

**Notice of an Electronically Conducted
Regular Meeting of the Charter Township of Union
Planning Commission**

Notice is hereby given that the Charter Township of Union Planning Commission will conduct a regular meeting electronically on Tuesday, September 21, 2021 at 7:00 p.m., consistent with the emergency declarations and direction from state and county health officials to slow the spread of the COVID-19 virus and the Open Meetings Act (Public Act 267 of 1976, as amended)."

There will be no in-person attendance in the Township Hall Board Room (2010 S. Lincoln Rd., Mt. Pleasant, MI 48858), although some Planning Commission members and Township staff may choose to participate from this location.

All interested persons may attend and participate. The public may participate in the meeting by computer and smart phone using the following link to the electronic meeting location: <https://us02web.zoom.us/j/89751444718> (Meeting ID: "897 5144 4718" Passcode "038923"). The moderator will open public access to the electronic meeting space at 6:55 p.m.

To participate via telephone conference call, please call (312) 626-6799. Enter "897 5144 4718" and the "#" sign at the "Meeting ID" prompt. Lastly, re-enter the "#" sign again at the "Participant ID" prompt to join the meeting.

The meeting agenda, packet of materials relating to the meeting, and instructions for connecting to the meeting electronically are available on the Township's website under "Minutes and Board Packets" at <http://www.uniontownshipmi.com/>.

Questions and comments will be received during the public comment sections of the meeting. For participants accessing via computer or smartphone to indicate a desire to address the Planning Commission, please use the "Raise Your Hand" button at the bottom center of the screen. To raise your hand for telephone dial-in participants, press "star" and then the number "nine" (*9). The Chair will call on you by the last three digits of your phone number to invite any comment, at which time you will be unmuted by the meeting moderator.

If there are a large number of participants, the Chair may choose to call on individuals by name or telephone number. Please speak clearly and provide your name and address before making your comments. Please note that the meeting moderator will control the muting and unmuting of participants during public comment.

Written comments to the Planning Commission may also be delivered to the drop box at the Township Hall. Comments received prior to 3:00 p.m. on the day of the meeting will be read aloud to the Planning Commission.

Persons with disabilities needing assistance to participate should call the Township office at (989) 772-4600. Persons requiring speech or hearing assistance may contact the Township through the Michigan Relay Center at 711. A minimum of one (1) business day of advance notice will be necessary for accommodation.

**Instructions to Participate in an Electronically Conducted
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Raise Your Hand for Citizen Participation During the Public Comment Periods

Questions and comments will be received during the public comment sections of the meeting. For participants accessing via computer or smartphone to indicate a desire to address the Planning Commission, please **click on the “Raise Your Hand” icon** near the bottom of your screen.



Click “Lower Hand” to lower it if needed. The host will be notified that you have raised your hand. The Mute/Unmute function will be controlled by the meeting moderator.

To raise your hand for telephone dial-in participants, press “star” and then the number “nine” (*9).

The Chair will call on you by the last three digits of your phone number to invite any comment, at which time you will be unmuted by the meeting moderator.

Do I need to download the Zoom app to access the meeting? No. Use of the Zoom app is recommended, but you will have options to “download & run Zoom” or “join from your browser” when you click on the link to join the meeting.

Can I Use Bluetooth Headset? Yes, if the Bluetooth device is compatible with the computer or mobile device that you are using.

Do I have to have a webcam to join on Zoom? While you are not required to have a webcam to join a Zoom Meeting, you will not be able to transmit video of yourself. You will continue to be able to listen and speak during public comment and view the webcam video of other participants.

Leaving the Meeting: Click the “Leave Meeting” link at the bottom right corner of the screen at any time to leave the meeting.



Planning Commission
Regular Electronic Meeting. Instructions for access will be posted and available on website
(uniontownshipmi.com) home page
September 21, 2021
7:00 p.m.

1. CALL MEETING TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES

-August 17, 2021

6. CORRESPONDENCE / BOARD REPORTS / PRESENTATIONS
 - A. Thering updates from Board of Trustees
 - B. Buckley updates from ZBA
 - C. Darin updates from Sidewalk and Pathways
 - D. Appointment to Sidewalk & Pathway Prioritization Committee
7. PUBLIC COMMENT: Restricted to (3) minutes regarding items not on this agenda
8. NEW BUSINESS
 - A. PSUP21-03 Breanne Moeggenberg – Special Use Permit Application**
 - a. Introduction
 - b. Public hearing
 - c. Updates from staff and the applicant
 - d. Commission deliberation and action (recommend approval, denial, or approval with conditions to the Board of Trustees; or postpone action)
 - B. PTXT21-01 Zoning Ordinance Text Amendments**
 - a. Introduction and updates from staff
 - b. Public hearing
 - c. Commission deliberation and action (recommend approval, denial, or approval with conditions to the Board of Trustees; or postpone action)

C. Adoption of the 2022 Planning Commission meeting calendar

9. OTHER BUSINESS

10. EXTENDED PUBLIC COMMENT: Restricted to 5 minutes regarding any issue

11. FINAL BOARD COMMENT

12. ADJOURNMENT

CHARTER TOWNSHIP OF UNION
Planning Commission
Regular - Electronic Meeting Minutes

A regular-electronic meeting of the Charter Township of Union Planning Commission was held on August 17, 2021, as a virtual meeting through the Zoom meeting platform.

Meeting was called to order at 7:00 p.m.

Roll Call

Present:

Albrecht (location: Union Township, Isabella County, MI)
Buckley (location: Union Township, Isabella County, MI)
Darin (location: Union Township, Isabella County, MI)
Fuller (location: Union Township, Isabella County, MI)
LaBelle (location: Union Township, Isabella County, MI)
Lapp (location: Union Township, Isabella County, MI)
Squatrito (location: City of Mt. Pleasant, Isabella County, MI)

Excused:

Shingles
Thering

Others Present

Rodney Nanney, Community and Economic Development Director; Peter Gallinat, Zoning Administrator, Tera Green, Administrative Assistant

Approval of Agenda

Darin moved **Lapp** supported to approve the agenda as presented. **Vote: Ayes: 7. Nays: 0. Motion Carried**

Approval of Minutes

Fuller moved **Buckley** supported to approval of the special meeting minutes from August 10, 2021, with an amendment made to add September 21, 2021, as the Public Hearing date for the Zoning Ordinance Amendments. **Vote: Ayes: 7. Nays: 0. Motion carried.**

Correspondence / Reports/ Presentations

- A. Board of Trustees updates by Thering – No updates given
- B. ZBA updates by Buckley –There will be a ZBA meeting in September.
- C. Sidewalks and Pathway Prioritization updates by Darin – No updates given.
- D. Appointment to Sidewalk & Pathways Prioritization Committee

Commissioner Lapp acknowledged that one of the committee applicants is her husband. This conflict of interest was acknowledged by the Chair in accordance with the bylaws.

Commissioner Lapp moved from panelist to attendee and did not participate in the discussion or voting for this item.

LaBelle moved **Darin** supported to appoint Jeff Siler as Township Resident to the Sidewalks and Pathways Prioritization Committee with term expiring 8/15/2023. **Roll Call Vote: Ayes: Albrecht, Buckley, Darin, Fuller, LaBelle, and Squatrito Nays: 0. Abstained: 1. Motion carried.**

Fuller moved **Darin** supported to appoint Phil Hertzler as Member at Large to the Sidewalks and Pathways Prioritization Committee with term expiring 8/15/2023. **Roll Call Vote: Ayes: Albrecht, Buckley, Darin, Fuller, LaBelle, and Squatrito Nays: 0. Abstained: 1. Motion carried.**

Commissioner Lapp returned to the meeting as a panelist.

Public Comment

Open 7:17 p.m.

No comments were offered.

Closed 7:18 p.m.

New Business

A. PSPR21-13 5048-5082 E. Pickard Rd. Dollar General Retail Store – Final Site plan Application

- a. Updates by staff and the applicant
- b. Commission deliberation and action (approval denial, approval with conditions, or postpone action).

Updates given by Nanney on the PRPR21-13 5048-5082 E. Pickard Rd. Dollar General Retail Store – Final Site Plan Application. Scott Jozwiak and Scott Knowlton were available for questions from the Commissioners.

Fuller moved **Albrecht** supported to approve the PSPR21-13 final site plan for a new Dollar General retail store on parcel numbers 14-146-00-003-00 & -005-00, located on approximately 1.574 acres on the south side of E. Pickard Rd. (M20 east of S. Isabella Rd. in the northwest quarter of Section 13 and in the B-7 (Retail and Service Highway Business) zoning district, finding that the July 7, 2021 site plan can comply with applicable Zoning Ordinance requirements for final site plan approval, including Sections 14.2.P. (Required Site Plan Information) and 14.2.S. (Standards for Site Plan Approval), subject to the following conditions.

1. Township Public Services Department approval, prior to issuance of building permits for this project
2. Submittal of a revised final site plan with the landscaping location adjustments for administrative review and acceptance by the Zoning Administrator, prior to issuance of a building permit.

Roll Call Vote: Ayes: Albrecht, Buckley, Darin, Fuller, LaBelle, Lapp, and Squatrito. Nays: 0. Motion carried.

B. PSPR21-14 and PSPR21-16 Summerhill Village Mobile Home Park Office-Clubhouse – Combined Preliminary and Final Site Plan Application

- a. Introduction
- b. Updates from staff and the applicant
- c. Commission deliberation and action (approval denial, approval with conditions, or postpone action)

Nanney introduced the PSPR21-14 and PSPR21-16 Summerhill Village Mobile Home Park Office-Clubhouse – Combined Preliminary and Final Site Plan Application. Robert Lamer and Fred Ham were available for updates and questions from the Commissioners.

Buckley moved **Lapp** supported to approve the PSPR21-14 and PSPR21-16 combined preliminary and final site plan for the new clubhouse and parking lot improvements at the Summerhill Village Mobile Home Park on parcel number 14-034-20-001-00, located at 5280 S. Mission Road in the northeast quarter of Section 34 and in the R-4 (Mobile Home Park) zoning district, finding that the site plan set with Group, Shrock Commercial Construction, and the Dave Baker Agency can comply with applicable Zoning Ordinance requirements for final site plan approval, including Section 14.2.P. (Required Site Plan Information) and 14.2.S. (Standards for Site Plan Approval), subject to the following conditions:

1. Submittal to the Zoning Administrator of documentation of the missing outside agency approvals from the Mt. Pleasant Fire Department, the Isabella County Transportation Commission, the Township Public Services Department, and the Isabella County Drain office for Storm Water approval, prior to issuance of a building permit.
2. Submittal of a revised final site plan with the missing exterior lighting detail for administrative review and acceptance by the Zoning Administrator, prior to issuance of a building permit.
3. Include completion of bus stop improvements on the revised site plan.

Roll Call Vote: Ayes: Albrecht, Buckley, Darin, Fuller, LaBelle, Lapp, and Squatrito. Nays: 0. Motion carried.

C. Planning for Return to In-Person Meetings

- a. Memo from the Director

Lapp moved **Buckley** supported to continue the electronic format meetings through December 31, 2021, as long as the County Emergency Declaration remains in effect. **Roll Call Vote: Ayes: Albrecht, Buckley, Darin, Fuller, LaBelle, Lapp, and Squatrito. Nays: 0. Motion carried.**

Extended Public Comments

Open – 8:10 p.m.

No comments were offered.

Closed – 8:10 p.m.

Final Board Comment

Darin – will not be at the September meeting.

Adjournment – Chairman Squattrito adjourned the meeting at 8:14 p.m.

APPROVED BY:

(Recorded by Tera Green)

Doug LaBelle – Secretary
Stan Shingles – Vice Secretary

DRAFT

Board Expiration Dates

Planning Commission Board Members (9 Members) 3 year term			
#	F Name	L Name	Expiration Date
1-BOT Representative	James	Thering	11/20/2024
2-Chair	Phil	Squatrito	2/15/2023
3-Vice Chair	Ryan	Buckley	2/15/2022
4-Secretary	Doug	LaBelle II	2/15/2022
5 - Vice Secretary	Stan	Shingles	2/15/2024
6	Tera	Albrecht	2/15/2024
7	Mike	Darin	2/15/2022
8	Alex	Fuller	2/15/2023
9	Jessica	Lapp	2/15/2023
Zoning Board of Appeals Members (5 Members, 2 Alternates) 3 year term			
#	F Name	L Name	Expiration Date
1- PC Rep	Ryan	Buckley	2/15/2022
2 - Chair	Andy	Theisen	12/31/2022
3 - Vice Chair	Liz	Presnell	12/31/2022
4 - Secretary	Judy	Lannen	12/31/2022
5 -	vacant seat		12/31/2022
Alt. #1	Brandon	LaBelle	12/31/2022
Alt. #2	vacant seat		2/15/2021
Board of Review (3 Members) 2 year term			
#	F Name	L Name	Expiration Date
1	Doug	LaBelle II	12/31/2022
2	Sarvjit	Chowdhary	12/31/2022
3	Bryan	Neyer	12/31/2022
Alt #1	Randy	Golden	12/31/2022
Construction Board of Appeals (3 Members) 2 year term			
#	F Name	L Name	Expiration Date
1	Colin	Herron	12/31/2021
2	Richard	Jakubiec	12/31/2021
3	Andy	Theisen	12/31/2021
Hannah's Bark Park Advisory Board (2 Members from Township) 2 year term			
1	Mark	Stuhldreher	12/31/2022
2	John	Dinse	12/31/2021
Chippewa River District Library Board 4 year term			
1	Ruth	Helwig	12/31/2023
2	Lynn	Laskowsky	12/31/2021



Board Expiration Dates

EDA Board Members (11 Members) 4 year term			
#	F Name	L Name	Expiration Date
1-BOT Representative	Bryan	Mielke	11/2024
2	Thomas	Kequom	4/14/2023
3	James	Zalud	4/14/2023
4	Richard	Barz	2/13/2025
5	Robert	Bacon	1/13/2023
6	Marty	Figg	6/22/2022
7	Sarvjit	Chowdhary	1/20/2022
8	Cheryl	Hunter	6/22/2023
9	Jeff	Sweet	2/13/2025
10	vacant seat		2/13/2021
11	David	Coyne	3/26/2022
Mid Michigan Area Cable Consortium (2 Members)			
#	F Name	L Name	Expiration Date
1	Kim	Smith	12/31/2022
2	vacant seat		
Cultural and Recreational Commission (1 seat from Township) 3 year term			
#	F Name	L Name	Expiration Date
1	Robert	Sommerville	12/31/2022
Sidewalks and Pathways Prioritization Committee (2 year term -PC Appointments)			
#	F Name	L Name	Expiration Date
1 - BOT Representative	Kimberly	Rice	11/20/2024
2 - PC Representative	Mike	Darin	8/15/2022
3 - Township Resident	Jeff	Siler	8/15/2021
4 - Township Resident	Jeremy	MacDonald	10/17/2022
5 - Member at large	Phil	Hertzler	8/15/2021
Mid Michigan Aquatic Recreational Authority (2 seat from Township) 3 year term			
#	F Name	L Name	Expiration Date
1 - City of Mt. Pleasant	John	Zang	12/31/2023
2 - City of Mt. Pleasant	Judith	Wagley	12/31/2022
1 -Union Township	Stan	Shingles	12/31/2023
2 - Union Township	Allison	Chiodini	12/31/2022
1- Mt. Pleasant Schools	Lisa	Diaz	12/31/2021

Charter Township of Union

APPLICATION FOR SPECIAL USE PERMIT APPROVAL

A completed application will contain all information required per the Zoning Ordinance, Section 14.3 (Special Use Permits); and be accompanied by a separate minor site plan or preliminary site plan application per Section 14.02.C. (Site Plan Approval Required).

Minor Site Plan
Preliminary Site Plan

Name of Proposed Development/Project	<u>Aunt Brees Day Care</u>		
Common Description of Property & Address (if issued)	<u>6011 S Bamber Mt Pleasant, MI 48858</u>		
Applicant's Name(s)	<u>Breanne Moegeberg</u>		
Phone/Fax numbers	Email: <u>bmoege@yaho.com</u>		
Address	<u>6011 S Bamber Mt Pleasant MI</u>	City: <u>Mt Pleasant</u>	Zip: <u>48858</u>

Legal Description:	Attached	Included on Site Plan	Tax Parcel ID Number(s):
Existing Zoning:	Land Acreage:	Existing Use(s):	
ATTACHED: Letter describing the proposed use and how it conforms to Section 14.3.I. (Standards for Special Use Approval)			

Firm(s) or Individuals(s) who prepared site plan(s)	1. Name: <u>Above</u> Phone: _____ Email: _____
	2. Address: _____ City: _____ State: _____ Zip: _____ Contact Person: _____ Phone: _____
Legal Owner(s) of Property. All persons having legal interest in the property must sign this application. Attach a separate sheet if more space is needed.	1. Name: <u>Jeff Laws</u> Phone: _____
	Address: _____ City: _____ State: _____ Zip: _____
	Signature: <u>[Signature]</u> <small>DocuSign verified 08/25/21 3:44 PM EDT K12N-SK69-DV9Z-AM29</small> Interest in Property: <u>Owner</u>
	2. Name: <u>Lily Laws</u> Phone: _____
Address: _____ City: _____ State: _____ Zip: _____	
Signature: <u>[Signature]</u> <small>DocuSign verified 08/25/21 3:39 PM EDT F79C-RW3H-S7R-TX21</small> Interest in Property: <u>Owner</u>	

I do hereby affirm that all the statements, signatures, descriptions, exhibits submitted on or with this application are true and accurate to the best of my knowledge and that I am authorized to file this application and act on behalf of all the owners of the property. False or inaccurate information may be cause for revocation of the special use permit approval. Approval of the requested special use shall not constitute the right to violate any provisions of the Zoning Ordinance or other applicable codes and ordinances.

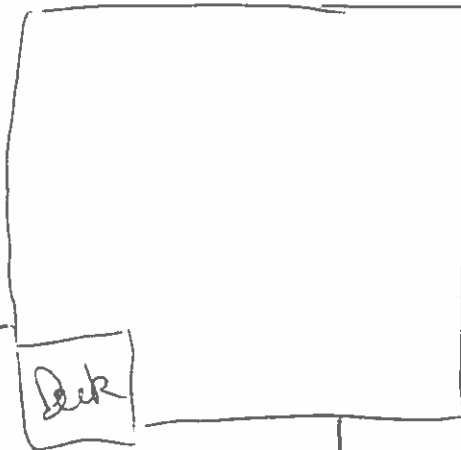
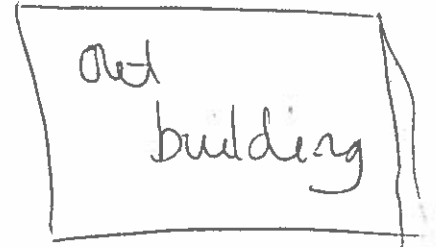
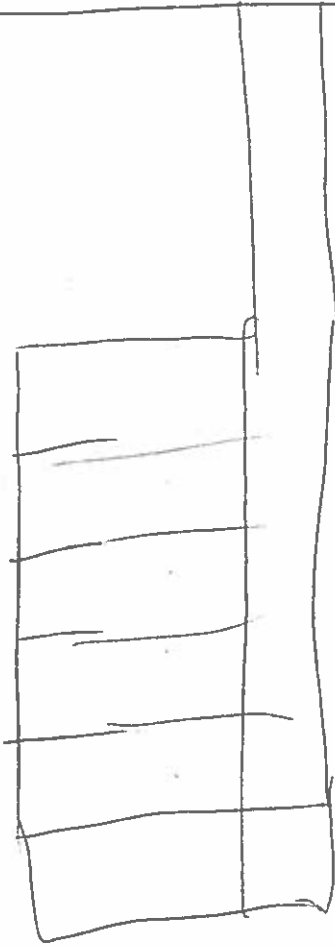
[Signature] Signature of Applicant 8-21-21 Date

Office Use Only

Application Received By: _____ Fee Paid: \$ _____

Date Received: _____ Escrow Deposit Paid: \$ _____

Road



50 ft

40 ft

40 ft

Re: Zoning 611 S Bamber Rd Mt Pleasant, MI 48858

8-26-21

To Whom It May Concern:

In regards to the pursuance to a special use permit for the address of 611 S Bamber Road in Mt Pleasant, MI, please note that the home and need for this zoning will be for a licensed State of Michigan childcare. Currently I am licensed at 3769 S Shepherd Rd in Mt Pleasant, MI. Although the license number will be new for a new location, the business and the clients will remain the same.

With such, I can not apply for my new childcare license until I receive the special use permit that will need to be submitted at the time of application for licensing as I will be operate a group home with up to 12 children. Pertaining to the standards necessary in SECTION 14.3, please refer to the State of Michigan licensing rules that should suffice as evidence for meeting all of the included and necessary standards of not only a safe location but a well maintained facility and property:

https://www.michigan.gov/documents/lara/lara_BCAL_PUB-724_0715_494800_7.pdf

In response to additional information that is required, please see below:

- Indicate on the drawing how many parking spots. I count six (6) but it needs to be stated. **SEE DIAGRAM FOLLOWING**
- Will there be any employees that do not reside in the home? Indicate **yes** or no. If yes, one parking space must be reserved for them. Include the dimensions of the parking and if they will be rock, gravel/dirt, or paved. They need to be at least 18.5 feet long and 9 feet wide. The parking areas and driveway cannot be grass and no parking on the road. **SEE DIAGRAM FOLLOWING**
- Include the width of the drive-way and describe how the pick-up/drop-off will operate? **(WIDTH OF DRIVEWAY WILL BE APPROXIMATELY 14 FT AND GRAVEL. PARENTS WILL PICK UP AND DROP OFF WITH NO MORE THAN THREE FAMILIES SCHEDULED AT THE SAME TIME (NORMALLY TWO). THE FENCED ENTRY IS CURRENT PROPOSAL FOR CHILDREN TO ENTER/EXIT)**
- Label the fence on the drawing as "Fence". How high and what will it be made of? Wood, vinyl, chain-link? **SEE PHOTO SAMPLE AS IT WILL BE WIDER SIMILAR 4 ft tall PANELS OF WOOD WITH HARDWARE 22 GUAGE GALVANIZED (Kids can't climb it :)**
- You need to attach a letter describing the proposed use and how it conforms to Section 14.3.J (Standards for Special Use Approval) **SEE ABOVE LETTER**
- Within the letter you submit for Section 14.3.J you can include the requirements met for Section 6.13.B.1-5 Group Day Car Home (for 7-12 Children) See sections below this bulleted punch list: **SEE ABOVE LETTER**
- Submitting any pictures of the site, either with pictures you have taken yourself or using google maps/County GIS will help visualize the site. **(SEE PHOTO FOLLOWING; IT WAS FROM COUNTY SEARCH AND IN ORANGE YOU CAN SEE THE ROUGH LOCATION OF PARKING AND FENCING IN ORANGE)**
- A copy of the purchase agreement or a letter from Lilly and Jeff Laws authorizing you to seek the Zoning approval on their property. **SEE THE FOLLOWING PHOTOS**
- If items such as the parking spaces or fence are not existing a date of when they will be completed is needed. **NEITHER PARKING NOR A FENCE CURRENTLY EXIST AND AS SEEN IN PROPOSAL, IF ZONED ACCORDINGLY, WILL BE COMPLETED BY 12-31-21**
- SECTION 14.3.J. Standards for Special Use Approval. No special use permit shall be granted unless the Township Board makes affirmative findings of fact and records adequate data, information, and evidence showing that:

- 1. The proposed land use is identified in Section 3 as a special use in the zoning district. **IDENTIFIED as Group Childcare Home**
- 2. The location, design, activities, processes, materials, equipment, and operational conditions of the special use will not be hazardous, detrimental or injurious to the environment or the public health, safety or general welfare by reason of traffic, noise, vibration, smoke, fumes, odors, dust, glare, light, drainage, Section 14: Administrative Procedures pollution or other adverse impacts. **A LICENSED DAYCARE WILL NOT CAUSE ANY OF THE ABOVE with the exception to the sound of children.**
- 3. The special use will be designed, constructed, operated, and maintained in a manner compatible with adjacent uses, the surrounding area, and the intent of the zoning district. Where determined necessary by the Planning Commission or Township Board, the applicant has provided adequately for any restrictions on hours or days of operation, minimization of noise, and screening improvements or other land use buffers to ensure land use compatibility and minimize adverse impacts. **UNDER LICENSING AND THE ZONING DISTRICT that is residential, it shall be all of the above and there will be no large equipment operation for conducting business throughout the day.**
- 4. The special use location and character is consistent with the general principles, goals, objectives, and policies of the adopted Master Plan. **CONSISTENT**
- 5. The proposed special use conforms to all applicable requirements or standards of this Ordinance or other Township ordinances. **TO MY KNOWLEDGE ALL IS IN CONFORMITY**
- 6. Approval of the special use location will not result in a small residential or non-residential area being substantially surrounded by incompatible uses. **THERE WILL BE NO SURROUNDING AREA OF INCOMPATIBLE USES**
- 7. The impact of the special use will not exceed the existing or planned capacity of public or municipal services or infrastructure; including but not limited to roads, police and fire protection services, refuse disposal, municipal water or sewerage systems, other utilities, drainage facilities, and public or private wells. The proposed use will not create additional requirements at public cost for services or infrastructure that will be detrimental to the economic welfare of the community. **IT WILL NOT EXCEED THESE**

- Section 6.13.B. Requirements. Pursuant to Public Act 110 of 2006, as amended, a group day care home shall be issued a special use permit if the facility meets of the following standards:
 - 1. Spacing. The Group Day Care Home shall not be located closer than 1,500 feet to any of the following: **TO MY KNOWLEDGE NONE OF THESE EXIST NEAR**
 - a. Another licensed group day care home.
 - b. An adult foster care small group home or large group home licensed under the adult foster care facility licensing act, Michigan Public Act 218 of 1979, as amended.
 - c. A facility offering substance abuse treatment and rehabilitation service to seven (7) or more people licensed under Article 6 of the public health code, Michigan Public Act 218 of 1979, as amended.
 - d. A community correction center, resident home, halfway house, or other similar facility that houses an inmate population under the jurisdiction of the Department of Corrections.
 - 2. Fence Enclosure. For the safety of the children, the play yard shall be enclosed with a four (4) foot high fence, which shall comply with the requirements in Section 7.6 of the Zoning Ordinance. **INCLUDED INFORMATION IN DIAGRAM FOLLOWING**

- 3. Maintenance. The property shall be maintained in a manner that is consistent with the characteristics of the residential neighborhood. **THIS IS OPERATED OUT OF MY HOME AND WILL BE MAINTAINED WITH THE CHARACTERISTICS OF A RESIDENTIAL NEIGHBORHOOD (See the final picture of my current group childcare home located at 3769 S Shepherd Rd in Mt Pleasant, MI)**
- 4. Hours of Operation. The facility shall not exceed 16 hours of operation during a 24-hour period. **HOURS OF OPERATION WILL BE 5:30AM - 6:30PM**
- 5. Signs. Signs shall comply with Section 11 of the Zoning Ordinance. **SIGN USE WILL BE APPLIED FOR ACCORDINGLY when I am ready**

Thank you,

Breanne Moeggenberg

Cancel

Markup



Done

25178 Elevation



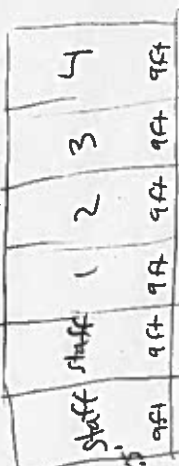




Road

gravel parking & driveway

6 parking spaces



each space is 18.5 x 9

30'

54"

fenced in area

4 ft high - similar
See sample photo

50 ft

40

ft

40 ft

Deck

out building

Residential Lease

Clause 1. Identification of Landlord and Tenant

This agreement is entered into between Brianne Moeggenberg [Tenant] and Jeff & Kelly Davis [Landlord]. Each Tenant is jointly and severally liable for the payment of rent and performance of all other terms of this Agreement.

Clause 2. Identification of Premises

Subject to the terms and conditions in this Agreement, Landlord rents to Tenant, and Tenant rents from Landlord, for residential purposes only, the premises located at 101 S. Bamber Rd
Mt Pleasant, MI together with the following furnishings and appliances:

All Appliances, All other contents to be cleaned.
Rental of the premises also includes the fact that it will
zone and have a daycare.

Clause 3. Limits on Use and Occupancy

The premises are to be used only as a ~~private~~ residence for Tenant(s) listed in Clause 1 of this Agreement, and their minor children.

Occupancy by guests for more than will be licensed daycare prohibited without Landlord's written consent and will be considered a breach of this Agreement.

Clause 4. Term of the Tenancy

The term of the rental will begin on Aug 22, 2021, and end on Completion of Sale

Clause 5. Payment of Rent.

Regular month rent

Tenant will pay to Landlord a monthly rent of \$ 1,000, payable in advance on the first day of each month, except when that day falls on a weekend or legal holiday, in which case rent is due on the next business day. Rent will be paid in the following manner unless Landlord designates otherwise:

Delivery of payment.

Rent will be paid:

by mail, to _____

in person, at _____

Form of payment.

Landlord will accept payment in these forms:

cash

personal check made payable to _____

certified funds or money order

credit card



BM

- bank debit
- electronic funds transfer

Prorated first month's rent.

For the period from Tenant's move-in date, _____, through the end of the month, Tenant will pay to Landlord the prorated monthly rent of \$ 400⁰⁰. This amount will be paid on or before the date the Tenant moves in.

Clause 6. Late Charges

If Tenant fails to pay the rent in full before the end of the 3rd day after it's due, Tenant will pay Landlord a late charge as follows: 10%.
Landlord does not waive the right to insist on payment of the rent in full on the date it is due.

Clause 7. Returned Check and Other Bank Charges

If any check offered by Tenant to Landlord in payment of rent or any other amount due under this Agreement is returned for lack of sufficient funds, a "stop payment," or any other reason, Tenant will pay Landlord a returned check charge of \$ 25⁰⁰.

Clause 8. Security Deposits

On signing this Agreement, Tenant will pay to Landlord the sum of \$ 1000 as a security deposit. Tenant may not, without Landlord's prior written consent, apply this security deposit to the last month's rent or to any other sum due under this Agreement. Within 3 after Tenant has vacated the premises, returned keys, and provided Landlord with a forwarding address, Landlord will return the deposit in full or give Tenant an itemized written statement of the reasons for, and the dollar amount of, any of the security deposit retained by the Landlord, along with a check for any deposit balance.

Clause 9. Utilities

Tenant will pay all utility charges, except for the following, which will be paid by Landlord:

Tenant to pay all utilities,

Clause 10. Prohibition of Assignment and Subletting

Tenants will not sublet any part of the premises or assign this Agreement without the prior written consent of Landlord.

- a. Tenants will not sublet or rent any part of the Premises for short-term stays of any duration, including but not limited to vacation rentals.
- b. Short-stay rentals are prohibited except as authorized by law. Any short-stay rental is expressly conditioned upon the tenants' following all regulations, laws, and other requirements as a condition to offering a short-stay rental. Failure to follow all laws, ordinances, regulations, and other requirements, including any registration requirement, will be deemed a material, noncurable breach of this Agreement and will furnish cause for termination.

LF310 Residential Lease 0918, Pg.2



BM

Clause 11. Tenant's Maintenance Responsibilities

Tenant will: (1) keep the premises clean, sanitary, and in good condition and, upon termination of the tenancy, return the premises to Landlord in a condition identical to that which existed when Tenant took occupancy, except for ordinary wear and tear; (2) immediately notify Landlord of any defects or dangerous conditions in and about the premises of which Tenant becomes aware; and (3) reimburse Landlord, on demand by Landlord, for the cost of any repairs to the premises damaged by Tenant or Tenant's guests or business invitees through misuse or neglect.

Tenant has examined the premises, including appliances, fixtures, carpets, drapes, and paint, and has found them to be in good, safe, and clean condition and repair, except as noted in the Landlord-Tenant Checklist.

Clause 12. Repairs and Alterations by Tenant

a. Except as provided by law, or as authorized by the prior written consent of Landlord, Tenant will not make any repairs or alterations to the premises, including nailing holes in the walls or painting the rental unit.

b. Tenant will not, without Landlord's prior written consent, alter, rekey, or install any locks to the premises or install or alter any burglar alarm system. Tenant will provide Landlord with a key or keys capable of unlocking all such rekeyed or new locks as well as instructions on how to disarm any altered or new burglar alarm system.

Clause 13. Prohibition of Violating Laws and Causing Disturbances

Tenant is entitled to quiet enjoyment of the premises. Tenant and guests or invitees will not use the premises or adjacent areas in such a way as to: (1) violate any law or ordinance, including laws prohibiting the use, possession, or sale of illegal drugs; (2) commit waste (severe property damage); or (3) create a nuisance by annoying, disturbing, inconveniencing, or interfering with the quiet enjoyment and peace and quiet of any other tenant or nearby resident.

Clause 14. Pets

No animal may be kept on the premises without Landlord's prior written consent, except animals needed by tenants who have a disability, as that term is understood by law, and _____

under the following conditions: Tenant has 1 cat, 1 dog

Clause 15. Landlord's Right to Access

Landlord or Landlord's agents may enter the premises in the event of an emergency, to make repairs or improvements, or to show the premises to prospective buyers or tenants. Landlord may also enter the premises to conduct an annual inspection to check for safety or maintenance problems. Except in cases of emergency, Tenant's abandonment of the premises, court order, or where it is impractical to do so, Landlord shall give Tenant 30 hours notice before entering.

Clause 16. Extended Absences by Tenant

Tenant will notify Landlord in advance if Tenant will be away from the premises for 20 or more con-

LL
09/25/21
10:59 AM EDT
dadaop verified

LL
09/25/21
11:32 AM EDT
dadaop verified

BH

...ive days. During such absence, Landlord may enter the premises at times reasonably necessary to maintain the property and inspect for needed repairs.

Clause 17. Possession of the Premises

a. *Tenant's failure to take possession.*

If, after signing this Agreement, Tenant fails to take possession of the premises, Tenant will still be responsible for paying rent and complying with all other terms of this Agreement.

b. *Landlord's failure to deliver possession.*

If Landlord is unable to deliver possession of the premises to Tenant for any reason not within Landlord's control, including, but not limited to, partial or complete destruction of the premises, Tenant will have the right to terminate this Agreement upon proper notice as required by law. In such event, Landlord's liability to Tenant will be limited to the return of all sums previously paid by Tenant to Landlord.

Clause 18. Tenant Rules and Regulations

Tenant acknowledges receipt of, and has read a copy of, tenant rules and regulations, which are attached to and incorporated into this Agreement by this reference. Tenant understands that serious or repeated violations of the rules may be grounds for termination. Landlord may change the rules and regulations without notice.

Clause 19. Payment of Court Costs and Attorney Fees in a Lawsuit

In any action or legal proceeding to enforce any part of this Agreement, the prevailing party

shall not / shall recover reasonable attorney fees and court costs.

Clause 20. Disclosures

Tenant acknowledges that Landlord has made the following disclosures regarding the premises:

Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards

Other disclosures:

Clause 21. Authority to Receive Legal Papers

The Landlord, any person managing the premises, and anyone designated by the Landlord are authorized to accept service of process and receive other notices and demands, which may be delivered to:

The Landlord, at the following address: _____.

The manager, at the following address: _____.

The following person, at the following address: _____.

Clause 22. Additional Provisions

Additional provisions are as follows:

Property to be used as a licensed daycare. Tenant will make necessary improvements such as flooring

LF370 Residential Lease 08-19, Pg.4

painting and a fence all to be approved by landlord

*All rents to be applied toward sales price
See Buy Sell*

Clause 23. Validity of Each Part

If any portion of this Agreement is held to be invalid, its invalidity will not affect the validity or enforceability of any other provision of this Agreement.

Clause 24. Grounds for Termination of Tenancy

The failure of Tenant or Tenant's guests or invitees to comply with any term of this Agreement, or the misrepresentation of any material fact on Tenant's rental application, is grounds for termination of the tenancy, with appropriate notice to Tenant and procedures as required by law.

Clause 25. Entire Agreement

This document constitutes the entire Agreement between the parties, and no promises or representations, other than those contained here and those implied by law, have been made by Landlord or Tenant. Any modifications to this Agreement must be in writing signed by Landlord and Tenant.

Date Jeffrey Law dotloop verified
08/25/21 11:32 AM EDT
N157-RZU-NH6-N2CS Title

Landlord or Landlord's Agent

Address allegre dotloop verified
08/25/21 10:59 AM EDT
TLDP-WPKY-2K3A-CR9H

City State Zip Code Phone

Date 8-21-21 Tenant [Signature] Phone 989.309.9118

Date Tenant Phone

Date Tenant Phone



1886680

Page 1 of 7



Buy and Sell Agreement

THIS IS A LEGALLY BINDING CONTRACT. READ ENTIRE DOCUMENT CAREFULLY BEFORE SIGNING.

Buyers & Sellers acknowledge that agency relationship has been disclosed.

Offer Date: August 21, 2021

Selling Office: Property Solutions Realty and Investments Phone: 817.597.7335 ("Selling Broker")

Selling REALTOR®: Cynthia Tilmann

Selling REALTOR®'s Email: ctilmann52@gmail.com Phone: 817.597.7335

Listing Office: Prædium Realty Phone: (989) 317-8352 ("Listing Broker")

Listing REALTOR®: Candi Mersino

Listing REALTOR®'s Email: _____ Phone: _____

Buyers Name: Breanna Nooggenberg

1. **PROPERTY DESCRIPTION:** Buyer agrees to buy from Seller the following property commonly known as: _____ (street address)
511 S Rumber Rd, Michigan, Zip Code 48858-9051. The property is located in the
 City Mount Pleasant Village Township City of Union County of Isabella
 Legal Description: _____

 and/or Tax ID# 14-004-40-004-01

THE PROPERTY INCLUDES ANY OF THE FOLLOWING PRESENTLY ON THE PREMISES: All buildings; all gas, oil, and mineral rights owned by Seller; TV antenna and controls; satellite dish and controls; TV mounts/brackets (excluding TVs); garage door opener and transmitters; sprinkler systems; attached floor coverings; hard-wired light fixtures and shades; drapery/curtain hardware; window shades/blinds; screens, storm windows, and storm doors; stationary laundry tubs; water softener, if owned; water purification system; water heater; sump pumps; heating and air conditioning equipment (portable units excluded); water pump and pressure tank; propane tank, if owned; built-in kitchen appliances; awnings; mailbox; all plantings; fences; attached fireplace screens, doors, and equipment; attached supplemental heating units; all attached mirrors and all bathroom mirrors; smoke, carbon monoxide, heat, and fire detectors; hard-wired security systems; any items attached by permanent wiring or plumbing; items attached by nails or screws.

2. **PURCHASE PRICE:** The purchase price for the property is \$ 129,900⁰⁰

3. **CONTINGENT SALE:** This offer (check all that apply):

IS NOT CONTINGENT upon the sale or close of another property.

IS CONTINGENT upon the sale and close of 3769 S. Shepherd RD, Mt Pleasant

IS CONTINGENT upon the close of _____

IS CONTINGENT upon the property appraising at an amount equal to or greater than the purchase price.

IS NOT CONTINGENT upon the property appraising at an amount equal to or greater than the purchase price.

Bu Buyer(s) initials

LL Seller(s) initials

SELLER'S DISCLOSURE:

- Buyer acknowledges that a Seller's Disclosure Statement has been provided to Buyer.
- Seller shall provide Buyer with a Seller's Disclosure Statement with Seller's acceptance of this offer. Pursuant to the Seller Disclosure Act, MCL 565.951, et seq., Buyer will have 72 hours after hand-delivery of the disclosure statement (or 120 hours after delivery by registered mail) to terminate this Agreement by delivery of a written notice to Seller or Listing REALTOR®.
- Property is exempt from Seller Disclosure Act.

9. LEAD-BASED PAINT DISCLOSURE/INSPECTION for residential housing built prior to 1978 (check one below):

- Buyer acknowledges that prior to signing this Agreement, Buyer has received a copy of the *Lead-based Paint Seller's Disclosure Form* completed by the Seller, the terms of which shall be part of this Agreement.
- Seller shall provide Buyer with a copy of the *Lead-based Paint Seller's Disclosure Form* with Seller's acceptance of this offer. Buyer will have 72 hours after hand-delivery of the disclosure statement (or 120 hours after delivery by registered mail) to terminate this Agreement by delivery of a written notice to Seller or Listing REALTOR®.
- Not Applicable.

Buyer also agrees (check one below):

- Buyer shall have 3 calendar days after the acceptance of this Agreement to conduct an inspection of the property for the presence of lead-based paint and/or lead-based paint hazards. (Federal regulations require a 10-day period or other mutually agreed upon period.) If Buyer is not satisfied with the results of this inspection, upon notice from Buyer to Seller within this period, this Agreement shall terminate, and any deposit shall be refunded to Buyer.
- Buyer hereby waives his/her opportunity to conduct a risk assessment or inspection for the presence of leadbased paint and/or lead-based paint hazards.

10. PROPERTY INSPECTIONS: Buyer has personally inspected the property and accepts it in AS IS present condition and agrees that there are no additional written or oral understandings except as otherwise provided in this Agreement.

- This offer is contingent upon satisfactory inspections of the property, at Buyer's choice and at Buyer's expense, no later than 3 business days after acceptance. These inspections may include, but may not be limited to, structural and/or mechanical inspections, survey and site investigation, soil borings, as well as inspections for radon, pests, mold and/or asbestos. Buyer agrees to return the property to its prior condition after any inspections or tests. If Buyer is not satisfied with the results of an inspection, Buyer may, at any time within the inspection contingency period: 1) withdraw their offer in writing with Buyer's earnest money deposit to be returned in full, 2) request in writing that Seller make certain repairs or 3) request that Seller reduce the sales price to compensate for such defect(s). Such a request to make repairs or reduce the sales price does not terminate this Agreement and Seller shall have 48 hours from receipt of such request to agree to make such repairs or reduce the sales price. If Seller does not agree within 48 hours, Buyer shall then have 48 hours to waive the contingency and accept the property "as-is" or to declare this Agreement null and void. Failure of Buyer to respond in writing within the inspection contingency period shall constitute a waiver of this contingency.
- Buyer acknowledges that Selling Broker/REALTOR® has recommended that Buyer obtain an inspection of the property by an inspector and/or a licensed contractor. Buyer does not desire to obtain an inspection of the property.

11. TITLE INSURANCE: Seller shall provide to Buyer, at Seller's expense, an owner's policy of title insurance with standard exceptions in the amount of the purchase price. Seller will apply for a commitment for title insurance within 5 business days after acceptance of this Agreement. Any special exception will be subject to Buyer's approval, provided that this contingency shall be deemed waived unless Buyer notifies Seller in writing within 3 days of receipt of the commitment. Seller will have 30 days after receiving written notice to remedy any claimed defect.

 JM Buyer(s) initials

 LL
10/25/01
 LL
10/25/01
61 Macomb Ave Rd

COUNTERPARTS: This Agreement may be signed in any number of counterparts with the same effect as if the signature of each counterpart were upon the same instrument.

23. **HEIRS, SUCCESSORS AND ASSIGNS:** This Agreement binds Seller, Seller's personal representatives and heirs, and anyone succeeding to Seller's interest in the property. Buyer shall not assign this Agreement without Seller's prior written permission.

24. **ELECTRONIC COMMUNICATION:** As an alternative to physical delivery, the parties agree that this Agreement, any amendment or modification of this Agreement and/or any written notice or communication in connection with this Agreement may be delivered to the Seller in care of the Listing REALTOR® and the Buyer in care of the Selling REALTOR® via electronic mail via the contact information set forth above. Any such communication shall be deemed delivered at the time it is sent or transmitted. Seller represents and warrants that an electronic email address has been provided to Listing REALTOR® from which Seller may receive electronic mail. Buyer represents and warrants that an electronic email address has been provided to Selling REALTOR® from which Buyer may receive electronic mail. The parties agree that the electronic signatures and initials shall be deemed to be valid and binding upon the parties as if the original signatures or initials were present in the documents in the handwriting of each party.

25. **WIRE FRAUD WARNING:** As a result of numerous e-mail, text and social media message scams, funds that are to be wired have been targeted, and in some cases, stolen. These scams involve authentic looking, yet false, wire instructions appearing to be from title, mortgage, or real estate companies. If these false wire instructions are followed, the funds divert to the criminals. Never wire funds pursuant to wire instructions that you receive via email. Always verify instructions via telephone call using verified contact information.

The undersigned agree to defend, and hold harmless any real estate office, its associated real estate salespeople and affiliated title and lending companies, from all liability that relates to, or arises from, the use, or attempted use, of wire transfer of funds in connection with the contemplated transaction.

26. **MEDIATION:** Buyer and Seller agree that if there is any dispute related to this contract, the sale, or the closing, the dispute may be submitted for Mediation. The Mediation shall be subject to the National Association of REALTORS (NAR) Rules and Procedures of the Home Buyers Home/Sellers Dispute resolution system. If the parties cannot reach a resolution through Mediation, they have the right to use other legal remedies.

27. **INFORMATION DISCLOSURE:** The purchase price and terms of this sale shall be disclosed to the Northern Great Lakes REALTORS® MLS in the ordinary conduct of business.

28. **PROPERTY CONDITION:** Buyer and Seller acknowledge that neither party has relied on any representations of Listing Broker, Selling Broker or their respective agents concerning the condition of the property. Buyer and Seller hereby release the Listing Broker, the Selling Broker, and their respective agents with respect to all claims relating to the condition of the property and/or the performance of this Agreement by the parties hereto.

29. **EXISTING PERSONAL PROPERTY INCLUDED:** Personal property listed below shall be gifted in "AS IS" condition, free and clear of any liens or encumbrances, and Seller makes no warranty of any kind, express or implied.

30. **OTHER CONDITIONS:** Car and all contents of the home to be removed with the exception of the appliances which shall remain with the property.

BM Buyer(s) Initials

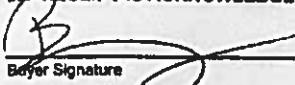
LL Seller(s) Initials



- 31. **FOREIGN INVESTMENT IN REAL PROPERTY TAX ACT (FIRPTA):** If the sales price exceeds \$300,000 or if one of the IRS exceptions from FIRPTA Withholding cannot be used, parties to this agreement to be bound by FIRPTA requirements and must complete specific forms related to FIRPTA.
- 32. **NON-DISCRIMINATION:** It is agreed by all parties to this agreement, that as required by law, discrimination because of race, color, religion, national origin, sex, familial status, marital status, age, height, weight or disability by said parties with respect to the sale of the subject property is prohibited.
- 33. **ENTIRE AGREEMENT:** Buyer and Seller agree that this is the entire agreement between the parties and that there are no other written or oral understandings. Buyer and Seller further agree that this Agreement supersedes any and all prior agreements, understandings or representations made by the parties or their agents.
- 34. **THIS OFFER WILL EXPIRE ON** August 23, 2021 at 9 AM PM. Buyers and Sellers shall be aware that any offer or counteroffer may be withdrawn at any time prior to its acceptance.

BUYERS AND SELLERS ARE ENCOURAGED TO SEEK LEGAL COUNSEL

35. **RECEIPT IS ACKNOWLEDGED BY BUYER** of a copy of this Agreement.


 Buyer Signature _____ Buyer Signature _____
Breanne Moeggenberg _____
 Print Name _____ Print Name _____


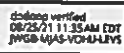

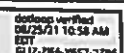
BUYER'S ADDRESS _____
 Deposit in the form of Personal Check Other _____ received by _____
 _____ Selling Broker/REALTOR®

36. **SELLER'S RESPONSE** Date: 08/25/2021 AM PM

- The above offer is hereby accepted.
- The above offer is hereby accepted subject to the following changes: _____

- This counter offer must be accepted on or before _____ AM PM _____ (date).

Seller is hereby authorized to sign and acknowledges receipt of a copy of this Agreement.

Seller's   Seller's  
 Seller's Signature _____ Seller's Signature _____
 Print Name _____ Print Name _____

_____ Buyer(s) initials

Seller(s) initials



37. BUYER'S RESPONSE

Date: Aug 25 2016 3:30 PM

- Acknowledge receipt of Seller's acceptance of Buyer's offer.
- Seller's counteroffer is hereby accepted.
- The above counteroffer is hereby accepted subject to the following changes: _____

This counteroffer must be accepted on or before _____ AM/PM _____ (date).

Buyer's Signature _____ Buyer's Signature _____

38. SELLER'S RESPONSE

Date: _____ AM/PM

- Acknowledge receipt of Buyer's acceptance of Seller's counteroffer.
- The above counteroffer is hereby accepted.
- The above counteroffer is hereby accepted subject to terms of Addendum # _____

Seller's Signature _____ Seller's Signature _____

39. BUYER'S RESPONSE

Date: _____ AM/PM

- Acknowledge receipt of Seller's acceptance of Buyer's counteroffer.

Buyer's Signature _____ Buyer's Signature _____

Disclaimer: This form is provided as a service of the Central Michigan Association of Realtors®. Please review both the form and details of the particular transaction to ensure that each section is appropriate for the transaction. Central Michigan Association of Realtors® is not responsible for use or misuse of the form, for misrepresentation, or for warranties made in connection with the form. Revised: 2/16/2021

Buyer(s) Initials _____

Seller(s) Initials _____



SPECIAL USE PERMIT REPORT

TO:	Planning Commission	DATE:	September 14, 2021
FROM:	Peter Gallinat, Zoning Administrator	ZONING:	AG Agricultural District
PROJECT:	PSUP 21-03 Special Use Permit application – Group Day Care Home (7-12 Children)		
PARCEL(S):	PID 14-004-40-004-01		
OWNER(S):	Jeffrey & Lilly Ann Laws (applicant Breanne Moeggenberg)		
LOCATION:	Approximately 1.71 acres located at 611 S. Bamber Road in the SE 1/4 of Section 4.		
EXISTING USE:	One family residential dwelling.	ADJACENT ZONING:	AG
FUTURE LAND USE DESIGNATION: <i>Rural Preservation:</i> Rural Preservation Areas outside of the growth boundary should be maintained at a low intensity rural character of development that will not adversely impact natural features and agricultural uses. Agriculture should be promoted and future rezoning requests for residential should be prohibited to prevent leapfrog development.			
ACTION REQUESTED: To hold a public hearing, review, and make recommendations to the Board of Trustees on the PSUP21-03 Special Use Permit application for a Group Day Care Home (7-12 Children) located 611 S. Isabella Road in the NE 1/4 of Section 14 and in the AG (Agricultural) zoning district.			

Background Information

The applicant Breanne Moeggenberg has been authorized by the current owners of 611 S. Bamber to apply for a Group Day Care Home (7-12 Children) Special Use Permit. Ms. Moeggenberg is in the process of buying 611 S. Bamber from Jeffrey and Lilly Ann Laws. She currently operates a group day care home known as Aunt Bree’s Day Care located at 3769 S. Shepherd Rd. If approved, she will be moving this Aunt Bree’s Day Care to 611 S. Bamber Road.

Review Comments

Section 14.03J. of the Zoning Ordinance establishes the standards for special use approval. Special use permit approval is subject to a Planning Commission public hearing and recommendation to the Board of Trustees. The Board of Trustees retains final authority to approve or deny any special use permit. The Planning Commission’s recommendation should include “*affirmative findings of fact and records adequate data, information, and evidence*” to support a conclusion that the proposed special use conforms to the standards of Section 14.03.J.

Each of the seven (7) standards from this Section are listed in the following table in bold printed

text. Staff review comments follow under each standard. Please note that, for clarity and readability purposes, staff has divided standards #2 and #7 into several subsections:

Section 14.3.J. (Standards for Special Use Approval)		Status
1	The proposed land use is identified in Section 3 as a special use in the zoning district.	Conforms
	A Child or Day care, Group Home is listed in Section 3.6 as a special use in the AG (Agricultural District).	
2(a)	The location, design, activities, processes, materials, equipment, and operational conditions of the special use will not be hazardous, detrimental or injurious to the environment or the public health, safety or general welfare by reason of <u>traffic</u>....	Conforms
	The proposed use conforms to this standard. Anticipated vehicular traffic would be limited to vehicles picking up and dropping in the morning and evening. Based on these conditions, a group day care home would not be detrimental or hazardous to the general welfare by means of traffic generation.	
2(b)	The location, design, activities, processes, materials, equipment, and operational conditions of the special use will not be hazardous, detrimental or injurious to the environment or the public health, safety or general welfare by reason of...<u>noise, vibration, ...dust, glare (or) light</u>....	Conforms
	Children playing outside will be within a fenced area. The only noise generated would be children playing which can be found at any residential home with children. There are no outside lights proposed	
2(c)	The location, design, activities, processes, materials, equipment, and operational conditions of the special use will not be hazardous, detrimental or injurious to the environment or the public health, safety or general welfare by reason of...<u>odors, dust, drainage, pollution or other adverse impacts</u>.	Conforms
	The Group Day Care Home will not be detrimental or injurious to the environment or public health by reason of odors, dust, drainage, pollution or other adverse impacts.	
3	The special use will be designed, constructed, operated, and maintained in a manner compatible with adjacent uses, the surrounding area, and the intent of the zoning district. Where determined necessary by the Planning Commission or Township Board, the applicant has provided adequately for any restrictions on hours or days of operation, minimization of noise, and screening improvements or other land use buffers to ensure land use compatibility and minimize adverse impacts.	Conforms
	The applicant will if approved will purchase the home and will be living in the home. The use of the house will still be residential. The Group Day Care Home will be an additional special use. The hours of operation will be from 5:30am to 6:30pm. This will not be a 24 hour operation.	
4	The special use location and character is consistent with the general principles, goals, objectives, and policies of the adopted Master Plan.	Conforms
	This special use would not adversely impact natural features and agricultural uses within this Rural Preservation designated area.	

Section 14.3.J. (Standards for Special Use Approval)		Status
5	The proposed special use conforms to all applicable requirements or standards of this Ordinance or other Township ordinances.	Conforms
	Section 6.13.B. Requirements. Pursuant to Public Act 110 of 2006, as amended, a group day care home shall be issued a special use permit if the facility meets of the following standards:	
	1. Spacing. The Group Day Care Home shall not be located closer than 1,500 feet to any of the following:	
	a. Another licensed group day care home. Conforms	
	b. An adult foster care small group home or large group home licensed under the adult foster care facility licensing act, Michigan Public Act 218 of 1979, as amended. Conforms	
c. A facility offering substance abuse treatment and rehabilitation service to seven (7) or more people licensed under Article 6 of the public health code, Michigan Public Act 218 of 1979, as amended. Conforms		
d. A community correction center, resident home, halfway house, or other similar facility that houses an inmate population under the jurisdiction of the Department of Corrections. Conforms		
2. Fence Enclosure. For the safety of the children, the play yard shall be enclosed with a four (4) foot high fence, which shall comply with the requirements in Section 7.6 of the Zoning Ordinance. Will Conform - fence to be installed by 12-31-2021.		
3. Maintenance. The property shall be maintained in a manner that is consistent with the characteristics of the residential neighborhood. Conforms		
4. Hours of Operation. The facility shall not exceed 16 hours of operation during a 24-hour period. Conforms (13-hour operation)		
5. Signs. Signs shall comply with Section 11 of the Zoning Ordinance. Will Conform		
6	Approval of the special use location will not result in a small residential or non-residential area being substantially surrounded by incompatible uses.	Conforms
	The approval of the special use location will not result in a small residential or non-residential area being substantially surrounded by incompatible uses.	
7(a)	The impact of the special use will not exceed the existing or planned capacity of public or municipal services or infrastructure; including but not limited to...<u>fire protection services (and) municipal water and sewerage systems...</u>	Conforms
	The proposed use conforms to this standard.	
7(b)	The impact of the special use will not exceed the existing or planned capacity of public or municipal services or infrastructure; including but not limited to <u>roads, police...protection services, (and) refuse disposal, other utilities, drainage facilities, and public or private wells...</u>	Conforms
	The proposed use conforms to this standard. No parking will be on the road. Traffic will only be generated in the morning for drop off and early evening for pick-up. The area is serviced by the County Sheriff and Mt. Pleasant Fire Department.	

Section 14.3.J. (Standards for Special Use Approval)		Status
7(c)	The proposed use will not create additional requirements at public cost for services or infrastructure that will be detrimental to the economic welfare of the community.	Conforms
	The proposed use conforms to this standard.	

Objective

Following the hearing, the Planning Commission shall review the application materials, together with any reports and recommendations, and any public comments. The Planning Commission shall identify and evaluate all relevant factors and shall then take action by motion to recommend to the Township Board approval, approval with conditions, or denial of the special use permit application, or to postpone further consideration of the application to a date certain in accordance with the provisions of Section 14.3.F.4.

Key Findings

Breanne Moeggenberg is an experienced Group Day Care Home provider currently operating a Group Day Care Home in the region. The proposed special use complies with the Township Zoning Ordinance and the Township Master Plan. The applicant has set a deadline of 12-31-2021 to complete the improvements for parking and fencing on-site.

Recommendations

Based on the above findings, I would ask that the Planning Commission consider taking action to recommend approval of the PSUP 21-03 Special Use Permit application for Group Day Care Home (7-12 Children) to the Board of Trustees, subject to the following conditions:

1. Parking and fence improvements to be completed by December 31, 2021.
2. A copy of state documentation approving the transfer of Aunt Bree’s Day Care from 3769 S. Shepherd Road to 611 S. Bamber Road shall be provided to the Zoning Administrator prior to operation of the facility at this location.

Please contact me at (989) 772-4600 ext. 241, or via email at pgallinat@uniontownshipmi.com, with any questions about this information.

Respectfully submitted,

Peter Gallinat, Zoning Administrator

Community and Economic Development Department

Draft Motions: Group Day Care Home Special Use Permit Application

MOTION TO RECOMMEND APPROVAL:

Motion by _____, supported by _____, to recommend to the Township Board of Trustees to approve the PSUP 21-03 special use permit application from Breanne Moeggenberg for a group day care home at 611 S. Bamber Road (parcel number 14-004-40-004-01) on approximately 1.71 acres of land in the southeast quarter of Section 4 and in the AG zoning district, finding that it fully complies with all applicable Zoning Ordinance requirements, including Section 6.39.B. (Group Day Care Home).

MOTION TO RECOMMEND APPROVAL WITH CONDITIONS:

Motion by _____, supported by _____, to recommend to the Township Board of Trustees to approve the PSUP 21-03 special use permit application from Breanne Moeggenberg for a group day care home at 611 S. Bamber Road (parcel number 14-004-40-004-01) on approximately 1.71 acres of land in the southeast quarter of Section 4 and in the AG zoning district, subject to the following conditions:

1. Parking and fence improvements to be completed by December 31, 2021.
2. A copy of state documentation approving the transfer of Aunt Bree's Day Care from 3769 S. Shepherd Road to 611 S. Bamber Road shall be provided to the Zoning Administrator prior to operation of the facility at this location.

MOTION TO RECOMMEND DENIAL:

Motion by _____, supported by _____, to recommend to the Township Board of Trustees to deny the PSUP 21-03 special use permit application from Breanne Moeggenberg for a group day care home at 611 S. Bamber Road (parcel number 14-004-40-004-01) on approximately 1.71 acres of land in the southeast quarter of Section 4 and in the AG zoning district, for the following reasons:

MOTION TO POSTPONE ACTION:

Motion by _____, supported by _____, to postpone action on the PSUP 21-03 special use permit application from Breanne Moeggenberg for a group day care home at 611 S. Bamber Road until April 21, 2020 for the following reasons:

**CHARTER TOWNSHIP OF UNION PLANNING COMMISSION
PUBLIC HEARING NOTICE - ZONING ORDINANCE TEXT AMENDMENTS**

NOTICE is hereby given that a public hearing will be held by the Planning Commission on Tuesday, September 21, 2021, at 7:00 p.m. for the purpose of receiving comments on proposed amendments to sections 2 (Definitions), 3 (Zoning Districts and Maps), 4 (Schedule of Regulations), 6 (Standards Applicable to Specific Land Uses), 7 (General Provisions), 9 (Parking, Loading, and Access Management), 11 (Signs), 12 (Nonconformities), and 14 (Administrative Procedures) of the Charter Township of Union Zoning Ordinance, by authority of the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended (MCL 125.3101 et seq.).

The hearing will be conducted as an electronic meeting consistent with emergency declarations and direction from state and county health officials to slow the spread of the COVID-19 virus and the Open Meetings Act (Public Act 267 of 1976, as amended). All interested persons may attend and participate. There will be no in-person public attendance at the Township Hall (2010 S. Lincoln Rd., Mt. Pleasant, MI 48858), although some Township staff may choose to participate from this location. To participate via computer or smart phone, please use the following link to the electronic meeting location:

<https://us02web.zoom.us/j/89751444718?pwd=MGI0Nm1XdEViR0I5VVU5dDN0NnBNUT09>

To participate via telephone dial-in access (audio only), please call (312) 626-6799. At the “Meeting ID” prompt, enter 897 5144 4718 and the # sign. At the “Passcode” prompt, enter 038923 and the # sign, and then enter # again to join the meeting.

The proposed amendments are to correct typographical errors; add and amend several definitions; update the uses allowed in various zoning districts; revise the minimum width standard for dwellings and the setback, height, and lot coverage standards for the Business and Industrial Districts; add provisions for medical marijuana caregivers as a home occupation in the AG (Agricultural) District consistent with Michigan case law; streamline the home occupation permit process by granting the Zoning Administrator final approval authority; adjust standards for outdoor storage, public and institutional buildings, self-storage warehouses, auction facilities, and accessory buildings and structures; add new standards for day care centers, food trucks, outdoor seating areas, building form and composition, and employment center uses in the Business Districts; consolidate and update minimum parking requirements; clarify various sign regulations and provisions for nonconforming lots to eliminate regulatory conflicts; and streamline the special use permit approval process by granting the Planning Commission final approval authority.

The proposed amendments may be inspected during business hours at the Township Hall. The Zoning Ordinance and Map are available for viewing on the Township’s website at:

<http://www.uniontownshipmi.com/Departments/ZoningandPlanningServices.aspx/>

Any interested person may submit their views in person, in writing, or by signed proxy prior to the public hearing or at the public hearing. Written comments may be sent to the Charter Township of Union Planning Commission, 2010 South Lincoln Road, Mt. Pleasant, MI 48858, sent via email to info@uniontownshipmi.com, or dropped off in the drop box next to the Township Hall entrance.

For additional information, and for individuals who require special accommodations per the Americans with Disabilities Act, please contact Peter Gallinat, Zoning Administrator, by phone at (989) 772 4600 extension 241.

CHARTER TOWNSHIP OF UNION
ISABELLA COUNTY, MICHIGAN

ORDINANCE NO. _____

An ordinance to amend the Charter Township of Union Zoning Ordinance No. 20-06 by amending Sections 2 (Definitions), 3 (Zoning Districts and Maps), 4 (Schedule of Regulations), 6 (Standards Applicable to Specific Land Uses), 7 (General Provisions), 9 (Parking, Loading, and Access Management), 11 (Signs), 12 (Nonconformities), and 14 (Administrative Procedures) by authority of the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended (MCL 125.3101 et seq.); to provide for repeal; to provide for severability; to provide for publication; and to provide an effective date.

Proposed additions to the current text of the Zoning Ordinance are highlighted below in blue underlined text and proposed deletions are shown using ~~red strikethrough text~~.

THE CHARTER TOWNSHIP OF UNION, ISABELLA COUNTY, MICHIGAN, HEREBY ORDAINS:

PART ONE – Title

This Ordinance shall be known and may be referred to as the “Charter Township of Union Ordinance Number _____, Ordinance Amending the Charter Township of Union Zoning Ordinance.”

PART TWO – Amendments to Section 2.2

Section 2.2 (Definitions) is hereby amended to delete “Automobile Service Station” and “Lot Coverage, Impervious Surface” from the definitions, to replace the term “Automobile Filling Station (Gas Station)” with “Motor Vehicle Filling Station,” to amend the defined terms “Health Club, Exercise Club, and Spa” and “Lot Coverage, Building,” and to add new definitions for “Agricultural Service Establishment,” “Employment Center Uses,” “Farm Implement Sales and Repair,” “Food Truck,” and “Food Truck Facility” as follows:

Agricultural Service Establishment. A facility for the performing of corn shelling; grain storage; hay baling and threshing; sorting, grading, and packing fruits and vegetables for the grower; farm produce milling and processing for the grower; grain cleaning; and similar animal husbandry, horticultural, and farm-support services. Includes sales of feed, fertilizer, farm implements and agricultural production materials and services.

~~**Automobile Filling Station (Gas Station):** See “**Motor Vehicle Filling Station.**” A place used for the retail sale and dispensing of fuel or lubricants together with the fixed equipment from which the fuel is dispensed directly into motor vehicles. ‘Automobile filling stations’ may also incorporate a convenience store operation as an accessory use, provided it is clearly incidental to the filling station use, but no auto repairs shall be permitted.~~

~~**Automobile Service Station:** A place where gasoline or other vehicle engine fuel, kerosene, motor oil and lubricants, and grease are sold directly to the public on the premises for the purposes of operation of motor vehicles; including the sale of minor accessories (such as~~

~~tires, batteries, brakes, shock absorbers, window glass) and the servicing of and minor repair of motor vehicles.~~

Employment Center Uses. Land uses that are of a limited industrial character, such as a distribution center, light manufacturing facility, research laboratory, prototype design and development facility, or warehousing and wholesale trade establishment, which may be allowed in a Business District under specific conditions.

Farm Implement Sales and Repair. A building or premises used primarily for the sale, rental or servicing and repair of new and used tractors, combines, and other farm implements and agricultural equipment.

Food Truck. Any motorized or non-motorized vehicle, trailer, or similar equipment designed to be portable and not permanently attached to the ground from which food is vended, served, or offered for sale.

Food Truck Court. A permanent site for three (3) or more food trucks with established pull-in food truck and customer parking, barrier-free access, and permanent bathrooms and utility hook-up facilities.

~~Health Club, Exercise Club or Spa:~~ A building or portion of a building designed and equipped for the conduct of sports, exercise, leisure time activities and classes, or other customary and usual recreational activities that occur in an entirely enclosed building. Such uses are operated for profit or not-for-profit and can be open only to bona fide members and guests of the organization or open to the public for a fee. Such uses may also include martial arts, dance or gymnastics studios, massage services, saunas, locker rooms, showers, or personal services.

~~Lot Coverage, Building:~~ The part or percent of a lot that is occupied by buildings and structures.

~~Lot Coverage, Impervious Surface:~~ The part or percent of a lot that is occupied by impervious surface.

Motor Vehicle Filling Station. A place used for the retail sale and dispensing of fuel or lubricants together with the fixed equipment from which the fuel is dispensed directly into motor vehicles. The term may also incorporate a convenience store operation as an accessory use, but no auto repairs shall be permitted.

PART THREE – Amendments to Section 3.4

Section 3.4 (Permitted Uses by District) is hereby deleted and replaced in its entirety to amend the section as follows:

**Key: A=Accessory Use
P=Principal Permitted Use
S=Special Use
[blank]=Use Not Permitted**

Land Use	AG	R-1	R-2A	R-2B	R-3A	R-3B	R-4	B-4	B-5	B-7	I-1	I-2	OS	Use Standards
Rural and Agricultural Uses														
Agricultural Processing and Packaging											P	P		
Agricultural Service Establishments	S													
Agri-Tourism	S													Section 6.51
Auction, Permanent Agricultural	S													Section 6.45
Customary Agricultural Operations	P	P												
Farm Implement Sales and Repair	S													
Greenhouses	P											P		
Hunting Clubs or Gun Clubs, Outdoor Gun and Archery Ranges	S													Section 6.20
Kennels, Boarding	S							S	S	S	P	P		Section 6.8
Kennel, Breeding	P	S												Section 6.8
Kennel, Non-Commercial	P	S	S											Section 6.8
Nursery, Plant Material	P	S												
Private Off-Road Courses	A													Section 6.36
Roadside Farm Stands	P													
Rural and Agricultural Uses	P													
Stable, Private	P	P												
Stable, Public	S	S												
Residential Uses														
Adult Foster Care Family Home	P	P	P	P	P	P	P							
Adult Foster Care Small Group Home	S	S	S	S	S	S								
Adult Foster Care Large Group Home					S	S								
Child or Day Care, Family Home	P	P	P	P	P	P	P							
Child or Day Care, Group Home	S	S	S	S	S	S								Section 6.13
Dwellings, Multiple-Family (4-units or less)						P	P							
Dwellings, Multiple-Family (5-units or more)					S	S								Section 6.27
Dwelling, One Family or Single Family	P	P	P	P									S	Section 6.16
Dwelling, One Family on a Farm	P	P												Section 6.16
Dwellings, Two Family (Duplex)			P	P									S	
Foster Family Home	P	P	P	P	P	P								
Foster Family Group Home	S	S	S	S	S	S								
Home Based Limited Business	S	S	S	S										Section 6.19
Home Occupation	A	A	A	A										Section 6.19
Mobile Home Parks							P							Section 3.12
Second Living Quarters on a Farm	S													Section 6.37
Mobile or Modular Dwellings, not in a Mobile Home Park	P	P	P	P										Section 6.16
Lodging Uses														
Bed and Breakfast	S	S	S											Section 6.9
Boarding House	S	S	S	S	S	S								Section 6.17
Dependent Living for Seniors		P			P	P								Section 6.59
Fraternity or Sorority					S	S								
Home for the Aged	S	S	S	S	S	S								
Hospitality Facility	S	S	S	S	S	S		P	P	P				
Hotels								P	P	P				

Land Use	AG	R-1	R-2A	R-2B	R-3A	R-3B	R-4	B-4	B-5	B-7	I-1	I-2	OS	Use Standards
Independent Living for Seniors														
Nursing Home					S ^P	S ^P		S	S	S				Section 6.29
Short-Term Rental Housing	S	S	S	S										Section 6.58
Health, Wellness, and Medical Uses														
Day Care Center, Child or Adult	A	A	A	A	A	A	A	P	P		A	A	P	Section 6.52
Hospitals								S	P	P			S	
Massage Therapist								P	P	P			P	
Medical, Osteopathic, Optical or Dental Offices								P	P	P			P	
Medical Marijuana Caregivers	A													Section 6.54
Pharmacy								P	P	P			A	
Pharmacy, Optical, or other Medical Sales													A	
Personal Fitness Center								P	P	P				
Veterinary Clinic	S							P	P	P				Section 6.41
Public, Quasi-Public, and Recreational Uses														
Airports, Public or Private	S													Section 6.3
Amusement Parks								S						Section 6.4
Amusement Enterprises									P					
Bus, Train, and other Forms of Transportation Systems, Passenger Stations								P	P	P				
Business Schools, Colleges, and Private Schools Operated for Profit								P	P	P				
Campgrounds or Recreation Grounds	S													Section 6.10
Cemeteries, Public or Private, including Mausoleums	S ^P													Section 6.11
Conservation Areas, Public or Private	S													
Country Clubs and Golf Courses	S	S	S	S	S	S								Section 6.12
Health, Exercise Club, or Spa								P	P	P				
Indoor Commercial Recreation								P	P	P				Section 6.47
Indoor Gun and Archery Range	S							S ^P	S ^P	S ^P				
Miniature Golf and/or Driving Ranges	S							S						Section 6.23
Municipal Public Utility Uses, such as Water Treatment Plants and Reservoirs, Sewage Treatment Plants, including outdoor storage												P		
Private Clubs, Fraternal Organizations, and Lodge Halls								P	P	P				
Public and Institutional Buildings and Uses	S	S	S	S	S	S							S	Section 6.34
Religious Institutions	S ^P	S ^P	P	P	P	P		P	P	P			P	Section 6.34
Theaters, Assembly Halls, Concert Halls, and Similar Places of Assembly								P	P					
Trade or Industrial Schools											P	P		
Commercial and Retail Uses														
Auction, Permanent								P	P	P	P	P		Section 6.45
Automobile Wash when Completely or Partially Enclosed in a Building								P	P	S				Section 6.7
Automobile Repair Shop or Garage, if all operations are conducted in an enclosed building								P	P	S	P	P		
Beauty and Barber Shops								P	P	P				
Brewpub								P	P	P				
Convenience Store								P	P	P				
Dealership, Vehicle, Automobile Dealership and Farm Equipment Sales								S	P	S				
Distillery, Small								P	P	P				Section 6.48
Food Truck, Temporary Use								A	A	A	A	A	A	Section 6.53
Food Truck Court								S	S					Section 6.53

Land Use	AG	R-1	R-2A	R-2B	R-3A	R-3B	R-4	B-4	B-5	B-7	I-1	I-2	OS	Use Standards
Financial Institutions								P	P	P			P	
Gunsmiths	S	S	S	S				P	P	P				Section 6.19
Home Improvement Store								P	P					
Instant Oil Change Shop								P	P	P				
Medical and Dental Offices								P	P	P			P	
Microbrewery								P	P	P				
Mobile and Modular Home Sales							P			S				Section 6.25
Mortuary Establishments, Funeral Homes								P	P	P			P	Section 6.26
Automobile Service Motor Vehicle Filling Station, Gas Station	S							S	S	S				Section 6.18
Office, Professional, Technical or Administrative					A	A	A	P	P	P	A	A	P	
Open Air Businesses								S	S	S				
Outdoor Seating Area								A	A	A				Section 6.47
Outdoor Temporary Retail Sales								A	A	A				Section 6.32
Personal Service Establishments								P	P	P				
Pet Grooming	P							P	P	P				
Pet Obedience School	P							P	P	P				
Pet Shop								P	P	P				
Plumbing, Heating, and Electrical Shops								P	P	P				
Restaurants, Bar, Grill, and Cocktail/Lounges									P	P				
Restaurants, Carry-Out								P	P	P				
Restaurants, Standard								P	P	P				
Restaurants, With Drive-in or Drive-Through									P	P				
Retail, General								P	P	P				
Shopping Centers and Big-Box Stores								P	P					Section 6.33
Sign Painting and Servicing Shops								P	P	P				
Supermarket								P	P	P				
Tire and Battery Shops								P	P	P				
Wine Maker, Small								P	P	P				
Industrial Uses														
Automobile or Vehicle Storage											S	S		Section 6.31
Concrete or Asphalt Paving Plant												S		
Contractor's Yard											P	P		Section 6.31
Distiller											P	P		
Distribution Center									S	S	P	P		Sections 6.22, 6.31
Donation Bins							A	A	A					
Dry Cleaning Plant, Commercial Laundry											P	P		
Industrial Uses Not Otherwise Listed												S		
Junkyards												S		Section 6.21
Landscape Contractor's Operation	S										P	P		Section 6.31
Limited Retail and Showroom Operations											A	A		Section 6.46
Lumber and Planing Mills												P		Sections 6.50, 6.31
Major Repair and Maintenance Operations											P	P		
Manufacturing, General											S	P		
Manufacturing, Light										S	P	P		Section 6.22
Motor Freight Facility											P	P		
Oil or Gas Processing Plant	S										S	P	S	
Outdoor Storage, General										A	P	P		Section 6.31
Recycling Center											P	P		
Recycling Collection Station											P	P		
Research Laboratories, Prototype Design and Development								S	S	P	P			Section 6.22

Land Use	AG	R-1	R-2A	R-2B	R-3A	R-3B	R-4	B-4	B-5	B-7	I-1	I-2	OS	Use Standards
Storage, Bulk											S	S		Section 6.31
Truck Stop												S		
Truck Terminal											S	P		Section 6.31
Vehicle Impoundment Lot											S	S		Section 6.31
Warehousing and Wholesale Trade Establishments									S	S	P	P		Section 6.22
Wine Maker											P	P		
Other Uses														
Accessory Use, Building, or Structure	A	A	A	A	A	A	A	A	A	A	A	A	A	Section 7.5
Adult Regulated Uses									P	P				Section 6.1
Auctions, Permanent	P							P	P	P	P			Section 6.45
Auction, Temporary One-Time Event	A	A	A	A	A	A	A	A	A	A	A	A	A	Section 6.45
Biofuel Production Facility – Option A	P													Section 6.35
Biofuel Production Facility – Option B	S													Section 6.35
Biofuel Production Facility – Capacity More Than 100,000 Gallons	S													Section 6.35
Essential Services	P	P	P	P	P	P	P	P	P	P	P	P	P	
Extraction Operations	P													Section 6.28
Mixed Use Building								P	P	P				Section 6.24
Power Plant	S											S		
Racetracks	S										S	S		Section 6.36
Self-storage Facilities (Mini-Warehouse, Mini-Storage)								S	S		P	P		Section 6.38
Solar Energy Facility – Direct Use	A	A	A	A	A	A		A	A	A	A	A	A	Section 6.39
Solar Energy Facility – Primary Use	S													Section 6.39
Swimming Pools, Private	A	A	A	A	A	A	A							Section 7.5
Wind Energy Conversion System On-Site	S	S									S	S		Section 5.4
Wind Energy Conversion System, Utility Scale	S											S	S	Section 5.4
Wireless Communication Towers	S							S	S	S	P	P		Section 5.5

PART FOUR – Amendments to Sections 3.6 through 3.11 and 3.13 through 3.18

Sections 3.6 (AG, Agricultural District), 3.7 (R-1, Rural Residential District), 3.8 (R-2A, One- and Two-Family, Low-Density Residential District), 3.9 (R-2B, One- and Two-Family, Medium-Density Residential District), 3.10 (R-3A, Multiple-Family Residential District), 3.11 (R-3B, Medium-Density Multiple-Family Residential District), 3.13 (B-4, General Business District), 3.14 (B-5, Highway Business District), 3.15 (B-7, Retail and Service Highway Business District), 3.16 (I-1, Light Industrial District), 3.17 (I-2, General Industrial District, and 3.18 (OS, Office Service District are hereby deleted and replaced in their entirety to amend the sections as follows:

Section 3.6: AG, Agricultural District

STATEMENT OF PURPOSE

This district is established to achieve the following objectives:

1. Create a stable environment for agricultural production,
2. Permit services and uses that are necessary to support agriculture,
3. Allow limited low-density single-family detached non-farm development, and
4. Preserve open space, protect flood-prone areas, protect wetlands and woodlands, and preserve significant natural features.

It is not intended that this district will be served by public water and sanitary sewer utilities.

PRINCIPAL PERMITTED USES

- Adult Foster Care Family Home
- Auctions, [One-Time Temporary Event](#)
- [Biofuel Production Facility – Option A](#)
- Cemeteries, Public or Private, including Mausoleums
- Child or Day Care, Family Home
- Customary Agricultural Operations
- Dwelling, One Family or Single Family
- Dwelling, One Family on a Farm
- Essential Services
- Extraction Operations
- Foster Family Home
- Greenhouses
- Kennel, Breeding
- Kennel, Non-Commercial
- ~~Medical Marijuana Caregiver~~
- ~~Mobile or Modular Dwellings, not in a Mobile Home Park~~
- Nursery, Plant Material
- [Pet Grooming](#)
- Pet Obedience School
- Roadside Farm Stands
- ~~Rural and Agricultural Uses~~
- Stable, Private

SPECIAL USES

- Adult Foster Care Small Group Home
- Agri-Tourism
- [Agricultural Service Establishments](#)
- Airports, Public or Private
- Auction, Permanent Agricultural ~~Auction~~
- Bed and Breakfast
- [Biofuel Production Facility – Option B](#)
- [Biofuel Production Facility – Capacity More than 100,000 Gallons](#)
- Boarding House
- Campgrounds or Recreation Grounds
- Child or Day Care, Group Home
- Conservation Areas, Public or Private
- Country Clubs and Golf Courses
- [Farm Implement Sales and Repair](#)
- Foster Family Group Home
- Gunsmith
- Home-Based Limited Business
- [Home for the Aged](#)
- ~~Hospitality Facility~~
- Hunting Clubs or Gun Clubs; Outdoor Gun and Archery Range
- [Indoor Gun and Archery Range](#)
- ~~Boarding~~ Kennels, [Boarding](#)
- Landscape Contractor's Operation
- Miniature Golf and/or Driving Ranges
- [Motor Vehicle](#) Filling Station, Gas Station
- Oil or Gas Processing Plant
- Power Plant
- Public and Institutional Buildings and Uses
- Racetracks
- Religious Institutions
- Second Living Quarters on a Farm
- Short-Term Rental Housing
- Solar Energy Facility – Primary Use
- Stable, Public
- Veterinary Clinic
- Wind Energy [Conversion Systems – On-Site](#)
- [Wind Energy System – Utility Scale](#)
- Wireless Communication Towers

ACCESSORY USES

- Accessory Use, Building, or Structure
- [Day Care Center, Child or Adult](#)
- Home Occupation
- [Medical Marijuana Caregiver](#)
- Private Off-Road Courses
- Solar Energy Facility – Direct Use
- Swimming Pools, Private

The above list is a summary of uses permitted in the district. Refer to Section 6 for requirements applicable to specific uses. In case of a conflict between Section 3.4 and the above list, Section 3.4 shall prevail.

REQUIRED DIMENSIONS

Lot Standards		Minimum Setbacks (ft.)	
Minimum Lot Width (ft.):	165	Front Yard:	50
Minimum Lot Area (sq. ft.):	43,560	Side Yard (one) ^{(c)(d)} :	16.5

Draft Date: August 17, 2021

Minimum Lot Depth (ft.):	165	Side Yard (total of two):	33
Maximum Lot Depth:	^(a)	Rear Yard:	50
Minimum Floor Area Per Unit (sq. ft.):	800		
Maximum Building Height (ft.):	35 ^(b)		
Minimum Dwelling Width (ft.): :	30 Section 6.16		
Maximum Lot Coverage	40%		
Municipal Sewer Required:	No		

Footnotes: See Section 4.3.

The above list of Required Dimensions is a summary. Refer to Section 4 for dimensions applicable in each district. In case of a conflict between Section 4 and the above list, Section 4 shall prevail.

REFERENCES TO ADDITIONAL STANDARDS

Definitions Special Use Permits Section 2-2 14.3	General Provisions Section 7	Environmental Performance Standards Section 8
Landscaping and Screening Section 10	Accessory Uses and Structures Section 7.5	Exterior Lighting Section 8.2
Signs Section 11	Building Residential Design Standards Requirements Section 6.16	Parking Section 9
Nonconformities Section 12		

Section 3.7: R-1, Rural Residential District

STATEMENT OF PURPOSE

This district is intended to address conditions in those portions of the Township where agriculture is acceptable, but where it is reasonable to allow limited low density single-family detached non-farm development. The standards in this district are intended to assure that permitted uses peacefully coexist, while preserving the rural-like features and character of the Township. It is not intended that this district will be served by public water and sanitary sewer utilities.

PRINCIPAL PERMITTED USES

- Adult Foster Care Family Home
- Child or Day Care, Family Home
- Customary Agricultural Operations
- Dependent Living for Seniors
- Dwelling, One Family or Single Family
- Dwelling, One Family on a Farm
- Essential Services
- Foster Family Home
- [Stable, Private](#)

SPECIAL USES

- Adult Foster Care Small Group Home
- Bed and Breakfast
- Boarding House
- Child or Day Care, Group Home
- Country Clubs and Golf Courses
- Gunsmith
- [Foster Family Group Home](#)
- Home-Based Limited Business
- Kennel, ~~Breeding~~ [Breeding](#)
- Kennel, Non-Commercial
- [Nursery, Plant Material](#)
- Public and Institutional Buildings and Uses
- Religious Institutions
- Short-Term Rental Housing
- [Stable, Public](#)
- Wind Energy [Conversion Systems – On-Site](#)

ACCESSORY USES

- Accessory Use, Building, or Structure
- [Day Care Center, Child or Adult](#)
- Home Occupation
- Solar Energy Facility – Direct Use
- Swimming Pools, Private

The above list is a summary of uses permitted in the district. Refer to Section 6 for requirements applicable to specific uses. In case of a conflict between Section 3.4 and the above list, Section 3.4 shall prevail.

REQUIRED DIMENSIONS

Lot Standards		Minimum Setbacks (ft.)	
Minimum Lot Width (ft.):	150	Front Yard:	50
Minimum Lot Area (sq. ft.):	43,560	Side Yard (one) ^{(c)(d)} :	15
Minimum Lot Depth (ft.):	N/A	Side Yard (total of two):	30
Maximum Lot Depth:	N/A	Rear Yard:	50
Minimum Floor Area Per Unit (sq. ft.):	1,000		
Maximum Building Height (ft.):	35 ^(b)		
Minimum Dwelling Width (ft.):	30 Section 6.16		
Maximum Lot Coverage	40%		
Municipal Sewer Required:	No		

Footnotes: See Section 4.3.

The above list of Required Dimensions is a summary. Refer to Section 4 for dimensions applicable in each district. In case of a conflict between Section 4 and the above list, Section 4 shall prevail.

REFERENCES TO ADDITIONAL STANDARDS

Definitions Special Use Permits Section 2.2 14.3	General Provisions Section 7	Environmental Performance Standards Section 8
Landscaping and Screening Section 10	Accessory Uses and Structures Section 7.5	Exterior Lighting Section 8.2
Signs Section 11	Building Residential Design Standards Requirements Section 6.16	Parking Section 9
Nonconformities Section 12		

Section 3.8: R-2A, One- and Two-Family, Low-Density Residential District

STATEMENT OF PURPOSE

The intent of this district is to provide areas in the Township for the development and continued use of single family detached and duplex dwellings within safe, stable neighborhoods. It is further intended that this district permit a limited range of residentially related uses, while prohibiting multiple family, commercial, and industrial uses that would interfere with the quality of residential life. It is intended that this district will be served by public water and sanitary sewer utilities.

PRINCIPAL PERMITTED USES

- Adult Foster Care Family Home
- Child or Day Care, Family Home
- Dwelling, One Family or Single Family
- Dwellings, Two Family (Duplex)
- Essential Services
- Foster Family Home
- ~~Mobile or Modular Dwellings, not in a Mobile Home Park~~
- Religious Institutions

SPECIAL USES

- Adult Foster Care Small Group Home
- Bed and Breakfast
- Boarding House
- Child or Day Care, Group Home
- Country Clubs and Golf Courses
- Foster Family Group Home
- Gunsmith
- Home-Based Limited Business
- Kennel, Non-Commercial
- Public and Institutional Buildings and Uses
- Short-Term Rental Housing

ACCESSORY USES

- Accessory Use, Building, or Structure
- [Day Care Center, Child or Adult](#)
- Home Occupation
- Solar Energy Facility – Direct Use
- [Swimming Pools, Private](#)

The above list is a summary of uses permitted in the district. Refer to Section 6 for requirements applicable to specific uses. In case of a conflict between Section 3.4 and the above list, Section 3.4 shall prevail.

REQUIRED DIMENSIONS

Lot Standards	One Family	Two Family	Minimum Setbacks (ft.)	
Minimum Lot Width (ft.) ^(e) :	100	120	Front Yard ^(g) :	35
Minimum Lot Area (sq. ft.) ^(e) :	14,000	17,000	Side Yard (one) ^(c) :	10
Minimum Dwelling Unit Width (ft.):	30 Section 6.16	30	Side Yard (total of two):	20
Minimum Floor Area Per Unit (sq. ft.):	600	750	Rear Yard:	35
Maximum Building Height (ft.):	35	35		
Maximum Lot Coverage	40%	40%		
Municipal Sewer Required:	No	No		

Footnotes: See Section 4.3.

The above list of Required Dimensions is a summary. Refer to Section 4 for dimensions applicable in each district. In case of a conflict between Section 4 and the above list, Section 4 shall prevail.

REFERENCES TO ADDITIONAL STANDARDS

Definitions Special Use Permits Section 2-2 14.3	General Provisions Section 7	Environmental Performance Standards Section 8
Landscaping and Screening Section 10	Accessory Uses and Structures Section 7.5	Exterior Lighting Section 8.2
Signs Section 11	Building Residential Design Standards Requirements Section 6.16	Parking Section 9
Nonconformities Section 12		

Section 3.9: R-2B, One- and Two-Family, Medium-Density Residential District

STATEMENT OF PURPOSE

The intent of this district is to provide areas in the Township for the development and continued use of single family detached and duplex dwellings within safe, stable neighborhoods, while permitting smaller lots than are allowed in the One- and Two-Family, Low-Density Residential District. It is further intended that this district permit a limited range of residentially related uses, while prohibiting multiple family, commercial, and industrial uses that would interfere with the quality of residential life. It is intended that this district will be served by public water and sanitary sewer utilities.

PRINCIPAL PERMITTED USES	SPECIAL USES
<ul style="list-style-type: none"> • Adult Foster Care Family Home • Child or Day Care, Family Home • Dwelling, One Family or Single Family • Dwellings, Two Family (Duplex) • Essential Services • Foster Family Home • Mobile or Modular Dwellings, not in a Mobile Home Park • Religious Institutions 	<ul style="list-style-type: none"> • Adult Foster Care Small Group Home • Boarding House • Child or Day Care, Group Home • Country Clubs and Golf Courses • Foster Family Group Home • Gunsmith • Home-Based Limited Business • Public and Institutional Buildings and Uses • Short-Term Rental Housing
	ACCESSORY USES
	<ul style="list-style-type: none"> • Accessory Use, Building, or Structure • Day Care Center, Child or Adult • Home Occupation • Solar Energy Facility – Direct Use • Swimming Pool, Private

The above list is a summary of uses permitted in the district. Refer to Section 6 for requirements applicable to specific uses. In case of a conflict between Section 3.4 and the above list, Section 3.4 shall prevail.

REQUIRED DIMENSIONS

Lot Standards	One Family	Two Family	Minimum Setbacks (ft.)
Minimum Lot Width (ft.):	70	90	Front Yard ^(a) : 30
Minimum Lot Area (sq. ft.):	8,400	10,800	Side Yard (one) ^(c) : 6
Minimum Dwelling Unit Width (ft.):	30 Section 6.16	30	Side Yard (total of two): 12
Minimum Floor Area Per Unit (sq. ft.):	500	650	Rear Yard: 35
Maximum Building Height (ft.):	35	35	
Maximum Lot Coverage	40%	49%	
Municipal Sewer Required:	Yes	Yes	

Footnotes: See Section 4.3.

The above list of Required Dimensions is a summary. Refer to Section 4 for dimensions applicable in each district. In case of a conflict between Section 4 and the above list, Section 4 shall prevail.

REFERENCES TO ADDITIONAL STANDARDS

Definitions Special Use Permits Section 2-2-14.3	General Provisions Section 7	Environmental Performance Standards Section 8
Landscaping and Screening Section 10	Accessory Uses and Structures Section 7.5	Exterior Lighting Section 8.2
Signs Section 11	Building Residential Design Standards Requirements Section 6.16	Parking Section 9
Nonconformities Section 12		

Section 3.10: R-3A, Multiple-Family Residential District

STATEMENT OF PURPOSE

The intent of this district is to address the varied housing needs of Township residents by providing locations for development of multiple-family housing, such as apartments and condominiums, at a higher density than permitted in single family districts. Multiple family housing should be provided with necessary services and utilities, including public water and sanitary sewer utilities, usable outdoor recreation space, and well-designed internal road and pedestrian networks.

PRINCIPAL PERMITTED USES	SPECIAL USES
<ul style="list-style-type: none"> • Adult Foster Care Family Home • Child or Day Care, Family Home • Dependent Living for Seniors • Dwellings, Multiple-Family (4-units or less) • Dwellings, Multiple-Family (5-units or more) • Essential Services • Foster Family Home • Independent Living for Seniors • Religious Institutions 	<ul style="list-style-type: none"> • Adult Foster Care Large Group Home • Adult Foster Care Small Group Home • Boarding House • Child or Day Care, Group Home • Country Clubs and Golf Courses • Foster Family Group Home • Fraternity, or Sorority, or Similar Organization • Home for the Aged • Hospitality Facility • Nursing Home • Public and Institutional Buildings and Uses
	ACCESSORY USES
	<ul style="list-style-type: none"> • Accessory Use, Building, or Structure • Day Care Center, Child or Adult • Office, On-Site Administrative • Solar Energy Facility – Direct Use • Swimming Pool, Private

The above list is a summary of uses permitted in the district. Refer to Section 6 for requirements applicable to specific uses. In case of a conflict between Section 3.4 and the above list, Section 3.4 shall prevail.

DIMENSION REGULATIONS

Lot Standards	Minimum Setbacks (ft.)
Minimum Lot Width (ft.): N/A	Front Yard(g) : 35
Minimum Lot Area (sq. ft.): (f)	Side Yard(one)(c) : 30
	Side Yard (total of two): 60
Minimum Floor Area Per Unit (sq. ft.): 500	Rear Yard: 25
Maximum Building Height (ft.)(h) : 35	
Maximum Lot Coverage 40%	
Municipal Sewer Required: Yes	

Footnotes: See Section 4.3.

The above list of Required Dimensions is a summary. Refer to Section 4 for dimensions applicable in each district. In case of a conflict between Section 4 and the above list, Section 4 shall prevail.

REFERENCES TO ADDITIONAL STANDARDS

Definitions-Special Use Permits Section 2-2 14.3	General Provisions Section 7	Environmental Performance Standards Section 8
Landscaping and Screening Section 10	Accessory Uses and Structures Section 7.5	Exterior Lighting Section 8.2
Signs Section 11		Parking Section 9
Nonconformities Section 12		

Section 3.11: R-3B, Medium-Density Multiple-Family Residential District

STATEMENT OF PURPOSE

The intent of this district is to address the varied housing needs of Township residents by providing locations for development of multiple-family housing, such as apartments and condominiums, at a higher density than permitted in single family districts, but at a lower density than permitted in the R-3A District. Multiple family housing should be provided with necessary services and utilities, including public water and sanitary sewer utilities, usable outdoor recreation space, and well-designed internal road and pedestrian networks.

PRINCIPAL PERMITTED USES	SPECIAL USES
<ul style="list-style-type: none"> • Adult Foster Care Family Home • Child or Day Care, Family Home • Dependent Living for Seniors • Dwellings, Multiple-Family (4-units or less) • Dwellings, Multiple-Family (5-units or more) • Essential Services • Foster Family Home • Independent Living for Seniors • Religious Institutions 	<ul style="list-style-type: none"> • Adult Foster Care Small Group Home • Adult Foster Care Large Group Home • Boarding House • Child or Day Care, Group Home • Country Clubs and Golf Courses • Foster Family Group Home • Fraternity, or Sorority, or Similar Organization • Home for the Aged • Hospitality Facility • Nursing Home • Public and Institutional Buildings and Uses
	ACCESSORY USES
	<ul style="list-style-type: none"> • Accessory Use, Building, or Structure • Day Care Center, Child or Adult • Office, On-Site Administrative • Solar Energy Facility – Direct Use • Swimming Pool, Private

The above list is a summary of uses permitted in the district. Refer to Section 6 for requirements applicable to specific uses. In case of a conflict between Section 3.4 and the above list, Section 3.4 shall prevail.

REQUIRED DIMENSIONS

Lot Standards		Minimum Setbacks (ft.)	
Minimum Lot Width (ft.):	N/A	Front Yard ^(g) :	35
Minimum Lot Area (sq. ft.):	^(f)	Side Yard (one) ^(e) :	30
		Side Yard (total of two):	60
Minimum Floor Area Per Unit (sq. ft.):	500	Rear Yard:	25
Maximum Building Height (ft.) ^(h) :	35		
Maximum Lot Coverage	40%		
Municipal Sewer Required:	Yes		

Footnotes: See Section 4.3.

The above list of Required Dimensions is a summary. Refer to Section 4 for dimensions applicable in each district. In case of a conflict between Section 4 and the above list, Section 4 shall prevail.

REFERENCES TO ADDITIONAL STANDARDS

Definitions Special Use Permits Section 2.2 14.3	General Provisions Section 7	Environmental Performance Standards Section 8
Landscaping and Screening Section 10	Accessory Uses and Structures Section 7.5	Exterior Lighting Section 8.2
Signs Section 11		Parking Section 9
Nonconformities Section 12		

Section 3.13: B-4, General Business District

STATEMENT OF PURPOSE

The intent of this district is to provide for commercial development that offers a broad range of goods and services to meet the convenience and comparison shopping needs of Township residents. Because of the variety of business types permitted in the B-4 District, special attention must be focused on site layout, building design, vehicular and pedestrian circulation, and coordination of site features between adjoining uses. General Business developments should be compatible in design with adjacent commercial development and buffered from or located away from residential areas.

PRINCIPAL PERMITTED USES

- Auction, Permanent ~~Auction~~
- Automobile Wash when Completely or Partially Enclosed in a Building
- Automobile repair shop or garage if all operations are conducted in an enclosed building
- Beauty and Barber Shops
- Brewpub
- Bus, Train, and other Forms of Transportation Systems, Passenger Stations
- Business Schools, Colleges, and Private Schools Operated for Profit
- Convenience Store
- [Day Care Center, Child or Adult](#)
- Distillery, Small
- Essential Services
- Financial Institutions
- [Food Truck Court](#)
- Gunsmith
- Health, Exercise Club, or Spa
- Home Improvement Store
- [Hospitality Facility](#)
- Hotels
- Indoor Commercial Recreation
- Indoor Gun and Archery Ranges
- Instant Oil Change Shop
- [Massage Therapist](#)
- Medical, [Osteopathic, Optical](#) or Dental Offices
- Microbrewery
- Mixed Use Buildings
- Mortuary Establishments, Funeral Homes
- Office, Professional, [Technical or Administrative](#)
- Personal Fitness Center
- Personal Service Establishments
- Pet Grooming
- Pet Obedience School
- Pet Shop
- Pharmacy
- Private Clubs, Fraternal Organizations, and Lodge Halls
- Religious Institutions
- Restaurants, Carry-Out
- Restaurants, Standard
- ~~General Retail Business, General~~
- Shopping Centers and Big-Box Stores
- Supermarket
- Theaters, Assembly Halls, Concert Halls, and Similar Places of Assembly
- Tire and Battery Shops
- Veterinary Clinic
- Wine Maker, Small

SPECIAL USES

- Amusement Parks
- Dealership, Vehicle, Automobile Dealership and Farm Equipment Sales
- [Hospital](#)
- ~~Boarding~~-Kennels, [Boarding](#)
- Miniature Golf and/or Driving Ranges
- ~~Automobile~~-[Motor Vehicle](#) Filling Station, Gas Station
- Nursing Home
- Open Air Businesses
- [Plumbing, Heating, and Electrical Shops](#)
- Self-storage Facilities (Mini-Warehouse, Mini-Storage)
- [Sign Painting and Servicing Shops](#)
- Wireless Communication Towers

ACCESSORY USES

- [Accessory Use, Building or Structure](#)
- Donation Bins
- [Food Truck, Temporary Use](#)
- [Outdoor Seating Area](#)
- Outdoor Temporary Retail Sales
- Solar Energy Facility – Director Use

The above list is a summary of uses permitted in the district. Refer to Section 6 for requirements applicable to specific uses. In case of a conflict between Section 3.4 and the above list, Section 3.4 shall prevail.

REQUIRED DIMENSIONS

Lot Standards		Minimum Setbacks (ft.)	
Minimum Lot Width (ft.):	80	Front Yard ⁽⁴⁾ :	20-50
Minimum Lot Area (sq. ft.):	12,000	Side Yard ⁽¹⁾ :	10-20
Maximum Lot Coverage:	50%-30%	Rear Yard ⁽¹⁾ :	20-25

Draft Date: August 17, 2021

Minimum Floor Area Per Unit (sq. ft.):	--	
Maximum Building Height (ft.):	35	

Footnotes: See Section 4.3.

The above list of Required Dimensions is a summary. Refer to Section 4 for dimensions applicable in each district. In case of a conflict between Section 4 and the above list, Section 4 shall prevail.

REFERENCES TO ADDITIONAL STANDARDS

Definitions Site Plan Review Section 2-2 14.2	General Provisions Section 7	Environmental Performance Standards Section 8
Landscaping and Screening Section 10	Accessory Uses and Structures Section 7.5	Exterior Lighting Section 8.2
Signs Section 11	Nonconformities Section 12	Parking Section 9

Section 3.14: B-5, Highway Business District

STATEMENT OF PURPOSE

The intent of this district is to provide areas along major roads and highways for commercial development that caters to the traveling public. Whether freestanding or in a planned shopping center, businesses should be designed to achieve a harmonious design along the corridor, with coordinated access, parking, sidewalks, landscaping and screening.

PRINCIPAL PERMITTED USES

- Adult Regulated Uses
- Amusement Enterprises
- Auction, Permanent ~~Auction~~
- Automobile Wash when Completely or Partially Enclosed in a Building
- Automobile repair shop or garage, if all operations are conducted in an enclosed building
- Beauty and Barber Shops
- Brewpub
- Bus, Train, and other Forms of Transportation Systems, Passenger Stations
- Business Schools, Colleges, and Private Schools Operated for Profit
- Convenience Store
- [Day Care Center, Child or Adult](#)
- Dealership, Vehicle, Automobile Dealership, and Farm Equipment Sales
- Distillery, Small
- Essential Services
- Financial Institutions
- [Food Truck Court](#)
- Gunsmith
- Health, Exercise Club, or Spa
- Home Improvement Store
- [Hospital](#)
- [Hospitality Facility](#)
- Hotels
- Indoor Commercial Recreation
- Indoor Gun and Archery Ranges
- Instant Oil Change Shop
- [Massage Therapist](#)
- Medical, [Osteopathic, Optical](#) or Dental Offices
- Microbrewery
- Mixed Use Buildings
- Mortuary Establishments, Funeral Homes
- Office, Professional, [Technical or Administrative](#)
- Personal Fitness Center
- Personal Service Establishments
- Pet Grooming
- Pet Obedience School
- Pet Shop
- Pharmacy
- Plumbing, Heating, and Electrical Shops
- Private Clubs, Fraternal Organizations, and Lodge Halls
- Religious Institutions
- [Restaurants, Bar, Grill, and Cocktail/Lounges](#)
- Restaurants, Carry-Out
- Restaurants, Standard
- Restaurants, [With Drive-in or Drive-Through](#)
- ~~General Retail Business, General~~
- Shopping Centers and Big-Box Stores
- Sign Painting and Servicing Shops
- Supermarket
- Theaters, Assembly Halls, Concert Halls, and Similar Places of Assembly
- Tire and Battery Shops
- Veterinary Clinic
- Wine Maker, Small

SPECIAL USES

- [Distribution Center](#)
- [Boarding-Kennels, Boarding](#)
- ~~Automobile~~ [Motor Vehicle](#) Filling Station, Gas Station
- Nursing Home
- Open Air Businesses
- [Research Laboratories, Prototype Design and Development](#)
- Self-storage Facilities (Mini-Warehouse, Mini-Storage)
- [Warehousing and Wholesale Trade Establishments](#)
- Wireless Communication Towers

ACCESSORY USES

- [Accessory Use, Building or Structure](#)
- Donation Bins
- [Food Truck, Temporary Use](#)
- [Outdoor Seating Area](#)
- Outdoor Temporary Retail Sales
- Solar Energy Facility – Direct Use

The above list is a summary of uses permitted in the district. Refer to Section 6 for requirements applicable to specific uses. In case of a conflict between Section 3.4 and the above list, Section 3.4 shall prevail

REQUIRED DIMENSIONS

Lot Standards		Minimum Setbacks (ft.)	
Minimum Lot Width (ft.):	100	Front Yard ^(#) :	20 -50
Minimum Lot Area (sq. ft.):	16,000	Side Yard ⁽ⁱ⁾ :	10 -20
Maximum Lot Coverage:	50% 30%	Rear Yard ⁽ⁱ⁾ :	20 -25
Minimum Floor Area Per Unit (sq. ft.):	--		
Maximum Building Height (ft.):	45 35		

Footnotes: See Section 4.3.

The above list of Required Dimensions is a summary. Refer to Section 4 for dimensions applicable in each district. In case of a conflict between Section 4 and the above list, Section 4 shall prevail.

REFERENCES TO ADDITIONAL STANDARDS

Definitions Site Plan Review Section 2-2 14.2	General Provisions Section 7	Environmental Performance Standards Section 8
Landscaping and Screening Section 10	Accessory Uses and Structures Section 7.5	Exterior Lighting Section 8.2
Signs Section 11	Nonconformities Section 12	Parking Section 9

Section 3.15: B-7, Retail and Service Highway Business District

STATEMENT OF PURPOSE

The intent of this district is to promote the high quality commercial and office development in the vicinity of M-20 and Pickard Road. Requirements and incentives are provided to promote vehicular and pedestrian safety, control traffic congestion, and improve the visual appearance of the district through proper landscaping, buffering and screening.

PRINCIPAL PERMITTED USES

- Adult Regulated Uses
- Auction, Permanent ~~Auction~~
- Beauty and Barber Shops
- Brewpub
- Bus, Train, and other Forms of Transportation Systems, Passenger Stations
- Business Schools, Colleges, and Private Schools Operated for Profit
- [Convenience Store](#)
- Distillery, Small
- Essential Services
- Financial Institutions
- Gunsmith
- Health, Exercise Club, or Spa
- [Hospital](#)
- [Hospitality Facility](#)
- Hotels
- [Indoor Commercial Recreation](#)
- Indoor Gun and Archery Ranges
- Instant Oil Change Shop
- [Massage Therapist](#)
- Medical, [Osteopathic, Optical](#) or Dental Offices
- Microbrewery
- Mixed Use Buildings
- Mortuary Establishments, Funeral Homes
- Office, Professional, [Technical or Administrative](#)
- Personal Fitness Center
- Personal Service Establishments
- Pet Grooming
- Pet Obedience School
- Pet Shop
- Pharmacy
- [Plumbing, Heating, and Electrical Shops](#)
- Private Clubs, Fraternal Organizations, and Lodge Halls
- Religious Institutions
- [Restaurants, Bar, Grill, and Cocktail/Lounges](#)
- Restaurants, Carry-Out
- Restaurants, Standard
- Restaurants, With Drive-Through
- ~~General Retail Business, General~~
- [Sign Painting and Servicing Shops](#)
- Supermarket
- Tire and Battery Shops
- Veterinary Clinic
- Wine Maker, Small

SPECIAL USES

- Automobile Wash when Completely or Partially Enclosed in a Building
- Automobile repair shop or garage if all operations are conducted in an enclosed building
- Dealership, Vehicle, Automobile Dealership, and Farm Equipment Sales
- [Distribution Center](#)
- ~~Boarding-Kennels, Boarding~~
- [Manufacturing, Light](#)
- Mobile and Modular Home Sales
- ~~Automobile~~ [Motor Vehicle](#) Filling Station, Gas Station
- Nursing Home
- Open Air Businesses
- [Research Laboratories, Prototype Design and Development](#)
- [Warehousing and Wholesale Trade Establishments](#)
- Wireless Communication Towers

ACCESSORY USES

- [Accessory Use, Building or Structure](#)
- Donation Bins
- [Food Truck, Temporary Use](#)
- [Outdoor Seating Area](#)
- [Outdoor Storage, General](#)
- Outdoor Temporary Retail Sales
- Solar Energy Facility – Direct Use

The above list is a summary of uses permitted in the district. Refer to Section 6 for requirements applicable to specific uses. In case of a conflict between Section 3.4 and the above list, Section 3.4 shall prevail.

REQUIRED DIMENSIONS

Lot Standards		Minimum Setbacks (ft.)	
Minimum Lot Width (ft.) ⁽¹⁾ :	130	Front Yard:	20 15
Minimum Lot Area (sq. ft.):	20,000	Side Yard ⁽²⁾ :	10
Maximum Lot Coverage ⁽³⁾ :	50% 30%	Rear Yard ⁽⁴⁾ :	20 10
Minimum Floor Area Per Unit (sq. ft.):	--		
Maximum Building Height (ft.):	45 35		

Footnotes: See Section 4.3.

The above list of Required Dimensions is a summary. Refer to Section 4 for dimensions applicable in each district. In case of a conflict between Section 4 and the above list, Section 4 shall prevail.

REFERENCES TO ADDITIONAL STANDARDS		
<i>Definitions</i> Site Plan Review Section 2-2 14.2	<i>General Provisions</i> Section 7	<i>Environmental Performance Standards</i> Section 8
<i>Landscaping and Screening</i> Section 10	<i>Accessory Uses and Structures</i> Section 7.5	<i>Exterior Lighting</i> Section 8.2
<i>Signs</i> Section 11	<i>Nonconformities</i> Section 12	<i>Parking</i> Section 9

Section 3.16: I-1, Light Industrial District

STATEMENT OF PURPOSE

It is the intent of this district to provide sufficient land area in appropriate locations to meet the Township's expected needs for light industrial, wholesale, and warehousing activities. It is intended that the external physical effects from such operations be confined to the I-1 District, to avoid detrimental impact on adjoining lands. Industrial uses that are prone to fire, explosions, toxic hazards, offensive noise, vibrations, smoke, odors, or other nuisances are prohibited.

This district is intended for manufacturing, compounding, processing, packaging, assembly and/or treatment of finished or semi-finished products from previously prepared material. It is not intended for the processing of raw material for shipment in bulk form to be used in an industrial operation in another location.

Light Industrial Districts should be thoughtfully planned to separate industrial activities from less intensive land uses, make efficient use of the land, and conserve property values.

PRINCIPAL PERMITTED USES	SPECIAL USES
<ul style="list-style-type: none"> • Agricultural Processing and Packaging • Auctions, Permanent • Automobile repair shop or garage if all operations are conducted in an enclosed building • Contractor's Yard • Distiller • Distribution Center • Dry Cleaning Plant, Commercial Laundry • Essential Services • Boarding Kennels, Boarding • Landscape Contractor's Operation • Major Repair and Maintenance Operations • Manufacturing, Light • Motor Freight Facility • Outdoor Storage, General • Recycling Center • Recycling Collection Station • Research Laboratories, Prototype Design and Development • Self-storage Facilities (Mini-Warehouse, Mini-Storage) • Trade or Industrial Schools • Truck Terminal • Warehousing and Wholesale Trade Establishments • Wine Maker • Wireless Communication Towers 	<ul style="list-style-type: none"> • Automobile or Vehicle Storage • Manufacturing, General • Oil or Gas Processing Plant • Racetracks • Storage, Bulk • Truck Stop • Vehicle Impoundment Lot • Wind Energy Conversion Systems – On-Site
	ACCESSORY USES
	<ul style="list-style-type: none"> • Accessory Use, Building or Structure • Day Care Center, Child or Adult • Food Truck, Temporary Use • Limited Retail and Showroom Operations • Office, Professional, Technical or Administrative • Solar Energy Facility – Direct Use
<p><i>The above list is a summary of uses permitted in the district. Refer to Section 6 for requirements applicable to specific uses. In case of a conflict between Section 3.4 and the above list, Section 3.4 shall prevail.</i></p>	

REQUIRED DIMENSIONS

Lot Standards	Minimum Setbacks (ft.)
Minimum Lot Width (ft.): 100	Front Yard ^(l) : 25 75
Minimum Lot Area (sq. ft.): 43,560	Side Yard ^(k) : 20 30
Maximum Lot Coverage: 60% 40%	Rear Yard ^(k) : 30 50
Minimum Floor Area Per Unit (sq. ft.): --	
Maximum Building Height (ft.): 60 35	

Footnotes: See Section 4.3.

The above list of Required Dimensions is a summary. Refer to Section 4 for dimensions applicable in each district. In case of a conflict between Section 4 and the above list, Section 4 shall prevail.

REFERENCES TO ADDITIONAL STANDARDS

Definitions	General Provisions	Environmental Performance Standards
Site Plan Review Section 2-2 14.2	Section 7	Section 8
Landscaping and Screening Section 10	Accessory Uses and Structures Section 7.5	Exterior Lighting Section 8.2
Signs Section 11	Nonconformities Section 12	Parking Section 9

Section 3.17, I-2, General Industrial District

STATEMENT OF PURPOSE

It is the intent of this district to provide sufficient land area in appropriate locations to meet the Township's expected needs for all types of manufacturing, wholesale, and warehousing activities. It is intended that the external physical effects from such operations be confined to the I-2 District, to avoid detrimental impact on adjoining lands. It is the intent of this district to promote manufacturing that is free from danger of fire, explosions, toxic hazards, offensive noise, vibrations, smoke, odors, or other nuisances.

This district is intended for manufacturing, compounding, processing, packaging, assembly and/or treatment of finished or semi-finished products. It is not intended for the processing of raw material for shipment in bulk form to be used in an industrial operation in another location.

General Industrial Districts should be thoughtfully planned to separate industrial activities from less intensive land uses, make efficient use of the land, and conserve property values.

PRINCIPAL PERMITTED USES

- [Agricultural Processing and Packaging](#)
- Auctions, [Permanent](#)
- Automobile repair shop or garage if all operations are conducted in an enclosed building
- Contractor's Yard
- Distiller
- Distribution Center
- Dry Cleaning Plant, Commercial Laundry
- Essential Services
- Greenhouses
- ~~Boarding~~ Kennels, [Boarding](#)
- Landscape Contractor's Operation
- Lumber and Planning Mills
- Major Repair and Maintenance Operations
- Manufacturing, General
- Manufacturing, Light
- Motor Freight Facility
- Municipal Public Utility Uses, such as Water Treatment Plants and Reservoirs, Sewage Treatment Plants, including outdoor storage
- [Outdoor Storage, General](#)
- Recycling Centers
- Recycling Collection Stations
- Research Laboratories, Prototype Design and Development
- Self-storage Facilities (Mini-Warehouse, Mini-Storage)
- ~~Storage, Bulk~~
- Trade or Industrial Schools
- Truck Terminal
- Warehousing and Wholesale Trade Establishments
- Wine Maker
- Wireless Communication Towers

SPECIAL USES

- Automobile or Vehicle Storage
- Concrete or Asphalt Paving Plant
- Industrial Uses Not Otherwise Listed
- Junkyards
- Oil or Gas Processing Plant
- Power Plant
- [Racetracks](#)
- Truck Stop
- Vehicle Impoundment Lot
- [Wind Energy Conversion Systems – On-Site](#)
- [Wind Energy Conversion System – Utility-Scale](#)

ACCESSORY USES

- [Accessory Use, Building or Structure](#)
- [Day Care Center, Child or Adult](#)
- [Food Truck, Temporary Use](#)
- Limited Retail and Showroom Operations
- [Office, Professional, Technical or Administrative](#)
- Solar Energy Facility – Direct Use

The above list is a summary of uses permitted in the district. Refer to Section 6 for requirements applicable to specific uses. In case of a conflict between Section 3.4 and the above list, Section 3.4 shall prevail.

REQUIRED DIMENSIONS

Lot Standards		Minimum Setbacks (ft.)	
Minimum Lot Width (ft.):	100	Front Yard ^(l) :	25 75
Minimum Lot Area (sq. ft.):	50,000	Side Yard ^(k) :	20
Maximum Lot Coverage:	60% --	Rear Yard ^(k) :	30 50
Minimum Floor Area Per Unit (sq. ft.):	--		
Maximum Building Height (ft.):	60 35		

Footnotes: See Section 4.3.

The above list of Required Dimensions is a summary. Refer to Section 4 for dimensions applicable in each district. In case of a conflict between Section 4 and the above list, Section 4 shall prevail.

REFERENCES TO ADDITIONAL STANDARDS

Definitions Site Plan Review Section 2-2 14.2	General Provisions Section 7	Environmental Performance Standards Section 8
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Landscaping and Screening Section 10	Accessory Uses and Structures Section 7.5	Exterior Lighting Section 8.2
Signs Section 11	Nonconformities Section 12	Parking Section 9

Section 3.18: OS, Office Service District

STATEMENT OF PURPOSE

The intent of this district is to provide locations in the Township to accommodate offices and business services, particularly where such uses can serve as transitional uses between residential uses and thoroughfares or commercial districts. It is intended that buildings and sites in the Office Service District be designed to be compatible with adjoining residential neighborhood.

PRINCIPAL PERMITTED USES	SPECIAL USES
<ul style="list-style-type: none"> • Day Care Center, Child or Adult • Essential Services • Financial Institutions • Massage Therapist • Medical, Osteopathic, Optical or Dental Offices • Mortuary Establishments, Funeral Homes • Office, Professional, Technical or Administrative 	<ul style="list-style-type: none"> • Dwelling, One Family or Single Family • Dwellings, Two Family (Duplex) • Hospital • Public and Institutional Buildings and Uses • Religious Institutions
	ACCESSORY USES
	<ul style="list-style-type: none"> • Accessory Use, Building or Structure • Food Truck, Temporary Use • Pharmacy, Optical, or other Medical Sales • Solar Energy Facility – Direct Use

The above list is a summary of uses permitted in the district. Refer to Section 6 for requirements applicable to specific uses. In case of a conflict between Section 3.4 and the above list, Section 3.4 shall prevail.

REQUIRED DIMENSIONS			
Lot Standards		Minimum Setbacks (ft.)	
Minimum Lot Width (ft.):	90	Front Yard ^(m) :	20 30
Minimum Lot Area (sq. ft.):	15,000	Side Yard ^(d) :	10 20
Maximum Lot Coverage:	50% 30%	Rear Yard ^(d) :	20 50
Minimum Floor Area Per Unit (sq. ft.):	--		
Building Height (ft.):	35		

Footnotes: See Section 4.3.

The above list of Required Dimensions is a summary. Refer to Section 4 for dimensions applicable in each district. In case of a conflict between Section 4 and the above list, Section 4 shall prevail.

REFERENCES TO ADDITIONAL STANDARDS

Definitions Site Plan Review Section 2-2 14.2	General Provisions Section 7	Environmental Performance Standards Section 8
Landscaping and Screening Section 10	Accessory Uses and Structures Section 7.5	Exterior Lighting Section 8.2
Signs Section 11	Nonconformities Section 12	Parking Section 9

PART FIVE – Amendments to Section 4.2

Section 4.2 (Schedule of Regulations) is hereby deleted and replaced in its entirety to amend Part A (Agricultural and Residential Districts) of the section to eliminate regulatory conflicts within the Ordinance by deleting the “Minimum Building Width (ft.)” column in its entirety; and to amend Part B (Commercial and Industrial Districts) of the section to revise the minimum setbacks, maximum building height, and maximum lot coverage standards as follows:

Part B – Commercial and Industrial Districts

Zoning District	Minimum Lot Dimensions		Minimum Setback Requirements			Maximum Building Height (ft.)	Maximum Lot Coverage by All Buildings
	Area (sq. ft.)	Width (ft.)	Front Yard (ft.)	Side Yard (ft.)	Rear Yard (ft.)		
B-4	12,000	80	20-50 ^(h)	10-20 ⁽ⁱ⁾	20-25 ⁽ⁱ⁾	35	50%-30%
B-5	16,000	100	20-50 ^(h)	10-20 ⁽ⁱ⁾	20-25 ⁽ⁱ⁾	45-35	50%-30%
B-7	20,000	130 ⁽ⁱ⁾	20-45	10 ⁽ⁱ⁾	20-40 ⁽ⁱ⁾	45-35	50%-30%
I-1	43,560	100	25-75 ⁽ⁱ⁾	20-30 ^(k)	30-50 ^(k)	60-35	60%-40%
I-2	50,000	100	25-75 ⁽ⁱ⁾	20 ^(k)	30-50 ^(k)	60-35	60%-N/A
OS	15,000	90	20-30 ^(m)	10-20 ⁽ⁱ⁾	20-50 ⁽ⁱ⁾	35	50%-30%
PUD	See Section 3.19.						

PART SIX – Amendments to Section 4.3

Section 4.3 (Footnotes to Schedule of Regulations) is hereby deleted and replaced in its entirety to amend footnotes “d.,” “i.,” “j.,” and “k.” as follows:

- d. For one-family dwellings, no side yard shall be less than ~~ten (10) percent of the required lot width~~ the minimum required by this Section. For all others uses, no side yard shall be less than ~~thirty (30) twenty (20)~~ feet.
- i. Off-street parking shall be permitted to occupy a portion of the required front yard, subject to compliance with Section 10 (Landscaping and Screening) standards and provided that there shall be maintained a minimum ~~landscape~~ setback of ~~ten (10)-20.0~~ feet between the nearest point of the off-street parking and the nearest road right-of-way line ~~as indicated on the Master Thoroughfare Plan~~.
- j. An additional 20.0 feet of ~~forty (40) foot~~ side and rear ~~year yard~~ setback shall be provided when abutting the AG (Agricultural) District, any residential zoning district, or an existing agricultural or residential use.
- k. An additional 30.0 feet of ~~sixty (60) foot~~ side and rear ~~year yard~~ setback shall be provided when abutting the AG (Agricultural) District, any residential district, or an existing agricultural or residential use.

PART SEVEN – Amendments to Section 6.16

Subsection “A” of Section 6.16 (Residential Design Requirements) is hereby deleted and replaced in its entirety to amend the Section to eliminate a potential regulatory conflict in the minimum dwelling width and length standards, as follows:

- A. **Dimensional Requirements.** All dwelling units shall comply with the dimensional requirements, including minimum floor area requirements, for the district in which they are located. The ~~minimum~~

~~width of the front elevation shall be thirty (30) feet and the~~ minimum dimension along any front, side or rear elevation shall be twenty-four (24) feet.

PART EIGHT – Amendments to Section 6.18

Section 6.18 (Filling Stations for the Sale of Gasoline, Oil, Propane, and Vehicle Accessories) is hereby deleted and replaced in its entirety to amend the Section as follows:

Section 6.18 Filling Stations for the Sale of Gasoline, Oil, Propane, and Vehicle Accessories

- A. **Access.** Curb cuts for access to a filling station shall be located no closer than twenty-five (25) feet to a street intersection (measured from the road right-of-way) ~~or from an adjacent residential district.~~ In the interest of traffic safety, the Planning Commission may limit the number of curb cuts.
- B. **Minimum Lot Size.** The minimum lot size for filling stations is fifteen thousand (15,000) square feet, unless the filling station is intended solely for the sale of gasoline, oil, and minor accessories (no facilities for repair or servicing), in which case the minimum lot size shall be as specified for the district in which the filling station is located.
- C. **Setbacks.** Buildings, structures, driveways, parking facilities, loading areas, and fueling stations shall be set back a minimum ~~distance~~ of fifty (50) feet from any residential zoning district, and from the lot boundary of any lot occupied by an existing residential use ~~residentially zoned property and a minimum of one hundred (100) feet from any existing residential dwellings located on adjacent property.~~
- ~~E. **Parking.** Driveways and off-street parking shall comply with the regulations in Section 9, except that driveways and parking shall be located a minimum of fifty (50) feet from adjacent property lines and a minimum of two hundred (200) feet from any existing residential dwelling located on adjacent property.~~
- ~~F. **D. Lighting.** Exterior lighting shall comply with Section 8.2, Except that the maximum light level under the pump island canopy structure is twenty (20) foot candles.~~
- E. **Additional Limitation.** Any filling station allowed in the AG (Agricultural) District shall be strictly limited to servicing farm equipment.

PART NINE – Amendments to Section 6.19

Section 6.19 (Home Occupations and Home-Based Businesses) is hereby deleted and replaced in its entirety to retitle the section as “Home Occupations and Home-Based Limited Businesses), to correct the term “home-based business(es)” to “home-based limited business(es)” through the Section, to amend subsection “A.” (Approval and Permit Requirements) of the section to allow for administrative zoning permit approval of home occupations, and to add a new subsection “F.” entitled “Additional Requirements for a Medical Marijuana Caregiver Home Occupation,” as follows:

Section 6.19 Home Occupations and Home-Based Limited Businesses

- A. **Approval and Permit Requirements.**
 - 1. ~~Planning Commission Approval of a Home-Based Limited Business.~~ Home ~~occupations and home-based~~ limited businesses, as defined in Section 2.2, are subject to ~~Planning Commission Special Use Permit~~ approval in accordance with the requirements of this Section and Section 14.3 of this Ordinance. ~~Property owners within three hundred (300) feet of the site on which the home occupation is proposed shall be notified by mail of the Planning Commission meeting at which the proposal will be considered.~~

2. ~~Zoning Permit.~~ **Approval of a Home Occupation.** ~~Upon approval by the Planning Commission, and payment of fees, a permit for a home Home occupations, as defined in Section 2.2, or home-based business may be issued are subject to an administrative Zoning Permit approval by the Zoning Administrator in accordance with the requirements of this Section and Section 14.1 of this Ordinance. An approved zoning permit is initially shall remain valid until the home occupation activity is discontinued, provided for one (1) year. Thereafter, it may be renewed every three (3) years if the Zoning Administrator finds that the home occupation or home-based business is remains in compliance with this Section and Ordinance, and any the conditions of permit approval.~~
3. **Other Permits.** The holder of the permit shall be responsible to carry adequate insurance and apply for any other licenses or permits as may be required by any other local, state or federal agency.
4. **Transferability of Permit.** A permit is not transferable to another location.
5. **Expansion.** Any expansion of a home occupation or home-based limited business shall require a new permit.
6. **Revocation of Permit.** Failure to comply with the requirements in this ~~section~~ Section or Ordinance, or with ~~the any~~ conditions of permit approval, shall be grounds for revocation of the permit in accordance with the applicable provisions of this Ordinance.
7. **Compliance with Zoning District Requirements.** The dwelling unit and home occupation or home-based limited business shall comply with all applicable zoning district requirements.

C. **General Requirements.**

9. Medical Marihuana Caregiver Home Occupation. The cultivation of medical marihuana by a primary care giver as defined and in compliance with the Michigan Medical Marihuana Act, being MCL §333.26421, et. seq. and associated state rules and regulations shall be allowed as a home occupation in the AG (Agricultural) zoning district, subject to the applicable requirements of this Section 6.19 and the additional requirements of Section 6.54 (Medical Marihuana Caregivers). A medical marihuana caregiver shall be prohibited as a home-based limited business.

PART TEN – Add a new Section 6.22

Section 6 (Standards Applicable to Specific Land Uses) is hereby amended to add a new Section 6.22 entitled “Industrial Uses in the Business Districts” as follows:

Section 6.22 Employment Center Uses in the Business Districts

The following additional standards and limitations shall apply to certain employment center uses in the Business Districts where this Section is referenced under “Use Standards” in Section 3.4:

- A. **Size and Location.** The size and location of a distribution center, light manufacturing facility, research laboratory, warehousing facility or other land use allowed in a Business District subject to this Section shall be designed to minimize disruption of the predominant commercial business function of the zoning district.
- B. **Commercial Frontage.** The Planning Commission may require reservation of adequate land area at the front of the lot for existing or planned retail, restaurant, office, and similar commercial business uses and development.
- C. **Additional Screening.** The Planning Commission may require additional screening where determined necessary to provide adequate land use buffering for an adjacent AG (Agricultural) District, any adjacent residential district, or an existing agricultural or residential use on an adjacent lot.

PART ELEVEN – Amendments to Section 6.31

Section 6.31 (Outdoor Storage, General) is hereby deleted and replaced in its entirety to amend subsection A. (Enclosure) of the section and to add a new subsection “F.” entitled “Accessory Use Standards” as follows:

A. **Enclosure.** All outdoor storage shall be secured within a ~~enclosed by a solid wood or vinyl~~ fence or a wall, ~~which shall be no less than six (6) feet or more than ten (10) feet in height. The fence or wall shall comply with~~ that conforms to Section 7.6 (Fences and Walls), and shall be screened per Section 10 (Landscaping and Screening) requirements. Materials stored on the site shall not exceed the height of the fence or wall.

F. **Accessory Use Standards.** Where outdoor storage, general is allowed in a Business District as an accessory use, the following additional standards shall apply:

1. Outdoor storage, general shall only be allowed accessory to a distribution center, light manufacturing facility, research laboratory or warehousing facility as allowed in the zoning district, and shall be incidental and subordinate to the principal use on the site.
2. The enclosure shall be located outside of all required setback areas and shall be fully screened from road rights-of-way and adjacent land uses per Section 10.2.E.

PART TWELVE – Amendments to Section 6.34

Section 6.34 (Public and Institutional Buildings and Uses) is hereby amended to delete subsections 6.34.C. (Ingress and Egress) and 6.34.D. (Parking) in their entirety to eliminate conflicts with other Ordinance requirements related to vehicular access and parking, and to add a new subsection “C.” entitled “Additional Setback” as follows:

C. **Additional Setbacks.** An additional 20.0 feet of side and rear yard setback shall be provided when abutting the AG (Agricultural) District, any residential district, or an existing agricultural or residential use. This additional setback area shall be improved with screening elements and landscaping in accordance with Section 10 (Landscaping and Screening). No driveway, parking, signs, structures, stormwater management basins, or similar improvements shall be located within these setback areas.

PART THIRTEEN – Amendments to Section 6.37

Section 6.37 (Second Living Quarters on a Farm) is hereby amended to add a new subsection “E.” entitled “Residential Design Requirements” as follows:

E. **Residential Design Requirements.** The dwelling shall conform to Section 6.16 requirements.

PART FOURTEEN – Amendments to Section 6.38

Section 6.38 (Self Storage Warehouses) is hereby amended to delete and replace subsection 6.38.F.E. (Prohibited Storage) in its entirety with a new subsection “F.E.” entitled “Recreational Vehicle Storage as an Accessory Use” as follows:

~~F. **Outside Storage Prohibited.** No storage outside of the self-storage buildings shall be permitted.~~

F. **Recreational Vehicle Storage as an Accessory Use.** Storage outside of the self-storage buildings in a Business District shall be prohibited, except for limited outdoor storage of recreational vehicles as defined in Section 2.2, which shall be allowed as an accessory use subject to the following limitations:

1. Outdoor storage of recreational vehicles shall be incidental in character and subordinate to the principal use on the site.

2. The outdoor storage area shall be located outside of all required setback areas, secured within a fence or a wall that conforms to Section 7.6 (Fences and Walls), and fully screened from road rights-of-way and adjacent land uses per Section 10.2.E.

PART FIFTEEN – Amendments to Section 6.45

Section 6.45 (Auctions) is hereby amended to delete subsection 6.45.A. (Approval Required) in its entirety to eliminate a regulatory conflict within the Ordinance, and to re-number the remaining subsections accordingly.

PART SIXTEEN – Amendments to Section 6.47

Section 6.47 (Indoor Commercial Recreation Uses) is hereby deleted and replaced in its entirety with a new Section 6.47 entitled “Outdoor Seating Area” to remove an outdated regulation inadvertently carried over from the previous Zoning Ordinance No. 1991-5, and to insert provisions allowing for establishment of outdoor seating areas assessor to restaurant and food service establishments, as follows:

~~Section 6.47 — Indoor Commercial Recreation Uses~~

~~Indoor commercial recreation uses shall be setback a minimum distance of one hundred (100) feet from any residentially zoned property.~~

Section 6.47 — Outdoor Seating Area

Outdoor seating areas shall be subject to the following:

1. Outdoor seating shall be accessory to a principal restaurant or food service use on the same lot.
2. Establishment or alteration of an outdoor seating area accessory to an existing restaurant or food service use shall only be subject to minor site plan approval per Section 14.2.
3. Outdoor seating shall be prohibited within any setback area required by this Ordinance.
4. The outdoor seating shall be included in the required off-street parking calculation for the principal use per Section 9.2 standards.
5. The outdoor seating area shall be kept clean, litter-free, and with a well-kept appearance within and immediately adjacent to the area of the tables and chairs. Additional outdoor waste receptacles may be required.
6. Signs shall not be permitted beyond those allowed for the principal use.
7. Documentation of approvals from the Central Michigan District Health Department, and from the State of Michigan if sales and consumption of liquor is planned in the outdoor seating area.

PART SEVENTEEN – Add a New Section 6.52 (Day Care Centers)

Section 6 (Standards Applicable to Specific Land Uses) is hereby amended to add a new Section 6.52 entitled “Day Care Centers” as follows:

Section 6.52 Day Care Centers

1. **Accessory Use.** Where allowed as an accessory use, the day care center shall be incidental and subordinate to a principal use on the site, such as a religious institution, public and institutional building or use, hospital, school, or manufacturing or other industrial operation. The accessory day care center may be located in a separate building on the same site.

2. **Outdoor Play Area.** Where provided, all outdoor play areas for child day care centers shall be enclosed by a fence that is not climbable in design and at least 48 inches high.
3. **Pick-up and Drop-off Area.** An adequate short-term waiting area for pick-up and drop-off shall be provided off-street, which shall be located within the site and may be incorporated into the required off-street parking.

PART EIGHTEEN – Add a new Section 6.53 (Food Trucks)

Section 6 (Standards Applicable to Specific Land Uses) is hereby amended to add a new Section 6.53 entitled “Food Trucks” as follows:

Section 6.53 Food Trucks

A. Food Truck, Temporary Use.

A food truck shall be allowed to be located for a short-term, temporary period of time on a developed lot with an established principal use subject to the following requirements:

1. A food truck as a temporary use shall be subject to an administrative Zoning Permit approval by the Zoning Administrator in accordance with the requirements of this Section and Section 14.1 of this Ordinance. The Zoning Permit shall be valid for the current calendar year.
2. The food truck operator shall be responsible for keeping the area around the truck clean and litter-free.
3. The food truck shall be located on a paved parking lot outside of all road rights-of-way, clear vision areas at intersections, and all required setback areas.
4. A food truck as a temporary use shall not encroach into the minimum parking required for the principal use of the lot, or impede pedestrian or vehicular access to the principal building on the lot.
5. Paved barrier free pedestrian access shall be provided to the food truck.
6. Signs shall not be permitted beyond those allowed for the principal use.
7. Documentation of all required outside agency permits or approvals for the food truck shall be provided to the Zoning Administrator.

B. Food Truck Court.

A permanent facility for food trucks and their customers to congregate shall be allowed subject to the following requirements:

1. Site plan approval per Section 14.2.
2. The food truck court shall include permanent parking, barrier-free pedestrian access, and electrical hook-up facilities for at least three foods on the lot.
3. Permanent on-site bathroom and handwashing facilities shall be provided for customers and employees.
4. Permanent exterior lighting for the site shall be provided for the food truck court, which shall conform to Section 8.2 standards.
5. An outdoor seating area shall be provided for customers, which shall conform to Section 6.47 standards.
6. Food truck court facilities shall be located outside of all road rights-of-way, clear vision areas at intersections, and all required setback areas.

PART NINETEEN – Add a new Section 6.54 (Medical Marijuana Caregivers)

Section 6 (Standards Applicable to Specific Land Uses) is hereby amended to add a new Section 6.54 entitled “Medical Marihuana Caregivers” as follows:

Section 6.54 Medical Marihuana Caregivers

The following requirements shall apply to medical marihuana caregivers operating in the Township:

1. **Compliance with State Law.** The cultivation and medical use of marihuana by a medical marihuana primary caregiver as defined in Section 2.2 shall comply at all times and in all circumstances with the Michigan Medical Marihuana Act, being MCL §333.26421, et. seq. and associated state rules and regulations as they may be amended from time to time.
2. **Compliance with Home Occupation Requirements.** The cultivation and medical use of marihuana by a medical marihuana primary caregiver as defined in Section 2.2 shall comply at all times and in all circumstances with the requirements of this Section 6.54 and the home occupation requirements of Section 6.19 as they may be amended from time to time.
3. **Setback from Schools.** The cultivation of medical marihuana shall be set back a minimum of 1,000 feet from any school or child day care facility to ensure community compliance with Federal “Drug-Free School Zone” requirements.
4. **Number of Primary Caregivers and Qualifying Patients.** Not more than one (1) medical marihuana primary caregiver per lot shall be allowed to assist qualifying patients, and not more than five (5) qualifying patients shall be assisted with the medical use of marihuana within any given calendar week.
5. **Growing.** All medical marihuana shall be contained within an enclosed, locked facility which shall mean a closet, room, or other comparable, stationary, and fully enclosed area equipped with secured locks or other functioning security devices that permit access only by the medical marihuana primary caregiver or registered qualifying patient, as reviewed and approved by the Zoning Administrator and subject to the following:
 - a. **Indoor Growing.** Except as otherwise provided in subsection 6.54.4.b., the “enclosed, locked facility” for medical marihuana plants shall be inside a fully enclosed principal or accessory building.
 - b. **Outdoor Growing.** Marihuana plants grown outdoors in the AG (Agricultural) zoning district shall be considered to be in an “enclosed, locked facility” if they are not visible to the unaided eye from an adjacent property when viewed by an individual at ground level or from a permanent structure and are grown within a stationary structure that is enclosed on all sides, except for the base, by chain-link fencing, wooden slats, or a similar material that prevents access by the general public and that is anchored, attached, or affixed to the ground; located on land that is owned, leased, or rented by a medical marihuana primary caregiver for registered qualifying patients or patients for whom the marihuana plants are grown; and equipped with functioning locks or other security devices that restrict access to only the registered qualifying patient or the medical marihuana primary caregiver who owns, leases, or rents the property on which the structure is located.
6. **Permits.** All necessary building, electrical, plumbing, and mechanical permits shall be obtained for any portion of the residential structure in which electrical wiring, lighting, or watering devices that support the cultivation, growing, or harvesting of marihuana are located.
7. **Lighting.** If a room with windows is utilized as a growing location, any lighting methods that exceed usual residential periods between the hours of 10:00 p.m. to 7:00 a.m. shall employ shielding methods, without alteration to the exterior of the residence, to prevent ambient light spillage that may create a distraction for adjacent residential properties.
8. **Inspections.** That portion of the residential structure where energy usage and heat exceeds typical residential use, such as a grow room, and the storage of any chemicals such as herbicides, pesticides, and fertilizers, shall be subject to confirmation of compliance with applicable fire codes.

9. Limitations. Nothing in this Ordinance or any other regulatory provisions of the Township is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the Michigan Medical Marihuana Act and rules adopted under the Act. Nothing in this Ordinance or any other regulatory provisions of the Township is intended to grant, and shall not be construed as granting, immunity from criminal prosecution under Federal law. The Michigan Medical Marihuana Act does not protect users, caregivers, or the owners of property on which medical marihuana is grown or used from Federal prosecution or from having their property seized by Federal authorities under the Federal Controlled Substance Act.

PART TWENTY – Amendments to Section 7.5

Section 7.5 (Accessory Uses, Buildings, and Structures) is hereby deleted and replaced in its entirety to amend Part B (Attached Accessory Buildings) of the section to delete the phrase “(such as an attached garage, breezeway, or workshop)” from the first sentence of subsection 7.05.B. to remove a conflict with the second sentence; and to amend Part C (Detached Accessory Structures) to add “and Other Accessory Structures” to the title and to delete and replace the text of subsection 7.5.C.1. (Location), to add a new subsection 7.5.C.1.c. to provide an allowance for waterfront lots to locate a detached shed or garage in the front yard (between the house and the road), and to add a new subsection 7.5.C.2.f. as follows:

B. Attached Accessory Buildings.

Unless otherwise specified in this Section, accessory buildings or structures which are attached to the principal building (~~such as an attached garage, breezeway, or workshop~~) shall be considered a part of the principal building for the purposes of determining conformance with area, setback, height, and bulk requirements. An accessory building or structure shall be considered as attached to the principal building when integrally connected by a fully enclosed structure. A breezeway, portico, colonnade or similar architectural device is not sufficient to meet this standard.

C. Detached Accessory Buildings and Other Accessory Structures.

1. Location. Detached accessory buildings (~~for example, garages or sheds~~) and other accessory structures shall ~~not be located~~ prohibited within any front yard ~~area or a~~ and within the minimum required side yard area for the zoning district, except as follows:
 - a. *Commercial and Industrial Districts.* The following accessory uses may be permitted in the front or side yards of commercial or industrial districts, subject to the approval of the Planning Commission: buildings for parking attendants, guard shelters, gate houses, and transformer pads.
 - b. *Agricultural District.* In the AG district, detached accessory buildings related to agricultural use may be permitted in front of the principal residence on the lot if they comply with all setback requirements for accessory buildings.
 - c. Waterfront lots. One (1) detached accessory building or other accessory structure shall be allowed to be located within the non-required front yard area of a lot with a waterfront lot line and a waterfront yard (see the defined terms “Lot Lines: Waterfront Lot Line” and “Yard: Waterfront Yard” in Section 2.2), subject to the following limitations:
 - i. Exterior finish materials, including siding and roofing, shall match or be coordinated with existing finish materials on the principal building or dwelling, and shall be integrated around the entire structure.
 - ii. The width of the structure as viewed from abutting road rights-of-way shall not exceed 20 percent (20%) of the lot width.
 - iii. The structure shall conform to the setback requirements of Section 7.5.C.2.

2. Setbacks. Detached accessory buildings and other accessory structures, including any and all roof overhangs, shall comply with the following setback requirements. A stake survey may be required by the Zoning Administrator to determine exact distances from the lot line. The location of the proposed building shall be approved by the Zoning Administrator prior to construction.
 - a. *Front Yard Setback*. Any accessory building or other accessory structure in the front yard shall conform to the minimum required front and side yard setbacks for principal buildings in the zoning district.
 - b. *Side Yard Setback*. The required side yard setback for detached accessory buildings or other accessory structures is five (5) feet.
 - c. *Rear Yard Setback*. Accessory buildings or other accessory structures shall be located no closer than five (5) feet to the rear lot line or alley line.
 - d. *Distance from other Buildings*. Detached accessory buildings or other accessory structures shall be located at least ten (10) feet from any building on the site.
 - e. An accessory building or other accessory structure over 14.0 feet in height, 50 feet in length adjacent to a lot boundary, or 1,500 sq. ft. in floor area, shall conform to the minimum required yard setbacks for principal buildings in the zoning district.
 - f. An accessory building or other accessory structure location for any principal use subject to site plan approval per Section 14.2 shall not conflict with or encroach into parking or loading areas required per Section 9 or landscaping or screening required per Section 10.

PART TWENTY-ONE – Add a New Section 7.20 (Building Form and Composition)

Section 7 (General Provisions) is hereby amended to add a new Section 7.20 entitled “Building Form and Composition” as follows:

Section 7.20 Building Form and Composition

The following building form and composition standards shall apply:

A. Purpose.

The quality of building design, placement, and composition is essential to provide a comfortable, human-scale environment in the Township, and to maintain the Township’s attractiveness and economic vitality. Consistent with the adopted Master Plan’s development policies, it is the purpose of this Section to maintain the visual environment, protect the general welfare, and ensure that the Township’s property values, appearance, character, and economic well being are preserved through minimum building form and composition standards. This Section is further intended to encourage creativity, imagination, innovation, and variety in architectural design and building composition through complementary and appropriate use of scale, massing, and architectural details.

B. Scope.

This Section is not intended to supersede or supplant established building and fire code regulations, nor to regulate the quality, durability, maintenance, performance, load capacity, fire resistance characteristics or workmanship of building materials. The provisions of this Section shall apply to the following buildings subject to site plan approval per Section 14.2:

1. Mixed-use and non-residential buildings in the B-4, B-5, B-7, and OS zoning districts; and
2. Buildings occupied or intended to be occupied by Public and Institutional Buildings and Uses and Religious Institutions in any zoning district.

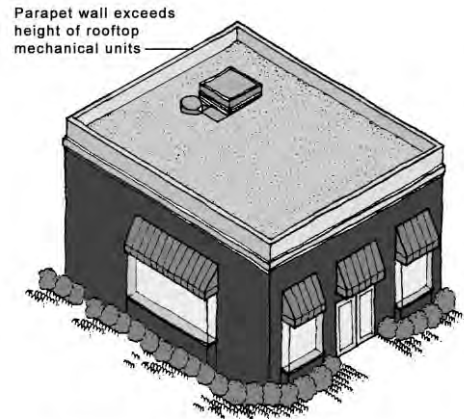
C. Requirements.

Building construction and other work subject to the provisions of this Section shall comply with the following general requirements:

1. **Facade variation.** Building facade walls exceeding 100 feet in length shall be subdivided into bays through the location and arrangement of architectural features and design variations; including but are not limited to projections, bays, recesses, enhanced facade materials and architectural detailing, and variations in building height, roof forms, and window patterns (see illustration).
2. **Composition.** All sides of a building shall be complementary in design, details, and materials. Side and rear facades shall include building materials and architectural features similar to those present on the front facade of the building.
3. **Public entrances.** Buildings in the B-4, B-5, B-7, and OS zoning districts shall have at least one (1) public entrance facing a road right-of-way. Additional entrances may be located on the rear or side facade, including primary access to other uses in a multi-tenant building.
4. **Roof-top equipment screening.** Roof-top mechanical equipment, HVAC systems, exhaust stacks, elevator housings, and other equipment shall be screened from public rights-of-way and adjacent uses by a parapet wall or similar device that exceeds the height of the roof-top equipment and extends around all sides of the building (see illustration).
5. **Security and safety equipment.** Exterior security gates or roll-down security doors shall be prohibited. Link or grill type security devices shall be permitted only if installed on the interior of the building, within the window or doorframes. Such security equipment shall be recessed and completely concealed during regular business hours and shall be predominantly transparent to allow maximum visibility of the interior.



Facade Variation



Roof Design

PART TWENTY-TWO – Amendments to Section 9.2

Section 9.2 (Schedule of Required Parking) is hereby amended to delete subsections 9.2(D) through 9.2(I) in their entirety, and to add new subsections “D.” entitled “Provisions for Parking for a Specific Use,” “E.” entitled “Abbreviations,” and “F.” entitled “Schedule of Off-Street Parking by Use” to establish one (1) integrated table format fully coordinated with the land use table in Section 3.4, as follows:

D. Provisions for Parking for a Specific Use.

Compliance with the minimum requirements of this Section does not eliminate the requirement to demonstrate that adequate but not excessive off-street parking is available to serve the specific use or development.

E. Abbreviations.

The following abbreviations are used in the table in Section 9.2.E.:

GFA = Gross Floor Area
UFA = Usable Floor Area

F. Schedule of Required Parking by Use

Land Use	Minimum Required Off-Street Parking Standard
Rural and Agricultural Uses	
Agricultural Processing and Packaging	One (1) space per employee based on the largest daily work shift, plus adequate off-street parking for visitors based on anticipated use.
Agricultural Service Establishments	
Agri-Tourism	
Auction, Permanent Agricultural	
Customary Agricultural Operations	No minimum
Farm Implement Sales and Repair	One (1) space per 350 sq. ft. of UFA, exclusive of spaces for dealer stock
Greenhouses	No minimum
Hunting Clubs or Gun Clubs, Outdoor Gun and Archery Ranges	One (1) space per employee based on the largest daily work shift, plus adequate off-street parking for visitors based on anticipated use.
Kennels, Boarding	One (1) space per employee based on the largest daily work shift, plus adequate off-street parking for visitors based on anticipated use.
Kennel, Breeding	
Kennel, Non-Commercial	No minimum
Nursery, Plant Material	One (1) space per employee based on the largest daily work shift, plus adequate off-street parking for visitors based on anticipated use.
Private Off-Road Courses	No minimum
Roadside Farm Stands	Two (2) spaces, located outside of road rights-of-way but may be within the required front yard setback area
Stable, Private	No minimum
Stable, Public	One (1) space per employee based on the largest daily work shift, plus adequate off-street parking for visitors based on anticipated use.
Residential Uses	
Adult Foster Care Family Home	0.3 spaces per bedroom, plus one (1) space per employee based on the largest daily work shift
Adult Foster Care Small Group Home	
Adult Foster Care Large Group Home	
Child or Day Care, Family Home	1.5 spaces per six (6) children or adults of state licensed or authorized capacity, plus the spaces required for the principal dwelling.
Child or Day Care, Group Home	
Dwellings, Multiple-Family (4-units or less)	0.7 spaces per bedroom, plus adequate off-street parking spaces for visitors
Dwellings, Multiple-Family (5-units or more)	
Dwelling, One Family or Single Family	2 spaces per dwelling unit
Dwelling, One Family on a Farm	
Dwellings, Two Family (Duplex)	
Foster Family Home	Same as for the principal dwelling
Foster Family Group Home	One (1) space per employee based on the largest daily work shift
Home Based Limited Business	2 spaces, plus the spaces required for the principal dwelling
Home Occupation	Same as for the principal dwelling
Mobile Home Parks	See Section 3.12

F. Schedule of Required Parking by Use

Land Use	Minimum Required Off-Street Parking Standard
Second Living Quarters on a Farm	2 spaces per dwelling unit
Lodging Uses	
Bed and Breakfast	1.15 spaces per occupiable bedroom, plus required spaces for the dwelling.
Boarding House	1.5 spaces per bedroom, with a minimum of 4 required spaces
Dependent Living for Seniors	0.39 spaces per bed
Fraternity or Sorority	0.5 spaces per resident, plus adequate off-street parking spaces for visitors
Home for the Aged	0.39 spaces per bed
Hospitality Facility	1.5 spaces per bedroom, with a minimum of 4 required spaces
Hotels	One (1) space per occupancy unit, plus one (1) space per employee based on the largest daily work shift.
Independent Living for Seniors	0.3 spaces per dwelling unit, plus adequate off-street parking spaces for visitors
Nursing Home	0.43 spaces per bed, plus adequate off-street parking spaces for visitors
Short-Term Rental Housing	1.15 spaces per occupiable bedroom, plus required spaces for the dwelling.
Health, Wellness, and Medical Uses	
Day Care Centers, Child or Adult	1.5 spaces per six (6) children or adults of state licensed or authorized capacity, plus one (1) space per employee based on the largest daily work shift.
Hospitals	One (1) space per employee based on the largest daily work shift, plus adequate off-street parking for patients and visitors based on anticipated use.
Massage Therapist	One (1) space per 350 square feet of UFA
Medical, Osteopathic, Optical or Dental Offices	One (1) space per 300 square feet of UFA
Pharmacy	One (1) space per 275 square feet of UFA, plus 3 stacking spaces per drive-through service lane
Personal Fitness Center	One (1) space per 330 sq. ft. UFA
Veterinary Clinic	One (1) space per 300 square feet of UFA
Public, Quasi-Public, and Recreational Uses	
Airports, Public or Private	One (1) space per employee based on the largest daily work shift, plus adequate off-street parking for visitors based on anticipated use.
Amusement Parks	One (1) space per employee based on the largest daily work shift, plus adequate off-street parking for patrons and visitors based on anticipated use.
Amusement Enterprises	
Bus, Train, and other Forms of Transportation Systems, Passenger Stations	
Business Schools, Colleges, and Private Schools Operated for Profit	One (1) space per employee based on the largest daily work shift, plus adequate off-street parking for students and visitors based on anticipated use.
Campgrounds or Recreation Grounds	One (1) space per employee based on the largest daily work shift, plus one (1) space per campsite, plus adequate off-street parking for visitors based on anticipated use.
Cemeteries, Public or Private, including Mausoleums	One (1) space per employee based on the largest daily work shift, plus adequate off-street parking for visitors based on anticipated use.
Conservation Areas, Public or Private	
Country Clubs and Golf Courses	8.5 spaces per hole
Health, Exercise Club, or Spa	One (1) space per 330 sq. ft. UFA
Indoor Commercial Recreation	
Indoor Gun and Archery Range	One (1) space per employee based on the largest daily work shift, plus adequate off-street parking for visitors based on anticipated use.
Miniature Golf and/or Driving Ranges	One (1) space per employee based on the largest daily work shift, plus one (1) space per tee
Municipal Public Utility Uses, such as Water Treatment Plants and Reservoirs, Sewage Treatment Plants, including outdoor storage	One (1) space per employee based on the largest daily work shift, plus adequate off-street parking for visitors based on anticipated use.

F. Schedule of Required Parking by Use

Land Use	Minimum Required Off-Street Parking Standard
Private Clubs, Fraternal Organizations, and Lodge Halls	0.33 spaces per seat in the main assembly space or 1 space per 1,000 sq. ft. of GFA.
Public and Institutional Buildings and Uses	
Religious Institutions	
Theaters, Assembly Halls, Concert Halls, and Similar Places of Assembly	
Trade or Industrial Schools	One (1) space per employee based on the largest daily work shift, plus adequate off-street parking for students and visitors based on anticipated use.
Commercial and Retail Uses	
Auction, Permanent	One (1) space per employee based on the largest daily work shift, plus adequate off-street parking for visitors based on anticipated use.
Automobile Wash when Completely or Partially Enclosed in a Building	One (1) space per employee based on the largest daily work shift, plus 6 stacking spaces before each automated wash lane or 2 spaces before each manual wash bay, plus 2 off-street drying spaces.
Automobile Repair Shop or Garage, if all operations are conducted in an enclosed building	One (1) space per employee based on the largest daily work shift, plus adequate off-street parking for visitors and for vehicles awaiting service or pick-up, based on anticipated use.
Beauty and Barber Shops	1.25 spaces per service chair or station, plus one (1) per employee based on the largest daily work shift.
Brewpub	One (1) space per employee based on the largest daily work shift, plus adequate off-street parking for visitors based on anticipated use.
Convenience Store	One (1) space per 275 sq. ft. of UFA
Dealership, Vehicle, Automobile Dealership and Farm Equipment Sales	One (1) space per 350 sq. ft. of UFA, exclusive of spaces for dealer stock
Distillery, Small	One (1) space per employee based on the largest daily work shift, plus adequate off-street parking for visitors based on anticipated use.
Financial Institutions	One (1) space per 300 sq. ft. of UFA, plus 4 stacking spaces per drive-through service lane
Food Truck Court	Six (6) spaces per food truck site.
Gunsmiths	One (1) space per employee based on the largest daily work shift, plus adequate off-street parking for visitors based on anticipated use.
Home Improvement Store	One (1) space per 350 sq. ft. of UFA
Instant Oil Change Shop	3.5 spaces per service bay [includes the service bay space and two (2) associated stacking spaces], plus (1) space per employee based on the largest daily work shift.
Microbrewery	One (1) space per employee based on the largest daily work shift, plus adequate off-street parking for visitors based on anticipated use.
Mobile and Modular Home Sales	One (1) per 4,000 square feet of outdoor sales or display area, plus one (1) space per employee based on the largest daily work shift.
Mortuary Establishments, Funeral Homes	One (1) space per three (3) persons allowed within the maximum building occupancy.
Motor Vehicle Filling Station, Gas Station	2.5 spaces per fueling location [includes one (1) fueling location space and one (1) associated stacking space], plus required spaces for accessory retail, office or service uses.
Office, Professional, Technical or Administrative	One (1) space per 300 sq. ft. of UFA
Open Air Businesses	One (1) space per employee based on the largest daily work shift, plus adequate off-street parking for visitors based on anticipated use.
Outdoor Temporary Retail Sales	
Personal Service Establishments	One (1) per service chair or station, plus one (1) per employee based on the largest daily work shift.

F. Schedule of Required Parking by Use

Land Use	Minimum Required Off-Street Parking Standard
Pet Grooming	One (1) per service chair or station, plus one (1) per employee based on the largest daily work shift.
Pet Obedience School	One (1) space per employee based on the largest daily work shift, plus adequate off-street parking for visitors based on anticipated use.
Pet Shop	One (1) space per 275 sq. ft. of UFA
Plumbing, Heating, and Electrical Shops	One (1) space per employee based on the largest daily work shift, plus adequate off-street parking for visitors based on anticipated use.
Restaurants, Bar/Lounge	0.5 spaces per seat based upon the maximum seating capacity, plus one (1) space per employee based on the largest daily work shift
Restaurants, Carry-Out	One (1) space per 200 sq. ft. of UFA
Restaurants, Standard	0.33 spaces per seat based upon the maximum seating capacity, plus one (1) space per employee based on the largest daily work shift
Restaurants, Drive-in or Drive-Through	6 stacking spaces per drive-through service lane, plus the required spaces for the type of other restaurant services provided (bar/lounge, carry out, or standard)
Retail, General	One (1) space per 275 sq. ft. of UFA
Shopping Centers and Big-Box Stores	
Sign Painting and Servicing Shops	One (1) space per employee based on the largest daily work shift, plus adequate off-street parking for visitors based on anticipated use
Supermarket	One (1) space per 250 sq. ft. of UFA
Tire and Battery Shops	2.0 spaces per service bay (includes the service bay space), plus (1) space per employee based on the largest daily work shift, plus adequate off-street parking for visitors and for vehicles awaiting service or pick-up, based on anticipated use
Wine Maker, Small	One (1) space per employee based on the largest daily work shift, plus adequate off-street parking for visitors based on anticipated use
Industrial Uses	
Automobile or Vehicle Storage	One (1) space per employee based on the largest daily work shift, plus adequate off-street parking for visitors based on anticipated use.
Concrete or Asphalt Paving Plant	One (1) space per employee based on the largest daily work shift, plus adequate off-street parking for visitors based on anticipated use
Contractor's Yard	One (1) space per employee based on the largest daily work shift
Distiller	One (1) space per employee based on the largest daily work shift, plus adequate off-street parking for visitors based on anticipated use
Distribution Center	
Donation Bins	One (1) space per bin
Dry Cleaning Plant, Commercial Laundry	One (1) space per employee based on the largest daily work shift, plus adequate off-street parking for visitors based on anticipated use
Industrial Uses Not Otherwise Listed	One (1) per 2,000 square feet of UFA or one (1) per employee based on the largest daily work shift for a known user, plus adequate off-street parking for visitors based on anticipated use
Junkyards	One (1) space per employee based on the largest daily work shift, plus adequate off-street parking for visitors based on anticipated use.
Landscape Contractor's Operation	One (1) space per employee based on the largest daily work shift, plus adequate off-street parking for visitors based on anticipated use
Limited Retail and Showroom Operations	One (1) per 350 square feet of UFA
Lumber and Planing Mills	One (1) space per employee based on the largest daily work shift, plus adequate off-street parking for visitors based on anticipated use.
Major Repair and Maintenance Operations	One (1) per 2,000 square feet of UFA or one (1) per employee based on the largest daily work shift, plus adequate off-street parking for visitors based on anticipated use
Manufacturing, General	
Manufacturing, Light	
Motor Freight Facility	One (1) space per employee based on the largest daily work shift, plus adequate off-street parking for visitors based on anticipated use.
Oil or Gas Processing Plant	
Outdoor Storage, General	
Recycling Center	
Recycling Collection Station	One (1) space per employee based on the largest daily work shift, plus adequate off-street parking for visitors based on anticipated use.

F. Schedule of Required Parking by Use

Land Use	Minimum Required Off-Street Parking Standard
Research Laboratories, Prototype Design and Development	One (1) per 2,000 square feet of UFA or one (1) per employee based on the largest daily work shift for a known user, plus adequate off-street parking for visitors based on anticipated use
Truck Stop	One (1) space per 200 sq. ft. of UFA
Truck Terminal	One (1) space per employee based on the largest daily work shift, plus adequate off-street parking for visitors based on anticipated use.
Vehicle Impoundment Lot	
Warehousing and Wholesale Trade Establishments	
Wine Maker	
Other Uses	
Accessory Use, Building, or Structure	No minimum
Adult Regulated Uses	One (1) per 200 square feet of UFA
Auctions	One (1) space per employee based on the largest daily work shift, plus adequate off-street parking for visitors based on anticipated use.
Biofuel Production Facility – Option A	One (1) space per employee based on the largest typical daily work shift
Biofuel Production Facility – Option B	
Biofuel Production Facility – Capacity More Than 100,000 Gallons	
Essential Services	One (1) space per employee based on the largest daily work shift, plus adequate off-street parking for visitors based on anticipated use.
Extraction Operations	One (1) space per employee based on the largest daily work shift, plus adequate off-street parking for visitors based on anticipated use.
Mixed Use Building	Cumulative minimum of required parking for the residential and non-residential land uses.
Power Plant	One (1) space per employee based on the largest daily work shift, plus adequate off-street parking for visitors based on anticipated use.
Racetracks	0.4 spaces per seat, based on total seating capacity
Self-storage Facilities (Mini-Warehouse, Mini-Storage)	0.1 spaces per storage unit, plus required parking for any office or other uses.
Solar Energy Facility – Direct Use	Provide adequate off-street parking for service trucks and any employees working on the site.
Solar Energy Facility – Primary Use	
Swimming Pools, Private	No minimum
Wind Energy Conversion System On-Site	Provide adequate off-street parking for service trucks and any employees working on the site.
Wind Energy Conversion System, Utility Scale	
Wireless Communication Towers	

PART TWENTY-THREE – Amendments to Section 11.3

Section 11.3 (Definitions) is hereby amended to correct a typo by deleting the extra “of” in the definition of “Construction Sign.”

PART TWENTY-FOUR – Amendments to Section 11.5

Section 11.5 (Enforcement) is hereby amended to delete and replace the text of subsection 11.5.D. (Nonconforming Signs) in its entirety as follows.

[E. Nonconforming Signs. See Section 11.14.](#)

PART TWENTY-FIVE – Amendments to Section 11.6

Section 11.6 (General Provisions) is hereby amended to delete and replace the text of subsection 11.6.E. (Signs for Religious Institutions, Other Institutional Buildings, and Public Buildings) in its entirety to correct regulatory conflicts in the requirements that apply to religious institutions and related facilities, and to amend the first paragraph of subsection 11.6.G. (Entranceway Signs) to add “public parks, conservation areas, (and) cemeteries” to the list of developments where entranceway signs are allowed, as follows.

- E. **Signs for Religious Institutions, Other Institutional Buildings, and Public Buildings.** Signs for religious institutions, other institutional buildings, and public buildings shall be permitted subject to the same standards as other signs in the district in which the institution is located. However, a religious institution in [the AG \(Agricultural\) District or any residential zoning district](#) may erect signs for the purposes of: identification of the religious institutions or affiliated school, parsonage, or other facility; advertising the time or subject of services; or, presenting other related information. Such signs shall be subject to the following standards:
1. ~~Number. There shall be no more than one (1) sign per parcel, except on a corner parcel, two (2) signs; one (1) facing each street shall be permitted. One (1) additional sign shall be permitted for each school, parsonage, or other related facility.~~ [Building-Mounted Sign\(s\). The standards of Section 11.13.B. shall apply.](#)
 2. ~~Size. The maximum size of each such sign shall be twenty-four (24) square feet.~~
2. [Freestanding or Ground Sign\(s\). The standards of Section 11.13.C. shall apply, except that the height shall not exceed 8.0 feet and the allowable sign area shall not exceed 48.0 square feet.](#) 3. ~~Location. Signs shall comply with the setback requirements for the district in which they are located.~~ [The sign location shall also conform to Section 4.6 \(Clear Vision Triangle\) requirements.](#)
 3. ~~Height. The maximum height of such signs shall be six (6) feet.~~
 - 4.3. [Electronic Display Technology.](#) Electronic changeable copy and electronic graphic display may be permitted on freestanding signs.
- G. **Entranceway Signs.** Entranceway signs are permitted for the purposes of identifying the entrances to residential subdivisions or condominium developments, apartment complexes, mobile home parks, industrial subdivisions or condominium developments, office parks, [public parks, conservation areas, cemeteries](#), and similar developments. Such signs shall comply with the following regulations:

PART TWENTY-SIX – Amendments to Section 11.11, 11.12, and 11.13

Sections 11.11 (Signs Permitted in the Business Districts), 11.12 (Signs Permitted in the Industrial Districts), and 11.13 (Signs Permitted in the Office Service District) are hereby amended to correct a regulatory conflict with the specific standards by type of sign in the subsection “B” tables that follow by deleting subsections 11.11.A.1., 11.12.A.1., and 11.13.A.1. (Number of Permanent Signs Permitted) in their entirety and re-numbering the remaining subsections accordingly.

PART TWENTY-SEVEN – Add a new Section 11.14

Section 11 (Signs) is hereby amended to add a new Section 11.14 entitled “Nonconforming Signs” as follows:

Section 11.14 Nonconforming Signs.

All existing, lawfully established and lawfully maintained signs that do not conform to the provisions of this Ordinance shall be allowed to continue as nonconforming signs until removed or altered, subject to the following limitations:

A. Good Working Order.

Nonconforming signs shall be maintained in accordance with the requirements for all signs specified in Section 11.7.A. (Construction Standards), to the maximum extent feasible. Nonconforming signs shall be maintained with all necessary structural and decorative components, including supports, sign frame, and electrical equipment. All sign copy areas shall be intact and illuminated signs shall be capable of immediate illumination.

B. Servicing.

Painting, servicing, cleaning or minor repairs to a nonconforming sign shall be permitted, provided that the sign is restored to its original design and all work is in compliance with the requirements for all signs specified in Section 11.7.A. (Construction Standards).

C. Alterations.

Alterations to nonconforming signs shall be prohibited, except as follows:

1. *Sign copy area.* The sign copy area of a nonconforming sign may be altered, including replacement of sign panels and changes to the sign copy, provided that the degree of nonconformity is not increased, and provided that any sign illumination is brought into compliance with the provisions of Section 11.7.B. (Illumination).
2. *Billboard signs.* A nonconforming billboard sign may be altered, including replacement of sign panels and changes to sign copy, provided that the sign area and height are not increased and provided that sign illumination is brought into compliance with the provisions of Section 11.7.B. (Illumination). A nonconforming billboard sign may be converted to an electronic message board, subject to the requirements of Section 11.06.F. (Electronic Display Technology).
3. *Sign frame or structural elements.* Alterations to the sign frame or structural elements of a nonconforming sign shall be permitted, subject to the following:
 - a. The sign shall be brought into compliance with the maximum sign height and sign area standards for the location and type of sign.
 - b. Where a sign is nonconforming with respect to a required setback, the existing sign's wiring and support structure(s) may be re-used, subject to the following:
 - i. The sign shall be located outside of any existing or planned road right-of-way, as defined by the master transportation plans for the Township, county or state road authorities.
 - ii. The sign location shall conform to Section 4.6 (Clear Vision Triangle) requirements.
 - iii. The sign setback distance shall be maintained or increased by the allowable alterations.

PART TWENTY-EIGHT – Amendments to Section 12.3

Section 12.3 (Nonconforming Lots of Record) is hereby amended to delete and replace the text of subsection 12.3.C. (Nonconforming Contiguous Lots Under the Same Ownership) in its entirety to clarify the regulatory intent of this subsection, as follows:

- C. Nonconforming Contiguous Lots Under the Same Ownership.** If two or more lots with contiguous frontage in single ownership are of record at the time of adoption or amendment of this

Ordinance, and if all or part of the individual lots do not meet ~~the requirements established for lot width and area~~ all zoning district dimensional standards, the lots involved shall be considered to be an individual parcel for the purposes of this Ordinance. No portion of ~~said this~~ parcel shall be used, occupied, or sold in a manner which diminishes compliance with ~~lot width and area requirements~~ the zoning district dimensional standards established by this Ordinance, nor shall any division of ~~athis~~ parcel be made which creates a lot ~~with width or area less than the requirements stated in this Ordinance~~ that fails to satisfy all zoning district dimensional standards. These provisions shall not apply to contiguous lots in single ownership where each of the lots is occupied by an existing home.

PART TWENTY-NINE – Amendments to Section 14.1

Section 14.1 (Administrative Procedures) is hereby amended to delete subsections 14.1.A.4. (Exception) in its entirety to eliminate a regulatory conflict with Section 7.5.

PART THIRTY – Amendments to Section 14.3

Section 14.3 (Special Use Permits) is hereby deleted and replaced in its entirety to revise subsections B., E., F., H., I., J., L., and M. of this section to streamline the approval process by authorizing the Planning Commission to have final authority to approve or deny a special use permit application, as follows:

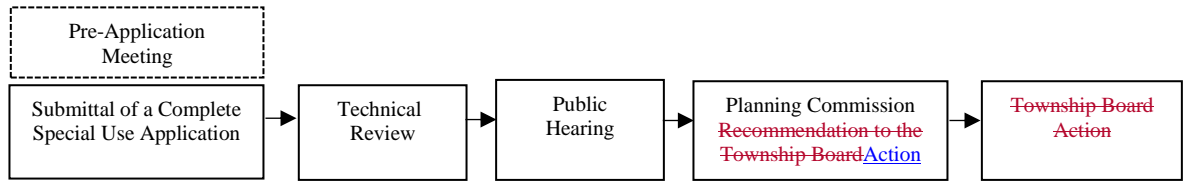
B. Authority to Grant Permits.

The ~~Township Board~~ Planning Commission shall have the authority to review special use applications, hold a public hearing, and grant special use permits, subject to such conditions of design and operation, safeguards, and time limitations as it may determine for all special uses specified in the various provisions of this Ordinance. ~~The Planning Commission shall have authority to review special use applications, hold a public hearing, and make recommendations to the Township Board.~~

E. Application Information.

The following minimum information shall be required with any application for special use permit approval:

1. The name, address, and contact information for the applicant, and the applicant's legal interest in the property. If the applicant is not the owner, the name, address, and contact information for the owner(s) and the signed consent of the owner(s) shall also be required.
2. Signature(s) of the applicant(s) and owner(s), certifying the accuracy of the information.
3. A legal description of the property, including street address(es) and tax code number(s).
4. A detailed description of the proposed use.
5. Supporting statements, evidence, data, information, and exhibits that address the standards and requirements of this Section and Ordinance that apply to the proposed use, applicable requirements and standards of this Ordinance or other Township ordinances, including standards for special use approval in subsection 14.3.J. ~~Subsection 14.3(H).~~
6. A survey drawing or plan view of the subject property drawn to a standard engineer's scale and correlated with the legal description and clearly showing the property's location, lot boundaries, road rights-of-way, easements, existing structures, fences, and other improvements. Where required per Section 14.2, a site plan shall satisfy this requirement.
7. Any other information determined necessary by the Township Planner or Planning Commission ~~or Township Board~~ to verify compliance with this Ordinance or other Township ordinances.



Special Use Review Process

F. Review Procedures.

Special use permit applications shall be submitted and reviewed in accordance with the following:

1. Submittal of a complete application. The application shall be made by filing one (1) completed and signed copy of the required application form, the required fee and any required escrow deposit, and eleven (11) paper copies and one (1) digital copy in .PDF format of the complete set of application materials at the Union Township Hall. Land uses and development projects subject to site plan approval shall be required to submit a complete site plan approval application per Section 14.2 for review in conjunction with this application.
2. Technical review. Prior to Planning Commission consideration, the application materials shall be distributed to the Township Planner for review and comment. The Township Planner or Planning Commission may also request comments from other Township departments, consultants or outside agencies with jurisdiction. Applications that are found by the Township to be incomplete or inaccurate shall be returned to the applicant without further consideration.
3. Public hearing. A public hearing shall be held by the Planning Commission for the application, with notice provided in accordance with Section 14.6.
4. Planning Commission review and ~~action recommendation~~. Following the hearing, the Planning Commission shall review the application materials, together with any reports and recommendations, and any public comments. The Planning Commission shall identify and evaluate all relevant factors, and shall then take action by motion to ~~approve recommend to the Township Board approval~~, ~~approval approve~~ with conditions, or ~~denial of deny~~ the special use permit application, or to postpone further consideration of the application to a date certain, as follows:
 - a. *Postponement.* Upon determination by the Planning Commission that the special use permit application is not sufficiently complete, failure of the applicant to attend the meeting, or upon request by the applicant, or additional information or clarification as requested by the Planning Commission, the Planning Commission may postpone further consideration of the application to a date certain.
 - b. *Approval, Conditional Approval, Denial.* Planning Commission ~~recommendations for approval, approval with conditions or denial of actions to approve, approve with conditions or deny~~ the application shall be based upon application compliance with all applicable standards of this Ordinance or other Township ordinances, including standards for special use approval in ~~subsection 14.3.J. Subsection 14.3(H).~~ Failure of the applicant to attend two (2) or more Planning Commission meetings where the application is being considered shall be grounds for the Planning Commission to ~~deny approval recommend denial to the Township Board~~.
 - c. ~~Recommendation to the Board.~~ ~~The Planning Commission's recommendations, all findings of fact and conclusions forming the basis for the recommendations, any recommended conditions of approval, and a copy of the reports and public hearing record shall be forwarded to the Township Clerk for inclusion on a future Township Board meeting agenda for final consideration and action.~~

~~5. Township Board action. Following receipt of the Planning Commission's recommendations, the Township Board shall review the application materials, reports, recommendations, and any public comments. The Township Board shall take action on the application to approve, approve with conditions, deny or postpone for future consideration, as follows:~~

~~a. Referral Back to Planning Commission. The Township Board may refer the request back to the Planning Commission for further review and recommendation regarding specified questions or issues of concern, prior to further Board action.~~

~~b. Approval, Conditional Approval. The application shall be approved if it is determined to comply with all applicable requirements and standards of this Ordinance or other Township ordinances, including standards for special use approval in Subsection 14.3(H). An application may be approved subject to certain conditions established in accordance with subsection 14.3(E).~~

~~c. Denial. The application shall be denied upon determination that it does not comply with one or more applicable requirements or standards of this Ordinance or other Township ordinances, including standards for special use approval in Subsection 14.3(H), or would require extensive modifications to fully comply. If a special use is denied, a written record shall be provided to the applicant listing the findings of fact and conclusions or reasons for such denial. Failure of the applicant to attend two (2) or more Township Board meetings where the application is being considered shall be grounds for denial.~~

H. Written Record. The ~~Township Board~~ Planning Commission shall include in its minutes its findings and conclusions, its decision, the basis for its decision, and any conditions imposed on an affirmative decision. Conditions imposed with respect to the approval shall be recorded in the record of the approval action and shall remain unchanged, except upon the mutual consent of the ~~Township Board~~ Planning Commission and the landowner as approved in accordance with this Section. The Township shall maintain a record of conditions that are changed.

I. Re-application. Whenever the ~~Township Board~~ Planning Commission has rejected an application, the Township shall not accept a new application for the same special use on the same premises for a period of 365 calendar days unless the Township Planner first determines that there is a substantial change in circumstances relevant to the issues or facts considered during review of the application; new or additional information is available that was not available at the time of the review; or the new application is materially different from the prior application.

J. Standards for Special Use Approval. No special use permit shall be granted unless the ~~Township Board~~ Planning Commission makes affirmative findings of fact and records adequate data, information, and evidence showing that:

1. The proposed land use is identified in Section 3 as a special use in the zoning district.
2. The location, design, activities, processes, materials, equipment, and operational conditions of the special use will not be hazardous, detrimental or injurious to the environment or the public health, safety or general welfare by reason of traffic, noise, vibration, smoke, fumes, odors, dust, glare, light, drainage, pollution or other adverse impacts.
3. The special use will be designed, constructed, operated, and maintained in a manner compatible with adjacent uses, the surrounding area, and the intent of the zoning district. Where determined necessary by the Planning Commission or Township Board, the applicant has provided adequately for any restrictions on hours or days of operation, minimization of noise, and screening improvements or other land use buffers to ensure land use compatibility and minimize adverse impacts.
4. The special use location and character is consistent with the general principles, goals, objectives, and policies of the adopted Master Plan.
5. The proposed special use conforms to all applicable requirements or standards of this Ordinance or other Township ordinances.

Draft Date: August 17, 2021

6. Approval of the special use location will not result in a small residential or non-residential area being substantially surrounded by incompatible uses.
 7. The impact of the special use will not exceed the existing or planned capacity of public or municipal services or infrastructure; including but not limited to roads, police and fire protection services, refuse disposal, municipal water or sewerage systems, other utilities, drainage facilities, and public or private wells. The proposed use will not create additional requirements at public cost for services or infrastructure that will be detrimental to the economic welfare of the community.
- L. Alteration and Expansion.** An approved special use permit, including all attached conditions, shall run with the parcel in the approval and shall remain unchanged except upon mutual consent of the ~~Township Board~~ Planning Commission and the landowner ~~after review and recommendation by the Planning Commission~~. Any alteration or expansion of an existing special use shall require approval of an amended special use permit. Approval of an amended special use permit shall be obtained by the same procedures set forth in this Section for obtaining approval of a new special use permit.
- M. Rescinding Special Use Permit Approval.** Approval of a special use permit may be rescinded by the ~~Township Board~~ Planning Commission upon determination that the use has not been improved, constructed or maintained in compliance with this Ordinance, approved permits, site plans or conditions of site plan or special use permit approval. Such action shall be subject to the following:
1. Public hearing. Such action may be taken only after a public hearing has been held by the Planning Commission with notice provided in accordance with Section 14.6, at which time the operator of the use or owner of an interest in the land or structure(s) for which special use permit approval was sought, or the owner's designated agent, shall be given an opportunity to present evidence in opposition to rescission. ~~Following the hearing, the Planning Commission shall make a report and recommendations to the Township Board.~~
 2. Determination. Subsequent to the hearing ~~and receipt of the Planning Commission report and recommendations~~, the decision of the ~~Township Board~~ Planning Commission with regard to the rescission shall be made and written notification provided to the owner, operator or designated agent.

PART THIRTY-ONE – Repeal

All ordinances or parts of ordinances in conflict with the provisions of this amendatory ordinance, except as herein provided, are hereby repealed only to the extent necessary to give this amendatory ordinance full force and effect.

PART THIRTY-TWO – Severability

If any section, subsection, clause, phrase or portion of this amendatory ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion thereof.

PART THIRTY-THREE – Publication

The Clerk for the Charter Township of Union shall cause this amendatory ordinance to be published in the manner required by law.

Draft Date: August 17, 2021

PART THIRTY-FOUR – Effective Date

This amendatory ordinance was approved and adopted by the Charter Township of Union Board of Trustees, Isabella County, Michigan, on _____, 2021, after initiation and a public hearing by the Planning Commission on _____, 2021 as required pursuant to the Michigan Public Act 110 of 2006, as amended, and after introduction and a first reading by the Township Board on _____, 2021 and publication after such first reading as required by Michigan Act 359 of 1947, as amended. This amendatory ordinance shall be effective on _____, 2021, which date is more than seven days after publication of the ordinance as is required by Section 401(6) of Act 110 of 2006, as amended, provided that this effective date shall be extended as necessary to comply with the requirements of Section 402 of Act 110 of 2006, as amended.

CERTIFICATION OF ADOPTION AND PUBLICATION OF TOWNSHIP ORDINANCE

I, Lisa Cody, the duly elected Clerk of the Charter Township of Union, Isabella County, Michigan, hereby certify that the foregoing amendatory ordinance was adopted at a meeting of the Charter Township of Union Board of Trustees on the _____ day of _____, 2021, at which the following named members of the Charter Township of Union Board of Trustees were present and voted in person as follows:

- (a) Voting in favor of the Ordinance: _____
- (b) Voting against adoption of the Ordinance: _____
- (c) Absent: _____ (d) Abstain: _____

I further certify that a notice of adoption of this amendatory ordinance was published in the Morning Sun, a newspaper of general circulation within the Charter Township of Union on the _____ day of _____, 2021 and that proof of same is filed in the Charter Township of Union Ordinance Book.

Certification Date: _____, 2021

Lisa Cody, Clerk

ZONING ORDINANCE AMENDMENT REPORT

TO:	Planning Commission	DATE:	September 13, 2021
FROM:	Rodney C. Nanney, AICP Community and Economic Development Director		
PROJECT:	PTXT 21-01 - Proposed Zoning Ordinance text amendments		
ACTIONS REQUESTED:	To hold a public hearing, consider any public comments, and take action to make a recommendation for final action on the PTXT 21-01 set of proposed text amendments to the Zoning Ordinance No. 20-06 to the Board of Trustees.		

Background Information

Following a Planning Commission public hearing and recommendation for approval on July 21, 2020, the new Zoning Ordinance No. 20-06 was adopted by the Board of Trustees on September 9, 2020 and went into effect on September 21, 2020. The Community and Economic Development Department immediately took steps to update application forms and Township website information, to update application review procedures, and to inform the development community about the new Ordinance. In December, the Board of Trustees took action to adopt a new fee schedule for development reviews and permit applications.

During the adoption process, our project consultant noted that with any comprehensive Zoning Ordinance update project, it is expected that some details may be identified for correction as the new ordinance is implemented. Staff compiled a list of corrections and issues of concern into a report dated 4/12/2021, which was reviewed by the Planning Commission in April. A proposed amendatory ordinance was developed from this list and the Planning Commission's initial comments, which was reviewed by the Planning Commission in July and during an 8/10/2021 special meeting.

Summary of Proposed Amendments

As noted in the public hearing notice:

The proposed amendments are to correct typographical errors; add and amend several definitions; update the uses allowed in various zoning districts; revise the minimum width standard for dwellings and the setback, height, and lot coverage standards for the Business and Industrial Districts; add provisions for medical marijuana caregivers as a home occupation in the AG (Agricultural) District consistent with Michigan case law; streamline the home occupation permit process by granting the Zoning Administrator final approval authority; adjust standards for outdoor storage, public and institutional buildings, self-storage warehouses, auction facilities, and accessory buildings and structures; add new standards for day care centers, food trucks, outdoor seating areas, building form and composition, and employment center uses in the Business Districts; consolidate and update minimum parking requirements; clarify various sign regulations and provisions for nonconforming lots to eliminate regulatory conflicts; and streamline the special use permit approval process by granting the Planning Commission final approval authority.

Additional Changes in the Public Hearing Draft.

The following additional changes to the draft set of amendments for the public hearing reflect the Planning Commission's direction and one additional correction identified by staff:

1. A definition for "employment center uses" has been added and the "motor vehicle filling station" definition has been updated (page 2).
2. The typos noted in Sections 4.3.j. and 4.3.k. have been corrected (page 23).
3. An amendment to Section 6.16.A. has been inserted to eliminate an additional regulatory conflict noted by staff during preparation of the public hearing draft. (pages 23-24).
4. The day care center play area fence height has been reduced to 48 inches (pages 27-28).

Additional background information is provided below to highlight some of the more substantive proposed changes to the Zoning Ordinance:

Reducing the Number of Uses Subject to Special Use Permit Approval.

The proposed amendments to Section 3 (Zoning Districts) include elimination of the special use permit requirement for a number of specific uses in various zoning districts, including multiple family dwellings (5-units or more), indoor gun and archery ranges, cemeteries, conservation areas, funeral homes, indoor gun and archery ranges, contractor's yards, and warehousing in the I-1 District.

Home Occupations.

The proposed set of amendments includes revisions to Section 6.19 to streamline the approval process for "home occupations," which are low intensity in character and have little to no impact on neighboring land uses. The proposed change would remove the requirement for a public hearing and Planning Commission approval of a home occupation and replace it with an administrative zoning permit requirement. The more intensive "home-based limited businesses" would still require Planning Commission action.

Food Trucks

Provisions have been inserted to specifically allow for administrative permit approval of a food truck as a temporary use in certain zoning districts, and to provide for development of a permanent "food truck court" facility (with parking, bathrooms, outdoor seating, and other amenities) where multiple food trucks can be located subject to site plan approval.

Employment Center Uses in the Business Districts.

The Township has limited land area currently planned and zoned for research, laboratory, and industrial development. On the other hand, the Township is significantly "over-zoned" with regards to retail, office, restaurant, and other commercial development potential in the Business Districts (B-4, B-5 & B-7). There are vacant and underutilized parcels in the Business Districts that could be suitable for development of employment center activities like warehousing and distribution, research and development facilities, and light manufacturing. Section 3 is proposed to be updated to allow for these activities as special land uses in the B-5 & B-7 zoning districts, and a proposed new Section 6.22 is included with standards designed to protect the character of the districts while allowing for more efficient use and development of land for economic development purposes.

Medical Marihuana Caregiver

In response to a 2020 decision by the Michigan Supreme Court that confirmed the authority of local governments to regulate medical marijuana caregivers as an allowable land use in the Zoning Ordinance, the proposed amendments include provisions for a medical marihuana caregiver to be allowed in the AG (Agricultural) zoning district, subject to a home occupation permit and specific standards compatible with the Michigan Medical Marihuana Act.

Minimum Required Front Yard Setback in the Business and Industrial Districts.

The proposed changes to Section 4 (Schedule of Regulations) would substantially reduce the large front yard setbacks required in some of the Business and Industrial zoning districts (B-4, B-5, B-7, I-1, I-2 & OS) to establish a consistent standard across similar districts. Corresponding adjustments to maximum building height, lot coverage requirements, and the side and rear setback standards are intended to allow for more efficient use of land and more prominent placement of buildings on a lot.

Building Form and Composition

In response to the discussions that developed during Planning Commission reviews of The Den on Broomfield and the Dollar General site plan applications, staff has included a proposed set of basic building form and composition standards in a new Section 7.20 of the Zoning Ordinance. The intent of this new section is to provide a mechanism for implementation of the corresponding policies of the Master Plan by providing better direction to developers of projects subject to this section. As noted in the purpose and scope statements of this new section, these standards do not conflict with building or fire code requirements and do not include specific requirements for exterior materials or architectural design.

Minimum Parking Requirements by Use

Over the past ten months, staff and developers have run into challenges with the minimum parking standards for various uses in Sections 9.2(D) – (I). Although the Township’s consultant was directed to update the previous standards that were considered to be excessive, in some cases the new standards actually required more parking spaces than the former 1991 ordinance. In addition, the references in the current Section 9.2 do not correspond consistently with the lists of land uses in Section 3.

To resolve these regulatory conflicts, staff has prepared a new consolidated table of minimum parking and stacking space requirements by land use that more closely matches the layout and terminology in Section 3, adjusts excessive minimum standards, and inserts standards for all allowable land uses.

Authority to Grant Special Use Permits.

To streamline the development approval process, Section 14.3 is proposed to be substantially revised to authorize the Planning Commission to have final authority to approve or deny a special use permit application. Currently these applications require final action by the Board of Trustees. This change would reduce the period of time required for approval of development projects that include activities subject to special use approval. Hearing requirements and standards for special use approval would continue to apply.

Board of Trustees Goals Addressed

Board of Trustees goals addressed from Policy 1.0: Global End, of the Board of Trustees' Policy Governance document, which can be found on the Township's website under *Departments: Manager*:

- 1. Community well-being and common good**
- 3. Safety**
- 4. Health**
- 6. Commerce**

The proposed set of amendments will help to ensure that the Township's Zoning Ordinance supports a sustainable community (1.0) and provides for fair and nondiscriminatory code enforcement (1.1.1.2). The updated provisions are intended in part to help ensure that all residents of all ages and abilities may enjoy a safe environment (1.3), have access to facilities that enable an active, healthy lifestyle (1.4), and can take pride in their community (1.1.1.3). The commerce-friendly changes proposed to the standards for the Business Districts and Industrial Districts are intended to support economic development and further encourage innovative and traditional commercial establishments to locate in the Township (1.6), while also providing for reasonable regulation of potentially undesirable businesses designed to minimize adverse impacts on neighboring properties and land uses (1.6.1).

Objective

Planning Commission review of the proposed set of Zoning Ordinance text amendments following a public hearing, and recommendation for final action to the Board of Trustees.

Recommendation

The proposed set of Zoning Ordinance text amendments include all of the changes identified by the Planning Commission, and are ready for a public hearing. Following the hearing and consideration of any public comments, I would ask that the Planning Commission take action to recommend to the Board of Trustees that the PTXT 21-01 proposed amendments to sections 2 (Definitions), 3 (Zoning Districts and Maps), 4 (Schedule of Regulations), 6 (Standards Applicable to Specific Land Uses), 7 (General Provisions), 9 (Parking, Loading, and Access Management), 11 (Signs), 12 (Nonconformities), and 14 (Administrative Procedures) of the Zoning Ordinance No. 20-06 be adopted.

Please contact me at (989) 772-4600 ext. 232, or via email at rnanney@uniontownshipmi.com, with any questions about this information.

Respectfully submitted,

Rodney C. Nanney, AICP

Community and Economic Development Director

Draft Motions: Zoning Ordinance Text Amendments

MOTION TO RECOMMEND APPROVAL:

Motion by _____, supported by _____, to recommend to the Township Board of Trustees that the PTXT 21-01 Zoning Ordinance text amendments to sections 2 (Definitions), 3 (Zoning Districts and Maps), 4 (Schedule of Regulations), 6 (Standards Applicable to Specific Land Uses), 7 (General Provisions), 9 (Parking, Loading, and Access Management), 11 (Signs), 12 (Nonconformities), and 14 (Administrative Procedures) of the Zoning Ordinance No. 20-06 be adopted as submitted.

MOTION TO RECOMMEND APPROVAL WITH ADDITIONAL CHANGES:

Motion by _____, supported by _____, to recommend to the Township Board of Trustees that the PTXT 21-01 Zoning Ordinance text amendments to sections 2 (Definitions), 3 (Zoning Districts and Maps), 4 (Schedule of Regulations), 6 (Standards Applicable to Specific Land Uses), 7 (General Provisions), 9 (Parking, Loading, and Access Management), 11 (Signs), 12 (Nonconformities), and 14 (Administrative Procedures) of the Zoning Ordinance No. 20-06 be adopted with the following changes:

MOTION TO POSTPONE ACTION:

Motion by _____, supported by _____, to postpone action on the PTXT 21-01 Zoning Ordinance text amendments until _____, 2021 for the following reasons: _____

MOTION TO RECOMMEND DENIAL:

Motion by _____, supported by _____, to recommend to the Board of Trustees that PTXT 21-01 Zoning Ordinance text amendments to sections 2 (Definitions), 3 (Zoning Districts and Maps), 4 (Schedule of Regulations), 6 (Standards Applicable to Specific Land Uses), 7 (General Provisions), 9 (Parking, Loading, and Access Management), 11 (Signs), 12 (Nonconformities), and 14 (Administrative Procedures) of the Zoning Ordinance No. 20-06 be denied for the following reasons:

CHARTER TOWNSHIP OF UNION

Scheduled Meetings for 2022



BOARD OF TRUSTEES: *(Second and Fourth Wednesday of each Month)*

January 12	March 29 <i>(Joint Meeting)</i>	June 22	September 28
January 26	March 23	July 13	October 12
February 9	April 27	July 27	October 26
February 23	May 11	August 10	November 9
March 9	May 25	August 24	November 22 <i>(Tuesday)</i>
March 23	June 8	September 14	December 21

EDA *(Third Tuesday of each Month)* All meetings begin at 4:30p.m.

January 18	April 19	July 26 <i>Informational</i>	September 20
February 15	May 17	August 16 <i>Informational</i>	October 18
March 15	June 21	**regular meeting to follow	November 15
March 29 <i>(Joint Meeting)</i>	July 19	August 16	December 20

PLANNING COMMISSION: *(Third Tuesday of each Month)*

January 18*	April 19	August 16	December 20
February 15	May 17	September 20	
March 15	June 21	October 18	
March 29 <i>(Joint Meeting)</i>	July 19	November 15	

SIDEWALKS AND PATHWAYS PRIORITIZATION COMMITTEE: *(Meets Quarterly)*

January 18	TBD	TBD	TBD
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*Sidewalks and Pathways Prioritization Committee invited to January 18th meeting

ZONING BOARD OF APPEALS: *(First Wednesday of each Month)*

January 5	April 6	August 3	December 7
February 2	May 4	September 7	
March 2	June 1	October 5	
March 29 <i>(Joint Meeting)</i>	July 6	November 2	

JOINT MEETING DATE: *(Board of Trustees, ZBA, Planning Commission, EDA, and Sidewalks and Pathways Prioritization Committee)* Date March 29 7:00pm

All the above meetings are to be held at the Union Township Hall, 2010 S. Lincoln Road. All meetings except for the Board of Review and EDA start at 7:00 p.m. Minutes and Agendas may be obtained at the Township Hall, during regular business hours. Phone 989-772-4600