NORTHFIELD TOWNSHIP PLANNING COMMISSION
NOTICE OF REGULAR MEETING
June 3, 2020 at 7:00 p.m.
Second Floor, Public Safety Building
8350 Main Street, Whitmore Lake, MI 48189

In an effort to practice social distancing and in accordance with Governor Whitmer's *Stay Home, Stay Safe, Save Lives* Executive Order, the Northfield Township Planning Commission will hold a virtual meeting on

Wednesday, June 3, 2020 at 7:00 p.m.

Join the virtual board meeting by visiting https://zoom.us/j/95813234680
Or dialing (312) 626-6799
Webinar ID: 958 1323 4680

Public participants will be able to address the board virtually during the public comment periods on the agenda.

Visit
http://www.twp-northfield.org/government/how_to_join_a_virtual_meeting.php
for more information.

AGENDA

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **ADOPTION OF AGENDA**
4. **CALL TO THE PUBLIC**
5. **CLARIFICATIONS FROM COMMISSION**
6. **CORRESPONDENCE:**
   - **A.** Update on Marihuana Applications
7. **PUBLIC HEARINGS**
8. **REPORTS OF COMMITTEES**
   - **A. Board of Trustees**
   - **B. ZBA**
   - **C. Staff**
   - **D. Planning Consultant**
   - **E. Parks and Recreation**
   - **F. Downtown Planning Group**
9. **UNFINISHED BUSINESS:**

A. Zoning Update Ordinance Discussion: Review Diagnostic Report

10. NEW BUSINESS:

A. Zoning Administrator Quarterly Report 1/1/20 – 3/31/20

11. APPROVAL OF PRECEDING MINUTES: May 6, 2020 Regular Meeting

12. FINAL CALL TO THE PUBLIC

13. COMMENTS FROM THE COMMISSIONERS

14. ANNOUNCEMENT: Next Regular Meeting – June 17, 2020

15. 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.

MCKENNA

Memorandum

TO: Township Board, Northfield Township
Planning Commission, Northfield Township

Township Director of Public Safety, Northfield Township
Township Attorney, Northfield Township

CC: Township Manager, Northfield Township

FROM: Paul Lippens, AICP; Director of Urban Design and Mobility

SUBJECT: **Marihuana Facility Applications Update**

DATE: May 15, 2020

Dear Trustees and Planning Commissioners:

The following is an update to the processing of Marihuana Facility Applications. There are two areas covered, 1) the receipt and review of Conditional Use and Site Plan applications, and 2) requests to rescore applications by applicants based on supplemental information submitted.

CONDITIONAL USE AND SITE PLAN APPLICATIONS:
The Township has received site plan and conditional use applications from the following applicants:

- **GS Ashley;** 22 Barker, submitted April 22 for Adult Use Retail and Provisioning Center
- **Treehouse Wellness;** 9545-9551 Main, submitted May 1 for Adult Use Retail and Provisioning Center
- **Great Lake Logistics;** 587 W Northfield Church Road, submitted May 4 for Medical Class A Grower
- **Pure Bud / Pure Market (formerly Whitmore Wellness);** 8475 Main Street, submitted May 14 for Adult Use Retail and Provisioning Center

The Township is working on reviewing these applications and coordinating public notice for public hearings at upcoming Planning Commission meetings.

APPLICATION MERIT BASED MMVLDA AND SUPPLEMENTAL SCORING EVALUATIONS
We have had requests to update scores based on information submitted with the Site Plan and Conditional Use Applications. Additionally, the two applicants that did not submit signed MLVDA forms have provided those forms and would like to be included in the merit-based application process. The changes are summarized as follows:

HEADQUARTERS
235 East Main Street
Suite 105
Northville, Michigan 48167

O 248.596.0920
F 248.596.0930
MCKA.COM

- **GS Ashley** has provided additional details with their Conditional Use Application and requested the supplemental scoring evaluation be update
- **Michigan Pure Green** has addressed code compliance issues and requested the score be updated accordingly
- **Pure Roots** submitted a signed MFVLDA form
- **Pure Roots** has requested they be given a point for “business litigation” because the litigation they disclosed is not technically “business litigation.” After consulting with the Township Attorney, we concede that point. Pure Roots disclosed that they are currently involved in litigation but it is not “business litigation.”
- **Joyology** submitted a signed MMFLDA Form

An updated scoring sheet and individual score documentation is attached to this memorandum.

Respectfully submitted,

McKENNA ASSOCIATES

Paul Lippens, AICP
Director of Urban Design and Mobility

Northfield Township Combined Marihuana MFVLDA and Score Evaluation: May 15, 2020

Drawing Order	Business Name	MFVLDA Score: 3/13/20	MFVLDA Score: Update 5/15/20	Supplemental Score Evaluation: 3/13/20	Supplemental Score Evaluation: Update 5/15/20	Marihuana Application Status*	Zoning Compliance Application Status*	Permits Requested	Permit Precedence
10	Northern Trellis	8	-	20	-	Complete	Approved**	Retail (1) Provisioning Center (1)	Retail (1 of 3) Provisioning (1 of 3)
12	Greenways	7	-	4	-	Incomplete	Denied	Retail (1)	Within 1000 ft. of Treehouse Wellness
3	Larren Investments LLC	6	-	20	-	Complete	Denied	Retail (1) Provisioning Center (1)	Within 1000 ft. of Northern Trellis
13	Great Lakes Logistical Experts	6	-	20	-	Complete	Denied	Grower, Medical Class A (1)	Grower, Medical Class A (1 of 6)
4	Whitmore Wellness	6	-	19	-	Complete	Approved**	Retail (1) Provisioning Center (1)	Retail (2 of 3) Provisioning (2 of 3)
16	Kheti LLC	6	-	19	-	Complete	Denied	Grower, Recreational Class C (2) Medical Class C (4) Processor (2)	Grower, Rec Class C (1 & 2 of 6) Medical Class C (3 6 of 6) Processor (1& 2 of 3)
6	The Tree House Wellness Center	6	-	18	-	Complete	Approved**	Retail (1) Provisioning Center (1)	Retail (3 of 3) Provisioning (3 of 3)
2	Pure Roots LLC*	0	6	17	18	Complete	Approved**	Provisioning Center (1)	Provisioning (4 of 3)
8, same site as 2	Pure Roots LLC*	0	6	17	18	Complete	Approved**	Retail (1)	Retail (4 of 3)
9	Sugar Magnolia Nursery LLC	6	-	15		Incomplete	Denied	Grower, Medical Class A (1)	Grower, Medical Class A (6 of 6)
11	Michigan Pure Green LLC	5	-	18	19	Complete	Approved**	Retail (1) Provisioning Center (1)	Within 1000 ft. of Treehouse Wellness
5	GS Ashley LLC	5	-	5	19	Complete	Approved**	Retail (1)	Within 1000 ft. of Treehouse Wellness
7	GS Ashley LLC	5	-	5	-	Complete	Approved**	Retail (1) Provisioning Center (1)	'ithin 1000 ft. of Whitmore Wellness Si
14, same site as 7	GS Ashley LLC	5	-	5		Complete	Approved**	Retail (1)	'ithin 1000 ft. of Whitmore Wellness Si
15, same site as 5	GS Ashley LLC	5	-	5	19	Complete	Approved**	Retail (1) Provisioning Center (1)	Within 1000 ft. of Treehouse Wellness
1	Joyology*	0	4	15	15	Complete	Approved**	Provisioning Center (1)	Within 1000 ft. of Pure Roots

Key:	Status	Next Steps
Green	Encouraged to proceed	File Site Plan and Conditional Use application
Blue	Encouraged to proceed	Additional information needed
Red	Discouraged from proceeding	Withdraw application or schedule meeting with Township

Applicant: GS ASHLEY LLC.
Address: 22 BARKER ROAD/9615 MAIN ST., WHITMORE LAKE, MI 48189
Permit: (1) ADULT USE - RECREATIONAL RETAIL

Update: 5/15/20

Marihuana Facility Scoring Evaluation

Marihuana Facilities Scoring Criteria			
Description	**Criteria**	**Maximum Points**	**Earned Points**
I. Business Ownership			
Ownership Structure	Content and Sufficiency of information; Professionalism of submitted documentation including clear labeling of required items.	1	1
Organizational Chart Provided		1	0 1
Detailed Business Plan	Plan must be detailed with at least 3 year valid pro forma included.	1	0 1
Total - Business Ownership		3	1 4

Marihuana Facilities Scoring Criteria			
Description	**Criteria**	**Maximum Points**	**Earned Points**
II. Financial Stability			
Applicant has disclosed and documented sources and total amount of capitalization, dedicated to this application, to operate and maintain the facility of:	At least $300,000	1	0 1
	At least $500,000	1	0 1
	At least $1,000,000	1	0 1
Sufficient Financial Resources	CPA attested financial statements attached	1	0 1
Total - Financial Stability		4	0 4

Marihuana Facilities Scoring Criteria			
Description	**Criteria**	**Maximum Points**	**Earned Points**
III. Business Experience			
Documented Business History	Nature and type of prior business, years of operation, etc.	1	0 1
Cannabis Business Ownership Documentation	Description of experience with cannabis business ownership	1	0 1
Compliance History	Documented history or regulatory compliance at local level	1	1
Business Litigation	Applicant has not been involved and is currently not involved in any business litigation	1	0 1
Total - Business Experience		4	1 4

Marihuana Facilities Scoring Criteria			
Description	**Criteria**	**Maximum Points**	**Earned Points**
IV. Business Operations			
Applicant Describes a Staffing Plan to:	Provide training and educational opportunities for employees including best practices for patient confidentiality, tracking, fraud etc.	1	1
	Requires employees to take cannabis training courses	1	1
Employee Compensation	Applicant proposes to pay a living wage, as defined by Washtenaw County	1	0 1
Total - Business Operations		3	2 3

Marihuana Facilities Scoring Criteria			
Description	**Criteria**	**Maximum Points**	**Earned Points**
V. Community Outreach			
Applicant has Demonstrated and Described:	A plan to meet with neighborhood organizations, business association, crime watch and other neighborhood organizations to provide contact information for questions, concerns, issues, etc.	1	0 1
	A plan to provide on-going public information program to inform Township residents of cannabis issues and proper/safe/legal use of cannabis products	1	0 1
	A community commitment program	1	0 1
Applicant has identified:	A specific owner and/or employee to serve as a liaison with the Township	1	0 1
Total - Community Outreach and Relations		4	0 4

Marihuana Facilities Scoring Criteria			
Description	**Criteria**	**Maximum Points**	**Earned Points**
VI. Public Safety			
Public Safety	At least 1,000 feet from a school	1	1
	At least 1,000 feet from a library, day care, or park	1	0
Total - Master Plan		2	1

Marihuana Facility Scoring Evaluation
Northfield Township, MI, December 4, 2019.

Summary Marihuana Facility Evaluation Results

Criteria	Maximum Points Available	Earned Points
Business Ownership	**3**	1 3
Financial Stability	**4**	0 4
Business Experience	**4**	1 4
Business Operations	**3**	2 3
Community Outreach and Relations	**4**	0 4
Public Safety	**2**	1
FINAL TOTAL:	**20**	5 19

SUMMARY REPORT All of these notes were addressed but distance from a park, 5/15/20

The application has redacted much of the LARA qualification documentation and/or does not include the following:

1. Detailed Business Plan
2. Documented sources and total amount of capitalization
3. CPA Attested Financial Statements
4. Documented Business History
5. Cannabis Business Ownership
6. Proof that the applicant is not currently involved in business litigation
7. Documentation of felony convictions
8. Statement regarding employee compensation
9. Community Outreach Plan
10. Specific Owner/Employee to serve as a liaison with the Township

The site is located approximately 490 feet from the Northfield Township Area Library and is withing 1000 feet of North Village Park.

The current site owner received a property maintenance complaint regarding snow removal on January 25, 2019 and this issue was resolved by the property owner the same day.

The current zoning at the site is WLD-DD.

Construction/alterations include the development of a commercial/industrial building at the site.

The Family Video is no longer in operation.

Applicant: Pure Roots
Address: 9876 Main Street, Whitmore Lake, MI 48189
Permit: (1) Provisioning Center

Update 5/15/20

Marihuana Facility Scoring Evaluation

Marihuana Facilities Scoring Criteria			
Description	**Criteria**	**Maximum Points**	**Earned Points**
I. Business Ownership			
Ownership Structure	Content and Sufficiency of information; Professionalism of submitted documentation including clear labeling of required items.	1	1
Organizational Chart Provided		1	1
Detailed Business Plan	Plan must be detailed with at least 3 year valid pro forma included.	1	1
Total - Business Ownership		3	3

Marihuana Facilities Scoring Criteria			
Description	**Criteria**	**Maximum Points**	**Earned Points**
II. Financial Stability			
Applicant has disclosed and documented sources and total amount of capitalization, dedicated to this application, to operate and maintain the facility of:	At least $300,000	1	1
	At least $500,000	1	1
	At least $1,000,000	1	1
Sufficient Financial Resources	CPA attested financial statements attached	1	1
Total - Financial Stability		4	4

Marihuana Facilities Scoring Criteria			
Description	**Criteria**	**Maximum Points**	**Earned Points**
III. Business Experience			
Documented Business History	Nature and type of prior business, years of operation, etc.	1	1
Cannabis Business Ownership Documentation	Description of experience with cannabis business ownership	1	1
Compliance History	Documented history or regulatory compliance at local level	1	1
Business Litigation	Applicant has not been involved and is currently not involved in any business litigation	1	0 1
Total - Business Experience		4	3 4

Marihuana Facilities Scoring Criteria			
Description	**Criteria**	**Maximum Points**	**Earned Points**
IV. Business Operations			
Applicant Describes a Staffing Plan to:	Provide training and educational opportunities for employees including best practices for patient confidentiality, tracking, fraud etc.	1	1
	Requires employees to take cannabis training courses	1	1
Employee Compensation	Applicant proposes to pay a living wage, as defined by Washtenaw County	1	1
Total - Business Operations		3	3

Marihuana Facilities Scoring Criteria			
Description	**Criteria**	**Maximum Points**	**Earned Points**
V. Community Outreach			
Applicant has Demonstrated and Described:	A plan to meet with neighborhood organizations, business association, crime watch and other neighborhood organizations to provide contact information for questions, concerns, issues, etc.	1	1
	A plan to provide on-going public information program to inform Township residents of cannabis issues and proper/safe/legal use of cannabis products	1	1
	A community commitment program	1	1
Applicant has identified:	A specific owner and/or employee to serve as a liaison with the Township	1	0
Total - Community Outreach and Relations		4	3

Marihuana Facilities Scoring Criteria			
Description	**Criteria**	**Maximum Points**	**Earned Points**
VI. Public Safety			
Public Safety	At least 1,000 feet from a school	1	1
	At least 1,000 feet from a library, day care, or park	1	0
Total - Master Plan		2	1

Summary Marihuana Facility Evaluation Results

Criteria	Maximum Points Available	Earned Points
Business Ownership	**3**	3
Financial Stability	**4**	4
Business Experience	**4**	3 4
Business Operations	**3**	3
Community Outreach and Relations	**4**	3
Public Safety	**2**	1
FINAL TOTAL:	**20**	17 18

SUMMARY REPORT

The application is very detailed and comprehensive.

~~**The applicant is currently involved in litigation with Macomb County in Circuit Court.**~~ **The site is within 1000 from North Village Park.**

~~**Note: We do not have the initials on the MVLDA form. On the initial page is where applicants agree to participate in the supplemental scoring evaluation and make commitments to hiring locally, etc. MFVLDA is voluntary, so the form is not required to move forward but as a result the MVLDA score is zero and consent was not provided to participate in the scoring evaluation.**~~

Applicant: MICHIGAN PURE GREEN, LLC
Address: 52 BARKER ROAD WHITMORE LAKE, MI 48189
Permit: (1) ADULT USE - RECREATIONAL RETAIL (2) PROVISIONING CENTER

Update 5/15/20

Marihuana Facility Scoring Evaluation

Marihuana Facilities Scoring Criteria			
Description	**Criteria**	**Maximum Points**	**Earned Points**
I. Business Ownership			
Ownership Structure	Content and Sufficiency of information; Professionalism of submitted documentation including clear labeling of required items.	1	1
Organizational Chart Provided		1	1
Detailed Business Plan	Plan must be detailed with at least 3 year valid pro forma included.	1	1
Total - Business Ownership		3	3

Marihuana Facilities Scoring Criteria			
Description	**Criteria**	**Maximum Points**	**Earned Points**
II. Financial Stability			
Applicant has disclosed and documented sources and total amount of capitalization, dedicated to this application, to operate and maintain the facility of:	At least $300,000	1	1
	At least $500,000	1	1
	At least $1,000,000	1	1
Sufficient Financial Resources	CPA attested financial statements attached	1	1
Total - Financial Stability		4	4

Marihuana Facilities Scoring Criteria			
Description	**Criteria**	**Maximum Points**	**Earned Points**
III. Business Experience			
Documented Business History	Nature and type of prior business, years of operation, etc.	1	1
Cannabis Business Ownership Documentation	Description of experience with cannabis business ownership	1	1
Compliance History	Documented history or regulatory compliance at local level	1	0 1
Business Litigation	Applicant has not been involved and is currently not involved in any business litigation	1	1
Total - Business Experience		4	3 4

Marihuana Facilities Scoring Criteria			
Description	**Criteria**	**Maximum Points**	**Earned Points**
IV. Business Operations			
Applicant Describes a Staffing Plan to:	Provide training and educational opportunities for employees including best practices for patient confidentiality, tracking, fraud etc.	1	1
	Requires employees to take cannabis training courses	1	1
Employee Compensation	Applicant proposes to pay a living wage, as defined by Washtenaw County	1	1
Total - Business Operations		3	3

Marihuana Facilities Scoring Criteria			
Description	**Criteria**	**Maximum Points**	**Earned Points**
V. Community Outreach			
Applicant has Demonstrated and Described:	A plan to meet with neighborhood organizations, business association, crime watch and other neighborhood organizations to provide contact information for questions, concerns, issues, etc.	1	1
	A plan to provide on-going public information program to inform Township residents of cannabis issues and proper/safe/legal use of cannabis products	1	1
	A community commitment program	1	1
Applicant has identified:	A specific owner and/or employee to serve as a liaison with the Township	1	1
Total - Community Outreach and Relations		4	4

Marihuana Facilities Scoring Criteria			
Description	**Criteria**	**Maximum Points**	**Earned Points**
VI. Public Safety			
Public Safety	At least 1,000 feet from a school	1	1
	At least 1,000 feet from a library, day care, or park	1	0
Total - Master Plan		2	1

Summary Marihuana Facility Evaluation Results

Criteria	Maximum Points Available	Earned Points
Business Ownership	**3**	**3**
Financial Stability	**4**	**4**
Business Experience	**4**	**3** 4
Business Operations	**3**	**3**
Community Outreach and Relations	**4**	**4**
Public Safety	**2**	**1**
FINAL TOTAL:	**20**	**18** 19

SUMMARY REPORT

~~The applicant did not earn a point for "Compliance History" as the property owner at 52 Barker Rd currently has outstanding sign violations for the Beer & Wine store. The property owner was asked by Code Enforcement to reduce or remove the signs in the center windows and on the doors - which are currently 100% covered. The zoning ordinance only allows for 25% coverage. To date, it is unclear whether or not the signage issue has been resolved by the property owner. This violation is still open with Code Enforcement.~~ resolved

The applicant is proposing to pay employees $15.00/hr - exceeding the living wage in Washtenaw County $13.24

Ms. Josalin Monahan has been identified as the individual who will serve as a liaison to the Township.

The distance between the property line at 52 Barker Road and the property line at the Northfield Township Area Library is approximately 370 feet. The site is also within 1000 feet of the North Village Park.

Construction and alteration includes exterior renovations to the front facade, removal and replacement of existing roof; and interior reconstruction with full buildout

Current zoning at the site is WLD

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

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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.

Table 1. Table of Permitted Uses by District

Key: ■ Principal Permitted Use ⭘ Special Land Use [blank] Use Not Permitted

USE	RR (A)	R-1 (A)	R-2 (A)	R-3 (A)	PO-1 (F)	C-1 (F)	C-2 (F)	C-3 (F, G)	C-4 (F, H)	I-1 (I)	I-2	DEVELOPMENT STANDARD
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					■	■	■	■				

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. *

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 required 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 (MZEA), 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)

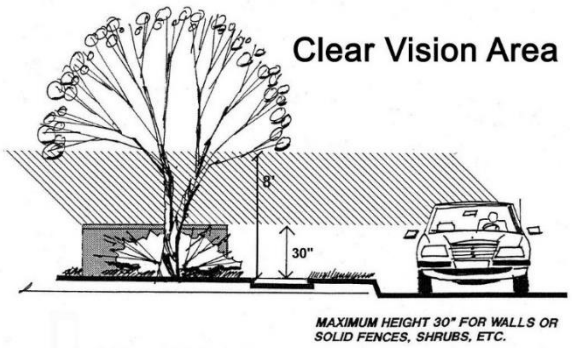
- Combines sections 36-715 and 36-728.
- Fences erected for screening purposes should have the good, finished face toward the neighboring property for whose benefit the screening is installed.
- A cross-reference to Entrance Structures (Section 36-98(g)(3)) should be added.
- Section 36-728, which regulates 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
• 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	• 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
• 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.*			

MCKENNA

April 20, 2020

Township Board of Trustees and Planning Commission
Northfield Township
8350 Main Street
Whitmore Lake, MI 48189

Subject: **Zoning Administrator Quarterly Report 1/1/2020 – 3/31/2020**

Dear Trustees and Commissioners:

Section 36-971(6) of the Zoning Ordinance requires the Zoning Administrator to submit to the Township Board and Planning Commission, a quarterly report in which a summary of the activities of the office is presented. Following is a concise summary of the activities of note in the FIRST quarter of 2020 (January 1 through March 31, 2020).

Zoning Compliance Applications: A total of 11 applications were APPROVED.

1. Approved one (1) new dwelling.
2. Approved one (1) new accessory structure - deck.
3. Approved one (1) new shed.
4. Approved three (3) new swimming pools.
5. Approved five (5) new fences.

Three (3) applications were approved for Non-residential Uses:

1. ***New Sign Permit*** – at 6270 Whitmore Lake Road – GLR recycling.

2. ***9075 Brookside Drive –*** The applicant filed a request for Zoning Compliance approval to operate a food pantry as part of Northfield Human Services. The site is zoned LC (Local Commercial) and was previously used as a laundromat. The food pantry use is classified in the same category as a grocery store and is permissible in the district. However, the change of use requires site plan approval. Since no addition of floor area is proposed, Administrative approval can be granted. The applicant has not yet submitted for site plan approval.

3. ***6454 Sutton/Rolling Meadows golf course*** – The applicant filed a request for Zoning Compliance to build a walkway connection between an existing clubhouse and a 'permanent tent' type structure on the property. Golf courses are special land uses in the AR district. I could find no record of the tent structure to which the connection is being built, on the Assessor's records. Although small, as an addition to a conditional land use, this proposal will require site plan approval from the Planning Commission.

Denied

1. One application for an in-ground pool and boardwalk was denied and subsequently approved after additional information was provided.

2. One application for a shed was denied due to non-compliance with required setbacks. It was subsequently approved after revised drawing was submitted.

Marijuana Applications: Reviewed 16 zoning compliance applications for recreation marijuana related uses, which included a total of 31 permit requests.

Administrative Site Plan Approvals:

None this quarter.

Zoning Board of Appeals Cases: One case was reviewed by the ZBA this quarter

1. ***501 East Shore Drive/Finn*** – The applicant applied for and obtained approval of variance from lot width to depth ratio for two (2) newly created parcels (split to be approved). The property is located in the SR-2 District and ¾ of the parcel is located under the waters of Whitmore Lake, which makes compliance with 1:4 ratio impossible. The applicant also received approval for a variance to retain the garage on one of the parcels with no principal dwelling with the condition that the structure will be converted to a single family dwelling within a period of one year from the time of approval of the variance.

Final Site Inspections:

1. ***Living Waters Church/200 Barker*** – Conducted final site inspection for compliance to Planning Commission approved plans for the use of a former retail building as a church with associated site improvements, and granted approval.

2. ***Cantelon Finishes/8711 Main Street*** - Conducted final site inspection for compliance to administratively approved plans for a reuse of an existing commercial use building, and granted approval.

Zoning Administrator Office Hours:

Upon authorization from the Township Board, I continue to have office hours at Township Hall every Wednesday for four (4) hours in the morning. I work with the Zoning Coordinator, Township Manager and Code Enforcement official to address and resolve issues by meeting with property owners and going on-site inspections. I am also available to meet by appointment with any citizen who has any questions or concerns regarding zoning matters. I continue to have multiple meetings every Wednesday with property owners to help them with zoning related questions. I also meet with property owners in response to code violation notices and help guide them.

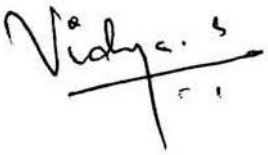
Due to the current CoVID-19 pandemic situation, the Township offices are under lockdown per the Governor's orders. Therefore, I had suspended in-person office hours from the second week of March. However, I have been available on the phone and via email to numerous applicants in response to some concerns. I have answered several questions and processed several applications in the past few weeks. The lockdown has not resulted in any delay or inconvenience to any homeowner/applicant, to my knowledge. The Zoning Coordinator and I have ensured that all calls, applications and queries are still answered promptly.

Other Items: I have continued working with the Code Enforcement Officer in addressing issues of long pending code violations. We are making slow progress in achieving compliance on some violators.
Some challenges remain in our interactions with property owners who are non-compliant with the regulations; however, the Code Enforcement Officer and I continue to do our best to be supportive of existing businesses in the Township, within the limits to our authority established in the Zoning Ordinance.

As the Zoning Administrator, I strive to be prompt and attentive to the needs of the applicants while ensuring that they understand the process and also comply with the rules and regulations set forth in the Zoning Ordinance.

Respectfully submitted,

McKENNA



Vidya Krishnan
Principal Planner

Cc: Steven Aynes, Township Manager
‘ Mary Bird, Zoning Coordinator
Jim Turner, Code Enforcement Officer
Paul Lippens, Planning Consultant

NORTHFIELD TOWNSHIP
PLANNING COMMISSION
Minutes of Regular Meeting
May 6, 2020

1. CALL TO ORDER

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

Paul Lippens explained that the meeting was being held by video conference due to the COVID-19 pandemic and explained the process and protocols.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL AND DETERMINATION OF QUORUM (via video conference)

Roll call:

Janet Chick	Present
Brad Cousino	Present
Eamonn Dwyer	Present
Sam Iaquinto	Present
Cecilia Infante	Present (arrived at 7:50 P.M. due to technical difficulties)
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, to adopt the agenda 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

7A. Marihuana Facility Update.
7B. Marihuana Facility Evaluation Report.
7C. Marijuana Application Combined Score.

Roman noted all of the documents were included in the meeting packet.

8. PUBLIC HEARINGS

None.

9. REPORTS

9A. Board of Trustees
Chick reported that on March 17th the Board authorized signing of a Community Development Block Grant (CDBG) agreement for repairs and upgrades at the Community Center and approved a conditional use permit for Hardscape Solutions on Territorial Road.

9B. ZBA
Has not met since the last Planning Commission meeting.

9C. Staff Report
Nothing to report.

9D. Planning Consultant
Lippens reported recent work has been concentrated on meeting with marijuana facility applicants and reviewing their conditional use applications. He noted some public hearings on the applications will be scheduled soon, perhaps in June. He said they have also been working with the Township manager and Supervisor on the 75 Barker Road property, and the Township has been processing zoning compliance applications.

He noted emailed zoning applications are being accepted with payments made by mail, and Zoom video conferences have been useful for communicating with applicants.

9E. Parks and Recreation
Iaquinto reported no meetings were held in March or April, but a meeting may be held in May. He said community gardeners are encouraged to start their gardens, and the public is encouraged to use the one mile loop in the North Village park.

9F. Downtown Planning Group
No report.

10. UNFINISHED BUSINESS

None.

11. NEW BUSINESS

11A. Discussion: Marihuana New Uses.

Lippens said he has been working on developing background materials for the emergency marijuana uses authorized by the governor last summer for consideration by the Planning Commission:

- **Designated consumption establishment license** allows on-site consumption of marijuana.
- **Excess marihuana grower license** allows a class C grower to expand the number of plants

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- **Marihuana event organizer license** allows the licensee to apply for temporary marijuana events.
- **Temporary marihuana event license** allows for an event where the sale of marijuana products is allowed.

Lippens noted that some existing zoning regulations—such as regarding structures for temporary sales—need to be reviewed in light of some of these uses. He referred to draft language he had prepared as a starting point for discussion.

In answer to questions, Lippens said:

- If the Township decides not to add these uses the ordinance should be amended to specifically prohibit them.
- There are applicants interested in pursuing these uses.
- Since the Board did not express any opinions on whether these uses should be incorporated into the ordinance, the Commission could direct him to prepare a memo to the Township Board asking them about their interest before committing significant time and resources to the issue, or a subcommittee could be formed to provide additional information and make recommendations.

Commissioners agreed to request more input from the Board before deciding whether and how to proceed. Additional comments included that the information provided by Lippens has been useful for Commissioners and Board members to understand the license characteristics.

Lippens said he will provide to the Board the information he prepared for the Commission to allow them to provide direction to the Commission.

12. MINUTES

Iaquinto noted he arrived a few minutes late, but was present beginning with the Second Call to the Public.

▶ **Motion:** Roman moved, Chick supported, that the minutes of the February 19, 2020, regular meeting be approved as corrected, and to dispense with the reading. **Motion carried 6—0 on a voice vote.**

[Infante arrived].

13. SECOND CALL TO THE PUBLIC

David Gordon, Hellner Road, said he appreciated the meeting being held via Zoom and commented on the marijuana ordinance and proposed marijuana licenses. Jason Negri, Barker Road, spoke on behalf of a client hoping to lease property for a marijuana business and asked for an explanation of the basis for the scores given to license applications. Travis Copenhaver, a cannabis licensing and compliance attorney, and Mike Raspatello, an event coordinator, commented on the issue of proposed new licenses.

14. COMMENTS FROM THE COMMISSIONERS

Commissioners briefly responded to comments about new marijuana licenses types, commented on the results of the scoring of marijuana applications, and reiterated their desire for more input from the Board about the proposed new marijuana licenses.

Commissioners thanked Chief Wagner and the Township's first responders to keeping the Township safe during the COVID-19 pandemic.

15. ANNOUNCEMENT OF NEXT MEETING

May 20, 2020, at 7:00 P.M. at the Public Safety Building was announced as the next regular Commission meeting time and location.

16. ADJOURNMENT

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

The meeting was adjourned at 8:03 P.M.

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

Adopted on _____, 2020.

_____ 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/

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