revisions generated by any relevant zoning litigation involving the Township that might be beneficial, plus revisions resulting from recent Michigan state law and new case law.</p> <p><i>Note additional items to be coordinated: Recreational Marihuana, Signs, Code Enforcement</i></p>	Dec – Sept 2019 <i>Marihuana Ongoing</i> <i>Code Enforcement Ongoing</i> <i>Signs</i>
<p>Goals of the 2014 Master Plan and Downtown North Village Plan (When Adopted). Incorporate any new recommendations for regulations to facilitate implementing the Township’s 2014 Master Plan update, including identification of priority items for implementing the Township’s Future Land Use plan and Zoning Plan.</p> <p><i>Recommendations from preliminary 2019 Master Plan Update</i></p>	2019 Sept
<p>Submit Zoning Ordinance Draft and Review with Planning Commission. Draft and review recommendations for Definitions, Off-Street Parking, District articles, General Provisions and Schedule of Regulations to facilitate implementing the Township’s 2018 Master Plan, including identification of existing provisions that may conflict with the Plan.</p>	2019 Nov
<p>Review / Revise Draft with Planning Commission. Review the draft Zoning Ordinance with the Planning Commission at one regularly scheduled meeting and make one revision based on consolidated comments and / or comments noted in the meeting minutes.</p>	2019 Dec - April
<p>Planning Commission Public Hearing and Board Review. For efficiency, we recommend considering adoption of the Zoning Amendments at one time, following the adoption of the Downtown Plan and the North Village Plan,</p>	Ongoing







MCKENNA

September 12, 2019

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

MEMORANDUM: Revise or Eliminate the Whitmore Lake / North Territorial Road Overlay District

Dear Commissioners:

As discussed during the Master Plan Update, significant revisions, or elimination of the WLNT district would be consistent with the clarifying regulations in the district and helping to encourage site redevelopment. Much of the southern portion of the Whitmore Lake corridor is envisioned for industrial use and the northern portion of the corridor and North Territorial Road is envisioned to be more consistent with the original purpose of the WLNT district but generally currently zoned GC.

Moving forward we recommend incorporating the design standards outlined in the WLNT overlay district into the GC, LI, and GI districts. On the Following Pages, we have excerpted the WLNT text with highlights for discussion.

Highlight Key:

- Incorporate into industrial districts
- Incorporate into general commercial district
- Incorporate into industrial and commercial districts
- Eliminate

HEADQUARTERS
235 East Main Street
Suite 105
Northville, Michigan 48167

☎ 248.596.0920
☎ 248.596.0930
MCKA.COM

Communities for real life.

ARTICLE XXIII.I. - WLNT—WHITMORE LAKE/NORTH TERRITORIAL OVERLAY DISTRICT

FOOTNOTES:

--- (8) ---

Editor's note— Ord. No. 14-36, § 1, adopted Jan. 13, 2015, set out provisions intended for use as Art. 53.0. For purposes of clarity and to preserve the style of this Code, and at the editor's discretion, these provisions have been included as Art. XXIII.I, §§ 36-686—36-691.

SEC. 36-686. - PURPOSE.

The purpose of the district is to promote mixed uses with an emphasis on commercial, service, office and research technology uses, and related high density residential uses consistent with the township master plan. It is also the purpose of the district to enhance the streetscape, create pedestrian pathways and outdoor spaces, and promote high quality architecture.

(Ord. No. 14-36, § 1, 1-13-2015)

SEC. 36-687. - DISTRICT BOUNDARIES.

Boundaries of the district shall be displayed on the official zoning map.

(Ord. No. 14-36, § 1, 1-13-2015)

SEC. 36-688. - SETBACKS.

The mixed use district is composed of two overlay segments (Whitmore Lake Road and North Territorial Road) intended to guide the development of the design of the corridor in a flexible manner and to allow a broader mixture of land uses where appropriate. The following front yard greenbelt setbacks apply to each of the overlay segments, side and rear setback requirements of the underlying zoning shall be followed.

(a) The following standard front yard greenbelt setbacks shall be met (Note: front yard setbacks are measured from the right-of-way line):

Overlay Segments	Front Greenbelt Setback
Whitmore Lake Road	35 feet
North Territorial Road	50 feet

(b) Permitted encroachments into the standard front yard greenbelt setback. Parking may be located in one-half of the required front yard greenbelt setback as shown in the table above, allowing the parking area to be located closer to the road right-of-way when a knee wall is installed as



described in section 36-689(d). No structure may encroach within this area; the above mentioned exemption is for parking only.

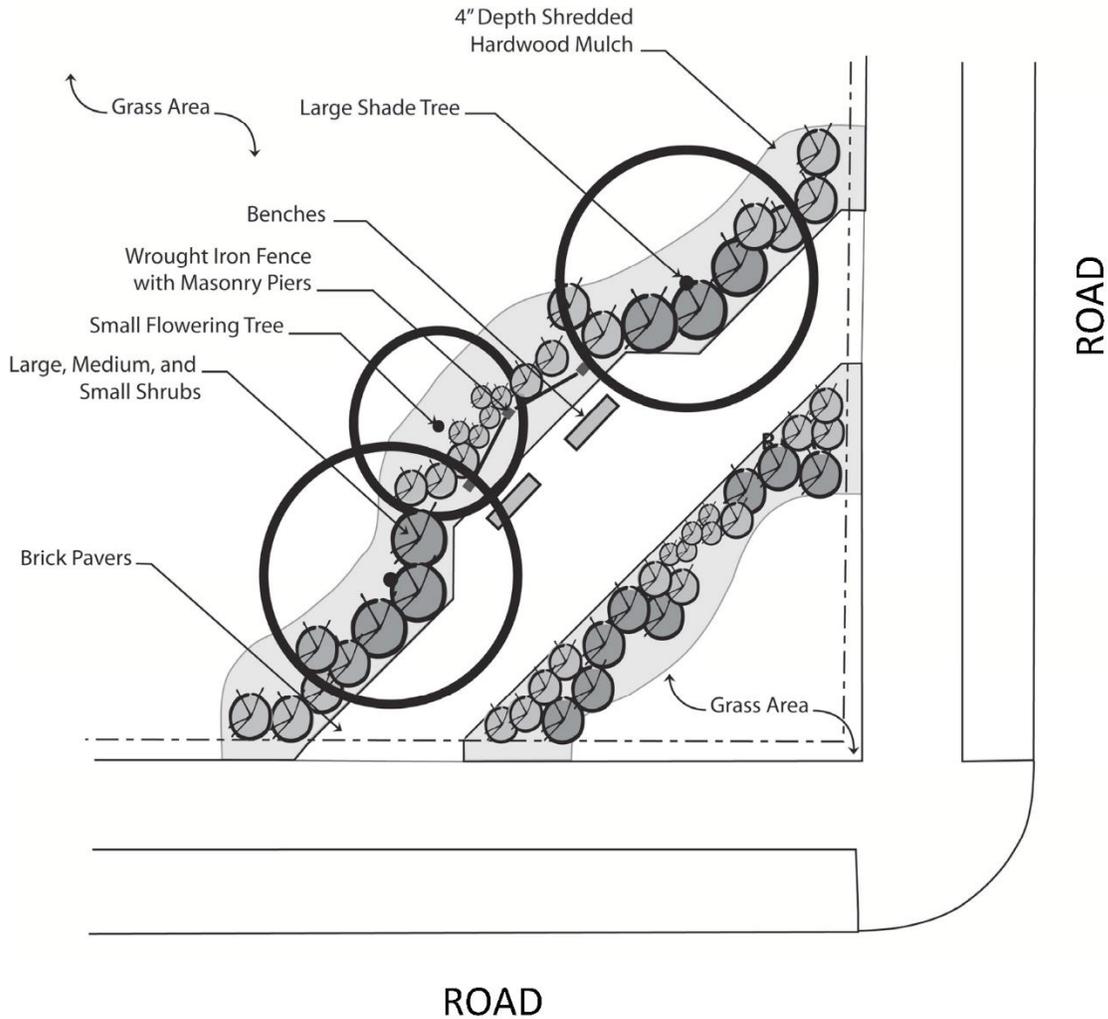
(Ord. No. 14-36, § 1, 1-13-2015)

SEC. 36-689. - DESIGN STANDARDS.

All proposed development and construction within the WLNT shall be consistent with the goals and objectives of the mixed use—south future land use classification contained in the township master plan.

- (a) *Vehicular parking and circulation* . Site access, parking and loading shall be controlled in the interest of public safety. The following standards shall be in addition to the standards found in article XXV.
 - (1) Where conditions allow, provisions for circulation between developments on adjacent parcels shall be encouraged through joint drives and cross-access connections, including but not limited to shared parking areas.
 - (2) A one-way or two-way maneuvering lane with two rows of parking stalls may be provided in the front yard. The remainder of parking shall be located within the side or rear yard. All parking must meet the setback standards pursuant to section 36-762(b)(1).
- (b) *Pedestrian circulation* . Vehicular access and circulation shall be planned to ensure safe pedestrian movement within the development. Pedestrian systems shall provide safe, all-weather, efficient, and aesthetically pleasing means of on-site movement and shall be an integral part of the overall site design concept.
- (c) *Community design feature* . Unless described as an exemption pursuant to section 36-690, a community design feature as described below shall be required for new development with frontage along the North Territorial/Whitmore Lake intersection.
 - (1) At the intersection noted above, a pedestrian plaza shall be provided that is similar to the design elements found in the figure of pedestrian plaza below. In lieu of a pedestrian plaza as described, the planning commission may consider an alternative pedestrian amenity including, but not limited to one of the following: an outdoor sculpture or art work, a fountain/water feature, clock tower, or other such deliberately shaped focal feature that enhances the community and public spaces.
 - (2) Seat walls can be used instead of, or in addition to benches in a plaza. It is recommended that at least some seating facilities have a back. If used, seat walls should be constructed of masonry materials and should complement the architecture of the space and adjacent buildings.
 - (3) Any pedestrian areas shall have direct access to the site's pedestrian circulation system, connect to the Whitmore Lake and North Territorial Road pathways and shall use a variety of design elements including lighting, landscaping, pavement, arches, and furnishings to define the pedestrian spaces.

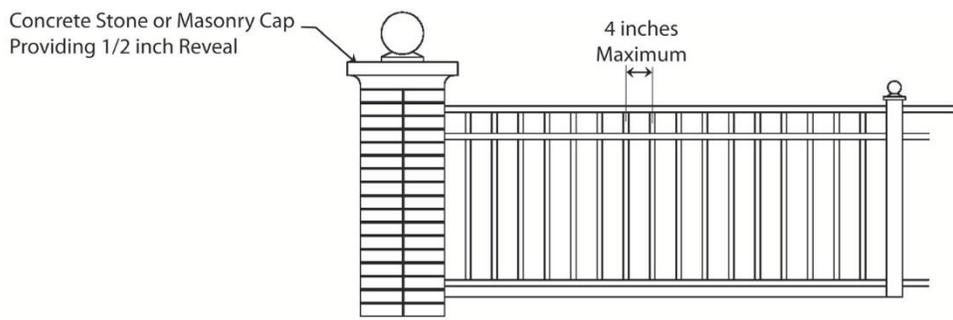
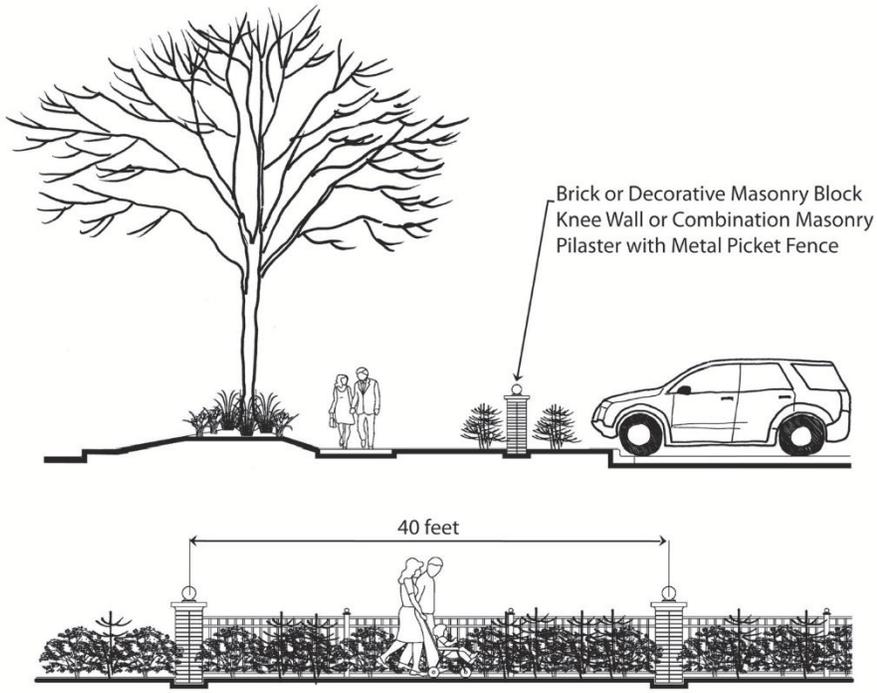




(d) *Landscaping and screening* . In addition to meeting the minimum landscape and screening requirements of section 36-722, the following additional standards shall be provided within the WLNT district:

- (1) When knee walls are used to help screen parking lots, the knee wall shall be constructed of brick or decorative masonry block and shall also include a concrete stone or masonry cap providing a minimum one-half-inch reveal on both sides. In lieu of a wall, decorative metal ornamental picket fencing shall be permitted. The fencing shall contain a maximum four-inch spacing between pickets with posts and rails and masonry brick, capped pilasters spaced each 40 feet similar to the design elements found in the figure of knee wall below. The planning commission has the discretion to allow other similar options as proposed by the applicant.





(e) Building design and orientation .

- (1) New principal structures shall be located no more than 75 feet from the greenbelt line. Large scale retail establishments shall be exempt from this setback, but must meet the building design and orientation standards found in section 36-727.
- (2) Facades greater than 100 feet in length, measured horizontally, shall incorporate projections or recesses extending at least 20 percent of the length of the façade. No uninterrupted length of any façade shall exceed 100 horizontal feet.
- (3) Ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings, or other such features along no less than 50 percent of their horizontal length. Real windows allowing daylight in the building are encouraged.



- (4) Roofs shall exhibit one or more the following features depending upon the nature of the roof and building design:
 - a. Flat roofs. Parapets concealing flat roofs and rooftop equipment such as HVAC units from public view are required.
 - b. Pitched roofs.
 - i. Overhanging eaves on pitched roofs shall be a minimum of 12 inches including gutter, with a minimum one-inch rake.
 - ii. An average slope greater than 4:12 is required.
- (5) Building materials and colors:
 - a. Predominant exterior building materials shall be high quality materials, including, but not limited to, brick, stone, architectural steel and glass, and integrally tinted/textured concrete masonry units.
 - b. All façade colors and systems (including neon) shall be reviewed and approved by the planning commission as part of the full site plan review process.
- (6) Each principal building on a site shall have clearly defined, highly visible entrances featuring no less than three of the following: canopies or porticos; overhangs, recesses/projection, arcades, raised corniced parapets over the door, peaked roof forms, arches, outdoor patios, display windows, architectural details such as tile work and moldings which are integrated into the building structure and design, integral planters or wing walls that incorporate landscape areas and/or places for sitting and special pavement.
- (7) Building heights within the WLNT may exceed the underlying building height for each underlying district up to a maximum height of up to 65 feet in height (five stories). Buildings that exceed the maximum height of the underlying district shall be reviewed as a conditional use pursuant to article XXVII of the township zoning ordinance.
- (f) *Signage* . All signs permitted within the WLNT overlay district shall be subject to the provisions of article XXVI.
- (g) *Lighting* . All lighting permitted with the WLNT overlay district shall be subject to the provisions of section 36-728.

(Ord. No. 14-36, § 1, 1-13-2015)

SEC. 36-690. - GENERAL EXEMPTIONS.

The following exemptions from the WLNT overlay district shall require the underlying zoning district to apply.

- (a) All single-family residential land uses.
- (b) Large scale retail establishments as defined by this section shall meet the provisions of section 36-727 and shall be exempt from the specific provisions of the WLNT overlay district standards.
- (c) Expansion of existing uses and structures of up to 50 percent of the existing floor area shall be exempt from the WLNT standards, but shall meet all other zoning requirements of this section. Where expansion to an existing use or structure exceeds 50 percent of the floor area of the existing structure all of the WLNT standards shall apply, with the possible exception as noted above.
- (d) The planning commission shall have the authority to waive or modify these guidelines or standards upon consideration of the following:



(1) The standards provided herein would prevent reasonable use of the site.

(2) Existing site design including architecture, parking, driveways, etc. are placed in a manner which makes application of the standards provided herein impractical.

(Ord. No. 14-36, § 1, 1-13-2015)

SEC. 36-691. - LAND USES.

(a) Permitted uses based on underlying zoning . All uses listed as either permitted principal uses or conditional land use in the underlying zoning districts shall be allowed based upon the underlying zoning category.

(b) Permitted overlay district uses . In addition to the permitted and conditional land uses of the underlying zoning district, the following uses may be considered for approval as noted in the table of permitted and conditional uses in the WLNT overlay district below.

Permitted and Conditional Uses in the WLNT Overlay District.

Use	Permitted	Conditional
Residential Uses		
Single-family dwellings*	x	
Two-family dwellings**		x
Multiple-family dwellings**		x
Home occupation	x	
Institutional Uses		
Country club, public swimming pool, rec club, parks		x
Places of worship		x
Public and private nursery, primary and secondary schools, colleges and universities		x
Hospitals, nursing homes, sanitariums		x
Commercial Uses		
Medical and dental clinics	x	
Funeral home	x	
Clothing and apparel services - laundry, tailor, shoe repair	x	
Groceries, bakeries and similar uses	x	
Barber and beauty shops	x	
Medical clinics and similar uses	x	
Pharmacies, hardware, gift shop, and dry goods store	x	
Animal hospital or clinic	x	
Restaurants	x	
Restaurants serving alcoholic beverages		x



Business and professional offices	x	
Financial institutions including banks and credit unions	x	
Temporary outdoor sales		x
Outdoor seating and/or service associated with a restaurant		x
Mini-warehousing		x
Indoor commercial recreation - theaters, bowling alleys	x	
Agricultural services - machinery sales, repair and farm supply stores		x
Showroom for sales of new cars and equipment		x
Equipment services including repair; radio and television, electrical appliance shop, plumber, electrician and other similar services and trades	x	
Printing, lithographic, blueprinting services	x	
Hotel	x	
Open air display		x
Automotive service station, including minor repairs		x
Contractor wholesale supply		x
Boat sales		x
Used car sales and equipment		x
Minor auto repair		x
Drive-in facilities		x
Drive-through facilities	x	
Arcades, dance halls, etc.		x
Day care facilities	x	
Industrial Uses		
Industrial research	x	
Scientific research	x	
Business research	x	
Automated production equipment	x	
Pharmaceutical drugs	x	
Office, computing, accounting machinery	x	
Electric components and accessories	x	
Space vehicles and parts	x	
Measuring, analyzing and controlling instruments	x	
Printing, publishing, allied industries	x	



Production and processing of genetic materials	x	
Electricity switching and step-down stations	x	

*Any single-family use must meet the underlying zoning standards for single-family residential development.

**Any two- or multiple-family residential use must be accessory to a commercial use and located on an upper floor.

(ORD. NO. 14-36, § 1, 1-13-2015)





Memorandum

TO: Northfield Planning Commission

FROM: Paul Lippens, AICP NCI, Director of Urban Design & Mobility
Vidya Krishnan, Zoning Administrator/Senior Planner

SUBJECT: **Whitmore Lake Corridor Analysis**

DATE: February 14, 2019

Dear Planning Commissioners,

One of the main areas of consideration and focus in the Master Plan is the Whitmore Lake Road Corridor area extending south from North Territorial Road intersection. The area is characterized by businesses with open outdoor storage, large parking areas, industrial material and equipment storage etc. The area has 4 different zoning designations – GC (general Commercial), LI (Light Industrial), LC (Local Commercial -1 parcel) and AR (Agricultural). Each of the districts permits a different range of uses by right and as a conditional use. The area has an overlay – the Whitmore Lake North Territorial Overlay District (WLNT) which greatly expands the list of uses permitted in the district.

However, several of the properties have uses that have never formally received approval from the Township and that have a long history of violations that have not been pursued. Many of these owners contend that their use is “grandfathered” in, which is an incorrect use of terminology. Under state law legally established non-conforming uses are uses that are no longer permitted in the district but were lawfully established at the time of inception. The lack of enforcement action by a municipality on an unauthorized use does not grant it a protected status.

Many of the uses on these properties are more industrial in nature than commercial or agricultural. The existing pattern of development has continued and is not likely to change in the foreseeable future. The current Master Plan does not appear to take into account the existing land use pattern and the recommendation for Mixed Use district in this area not in character with the desired uses by property owners. For the Township to improve this corridor, which has several major businesses, having a future land use plan and map that acknowledges the existing land uses and provides the Township with tools to support investment and compliance with site design standards is consistent with the established goals of the Master Plan.

The following table presents a summary of some of the code enforcement issues that exist along the Whitmore Lake Road Corridor.

Type of Business	Issues	Possible Solutions supported by a master plan amendment to Industrial
<p>A site that started off as a farm in 1960's pre-dating the ZO; then changed to a landscaping business with no approval in late 1990's; at this time is an industrial processing facility. Massive expansion of operations in last few years.</p>	<p>Use has recd. no approvals; even if applicant applies for approval of business as a landscape supply co. (which is what they contend they are), the site does not have the minimum required 10 acres. At this time the site has multiple pieces of heavy machinery, is predominantly a wood chipping 'factory' which brings tree logs from all over and converts them to chips. Applicant is completely unwilling to comply with any regulations. Satellite images from early 1990's to date clear indicate the progressing from a farm property to an industrial facility. Applicant contends they are a "grandfathered in" buss. which is incorrect because the use was illegally established in the first place. Concerns exist re: safety of operation due to no record of on-site layout of equipment, buildings or circulation patterns.</p>	<p>The AR Zoning district designation, the Whitmore Lake – North Territorial overlay or the existing MP mixed use designation will not permit the use as it currently exists. Based upon existing pattern of land use, conversion to an Industrial zoning designation with requirements for greenbelts, screening, proper circulation, outdoor storage and on-site safety is more likely to enable the Township to get the site into compliance with the code.</p>
<p>A site that is a junkyard and auto-scrap recycling yard. Has received site plan approval from PC several years ago.</p>	<p>Although the use recd. Approval from ZBA in 2012 as an existing legal non-conforming use and also recd. site plan approval in 2013 from Pc for an expansion, the final site plan was never implemented and engineering was not completed. The property owner is attempting to work with Township to complete the requirement improvements.</p>	<p>A junkyard is always a land use placed in an industrial district and never in an AR or overlay district. An Industrial designation would be more appropriate for the site which is likely to remain in operation for the foreseeable future.</p>
<p>A site that appears to be a landscape supply type of company/scope of use was dictated by a consent judgement several years ago (copy with Township Attorney; not aware of terms of agreement).</p>	<p>Per observations by the Code Enforcement officer the scope of activity on the site appears to exceed what was approved under the consent judgement.</p>	<p>Conversion of the site to Industrial designation would likely place the uses on the site more in line with the zoning.</p>



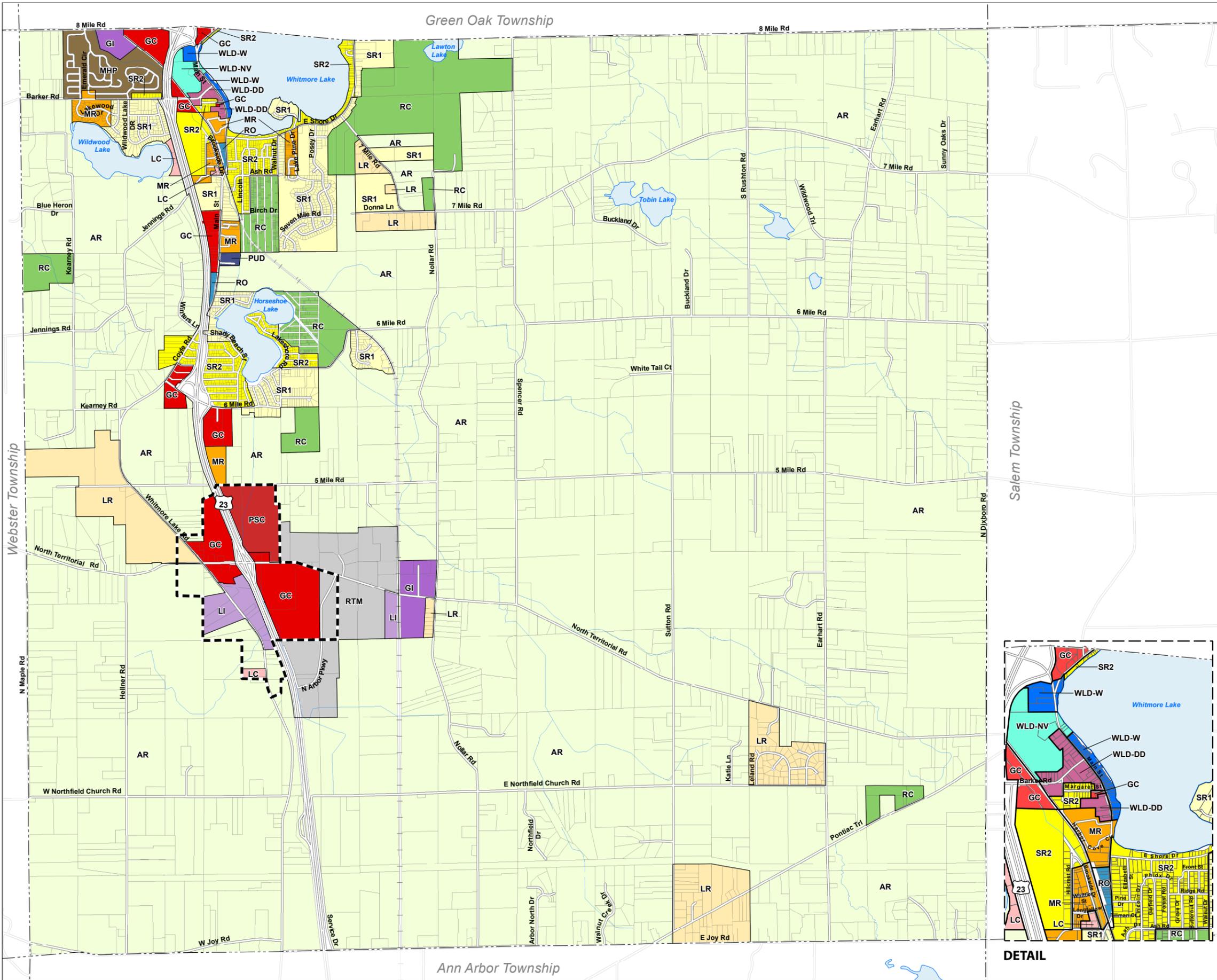


<p>A site that does not have a clear single use. It originally was approved as a truck stop and truck repair facility.</p>	<p>The site has multiple code violations per the Code Enforcement officer. A site visit is required to document the various uses on the site – most for which have recd. no approval including outdoor storage piles of asphalt millings, used and new car sale slot, storage of vehicles etc. Too many violations to list.</p>	<p>The site is zoned GC (General Commercial). But the existing uses appear to be more industrial in nature at this time.</p>
<p>A Vehicle Repair Facility</p>	<p>The owner operates a vehicle repair facility and would like to expand the businesses to allow for used car sales in a limited manner. Property is zoned LI and would not permit the use.</p>	<p>Possible expansion in scope of uses permitted within a new district might allow the business to operate more competitively and with site design requirements that would ensure the site is well maintained.</p>

The administrative staff has interacted with several of the property owners who have expressed their issues with the current varied zoning down the corridor. Some who are zoned LI believe they should be given GC status and vice versa.

Moving the southern border of the Mixed Use District to the north and modifying the land use designation to accommodate light industrial uses is a reasonable approach to encourage improvements in this area and contribute to the overall image of Northfield Township.

Cc: Board of Trustees.
 Steven Aynes, Township Manager
 Mary Bird, Zoning Coordinator
 Paul Burns, Township Attorney
 Jim Turner, Code Enforcement Officer



Zoning Map

Northfield Township,
Washtenaw County, Michigan

March 1, 2017

- AR Agriculture
- LR Low-Density Residential
- MR Multiple-Family Residential
- MHP Mobile Home Park
- SR1 Single-Family Residential
- SR2 Single-Family Residential
- RO Residential/Office
- LC Local Commercial
- GC General Commercial
- LI Limited Industrial
- GI General Industrial
- RTM Research/Technology/Manufacturing
- PUD Planned Unit Development
- PSC Planned Shopping Center
- RC Recreation Conservation
- WLD-DD Whitmore Lake Downtown
- WLD-NV Whitmore Lake North Village
- WLD-W Whitmore Lake Waterfront
- Whitmore Lake/North Territorial Overlay District

NOTE:
The lines of this map are representational of the actual Township boundary and parcel lines and are not intended to be substituted for an official survey or used to resolve boundary or area discrepancies. Consult official Northfield Township records for precise distances, boundaries and areas.

REVISION

Date	Ordinance#	Date	Ordinance#	Date	Ordinance#	Date	Ordinance#
3/1/17	17-53						

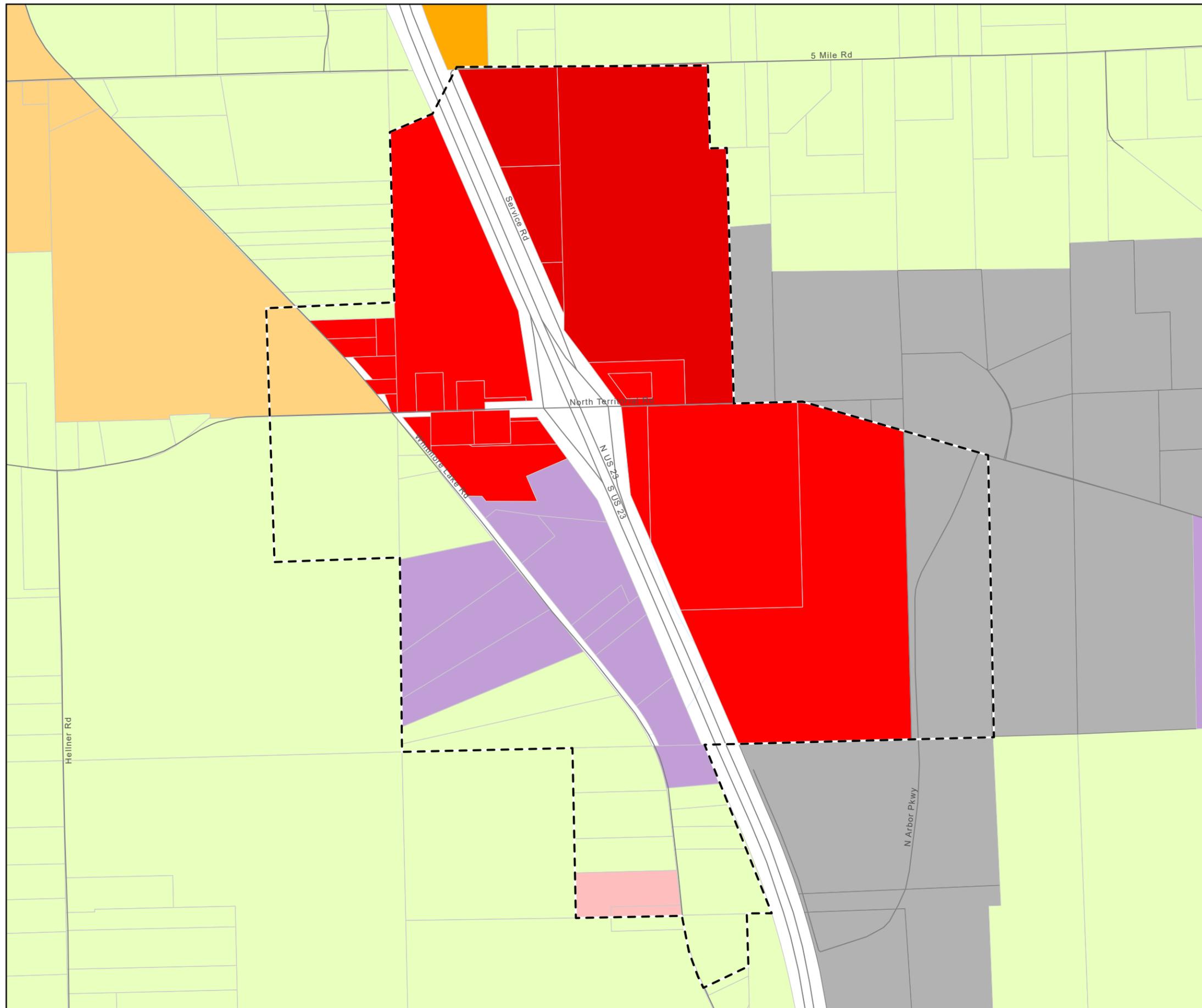


DETAIL

Whitmore Lake Overlay District

Northfield Township, Washtenaw County, Michigan

September 26, 2019



Zoning

- LR Low-Density Residential
- MR Multi-Family Residential
- MHP Mobile Home Park
- SR1 Single-Family Residential
- SR2 Single-Family Residential
- RO Residential/Office
- LC Local Commercial
- GC General Commercial
- LI Limited Industrial
- GI General Industrial
- RTM Research/Technology/Manufacturing
- PUD Planned Unit Development
- PSC Planned Shopping Center
- RC Recreation Conservation
- WLD-DD Whitmore Lake Downtown
- WLD-NV Whitmore Lake North Village
- WLD-W Whitmore Lake Waterfront
- AR Agricultural
- Whitmore Lake Overlay District
- Roads
- City and Township boundaries



SOURCES
 Basemap Source: Michigan Center for Geographic Information, Version 17a.
 Data Source: Northfield Township, McKenna 2019

NORTHFIELD TOWNSHIP PLANNING COMMISSION Minutes of Regular Meeting September 18, 2019

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	Present
Larry Roman	Present
John Zarzecki	Present

Also present:

Building/Planning/Zoning Coordinator Mary Bird
Planning Consultant Paul Lippens, McKenna Associates
Recording Secretary Lisa Lemble
Members of the Community

4. ADOPTION OF AGENDA

- **Motion:** Roman moved, Iaquinto supported, that the agenda be adopted as presented.
Motion carried 7—0 on a voice vote.

5. FIRST CALL TO THE PUBLIC

None present.

6. CLARIFICATIONS FROM THE COMMISSION

None.

7. CORRESPONDENCE

None.

8. PUBLIC HEARINGS

None.

9. REPORTS

9A. Board of Trustees

Chick reported that at the September 19th meeting the Master Plan was tabled due to the wrong version being included in the packet, reaffirmed the zoning ordinance amendment allowing first floor residential as a Conditional Use in WLD-D and WLD-NV, and

approved the Conditional Use Permit amendment for The Dog House.

9B. ZBA

Has not met since the last Planning Commission meeting.

9C. Staff Report

Nothing to report.

9D. Planning Consultant

Lippens reported:

- The Board subcommittee met with the second developer interested in the North Village site and a second meeting will be held next week,
- The Township engineering has given final approval for the Speedway lot split and private road.
- The Absolute Storage applicant anticipates coming back to the Commission soon with suitable masonry options.

9E. Parks and Recreation

Nothing to report.

9F. Downtown Planning Group

The next meeting will be September 26th.

10. UNFINISHED BUSINESS

10A. Update Zoning Ordinance Revision Project Tasks Schedule.

Lippens noted this is slightly behind schedule, mostly due to work on marijuana regulations, the Master Plan process, and the review of North Village development proposals.

He said he plans to provide Commissioners with a draft in November and said a subcommittee could be formed to review the revised ordinance at that point for efficiency. He said that draft will include changes from the technical review and "ease of use" reformatting. Commissioners agreed the review should be done by the full Commission.

There was a brief discussion about whether any new trends were discernable from recent ZBA applications or enforcement logs that would indicate the need for additional amendments. It was agreed there was not.

Lippens noted next Township Board packet will include information on the application procedure and analysis on potential buffer areas regarding marijuana businesses that they asked him to draft.

11. NEW BUSINESS

11A. Discussion: Revisions to Whitmore Lake/North Territorial Road Overlay District.

Per Lippens' September 12th memo, the Commission considered whether the Whitmore Lake/North Territorial overlay district should be eliminated or significantly revised.

Lippens noted that much of the General Commercial (GC) land in the Township is in this overlay district. He recommended that if the overlay district is eliminated that the design standards in it such as sidewalks, street side landscaping, pedestrian accessibility, etc., be incorporated into the underlying districts because they would be valuable regardless of the where the various zoning districts are found in the Township. He added that the history of the overlay district is tied to the consideration of extending the sewer district to the Territorial and US-23 area.

He noted the goal is to make regulations, design standards, and procedures clearer.

Commissioners made comments, including:

- It would be helpful to have a map of the area included in documents prepared for discussion.
- When first implemented the goal was to open up the areas in the overlay district to encourage development, but with some conditions for the additional uses.
- Since it was adopted significant development of the type desired has not occurred.
- Overlay districts are more difficult for developers to understand and for the Township to administer.

It was agreed to eliminate the overlay district and incorporate the design standards into the underlying districts as outlined in the memo. Lippens said he will provide a map for further discussion at the next meeting before he drafts the changes to the ordinance.

In answer to a question from Roman, Lippens said overlay districts are typically applied across multiple zoning districts to unify a corridor. Roman said he sees that this can still be a useful tool for the Township. Cousino said he sees this as a type of master planning, but the issue remains of how to get the word out to developers about the additional options.

Commissioners asked Lippens to provide a map of sewer line locations in the next packet.

12. MINUTES

- ▶ **Motion:** Roman moved, Iaquinto supported, that the minutes of August 21, 2019, regular meeting be approved as presented, and to dispense with the reading. **Motion carried 7—0 on a voice vote.**

13. SECOND CALL TO THE PUBLIC

None present.

14. COMMENTS FROM THE COMMISSIONERS

None.

15. ANNOUNCEMENT OF NEXT MEETING

October 2, 2019, at 7:00 P.M. at the Public Safety Building was announced as the next regular Commission meeting time and location.

16. ADJOURNMENT

- ▶ **Motion:** Roman moved, Chick supported, that the meeting be adjourned. **Motion carried 7—0 on a voice vote.**

The meeting was adjourned at 7:44 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 _____, 2019.

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/>