According to the Attorney General, interrupting a public meeting in Michigan with hate speech or profanity could result in criminal charges under several State statutes relating to Fraudulent Access to a Computer or Network (MCL 752.797) and/or Malicious Use of Electronics Communication (MCL 750.540). According to the US Attorney for Eastern Michigan, Federal charges may include disrupting a public meeting, computer intrusion, using a computer to commit a crime, hate crimes, fraud, or transmitting threatening communications. Public meetings are monitored, and violations of statutes will be prosecuted.

Join Zoom Meeting: go to www.zoom.us/join
Meeting ID: 992 4752 1401 | Passcode: 429341

I. Call to Order

II. Roll Call

III. Approval of the September 8, 2020 Planning Commission Meeting Minutes

IV. Correspondence
   • Robinson Township Planning Commission – Notice of Intent to Prepare Master Plan

V. Brief Public Comments & Questions (Limited to 3 minutes)
   If you would like to comment on an Agenda Item Only, please “Raise Hand” by pressing Alt+Y or open Participant Panel and click Raise Hand, found in lower right corner. The Zoom Moderator will unmute you when it is your turn to speak.

VI. Public Hearing
   If you would like to comment during the Public Hearing, please “Raise Hand” by pressing Alt+Y or open Participant Panel and click Raise Hand, found in lower right corner. The Zoom Moderator will unmute you when it is your turn to speak.
   A. Special Land Use – VIP Outdoor Power – Propane Refilling Station (WILSON RECUSE)
   B. Text Amendments:
      1. Major Home Based Business – On Site Services
      2. Greenbelt – clarifying the requirements
      3. Average Front Yard Setback – establishing 2 methods of review
      4. Outdoor Lighting – footcandles and color rating index
      5. Fences – maximum gap from grade to bottom of fence

VII. Old Business
   A. Special Land Use – VIP Outdoor Power – Propane Refilling Station
   B. Text Amendments:
      1. Major Home Based Business – On Site Services
      2. Greenbelt – clarifying the requirements
      3. Average Front Yard Setback – establishing 2 methods of review
      4. Outdoor Lighting – footcandles and color rating index
      5. Fences – maximum gap from grade to bottom of fence
VIII. New Business
   A. MDOT – Potential on Closing Access Points (Marc Fredrickson & Kris Foondle)
   B. Pre-Application Discussion – Lakeshore Antiques New Building

IX. Reports
   A. Staff Report
      ➢ Open Positions on Planning Commission
   B. Other

X. Extended Public Comments & Questions (Limited to 4 minutes)
   If you would like to comment on a Non-Agenda Item Only, please “Raise Hand” by pressing Alt+Y or open
   Participant Panel and click Raise Hand, found in lower right corner. The Zoom Moderator will unmute you when it
   is your turn to speak.

XI. Adjournment
MEETING MINUTES
GRAND HAVEN CHARTER TOWNSHIP
PLANNING COMMISSION
SEPTEMBER 8, 2020
Remote Electronic Meeting

I. CALL TO ORDER
Cousins called the meeting of the Grand Haven Charter Township Planning Commission to order at 7:00pm.

II. ROLL CALL
Members present: Cousins, Wilson, LaMourie, Chalifoux, Wagenmaker, Kieft, Taylor, and Hesselsweet
Members absent: Reenders
Also present: Community Development Director Fedewa
Commissioner Wagenmaker joined at 7:11pm.

Without objection, Cousins instructed Fedewa to record the minutes.

III. APPROVAL OF MINUTES
Without objection, the minutes of the August 17, 2020 meeting were approved.

IV. CORRESPONDENCE
• Crockery Township Planning Commission – Notice to Create a Sub Plan within their Master Plan

V. PUBLIC COMMENTS – None

VI. PUBLIC HEARING
A. Rezoning – Boelkins – AG to RP

Cousins opened the hearing at 7:05pm.

Fedewa provided an overview through a memorandum dated September 2nd.

The applicant, Stan Boelkins and his engineer, Don DeGroot, were present and available to answer questions.

• Believes residential is the highest and best use for this property.
• Farmer next door would not purchase additional land because it is not good for crops.

There being no further comments, Cousins closed the hearing at 7:12pm.

B. Zoning Ordinance Text Amendments

Cousins opened the hearing at 7:12pm.
Fedewa provided an overview through a memorandum dated September 2nd.

There being no further comments, Cousins closed the hearing at 7:15pm.

VII. OLD BUSINESS

A. Rezoning – Boelkins – AG to RP

The Planning Commission noted the following points of discussion:

- Maximum number of lots permitted is 7, because of the Large Scale Development regulation that requires residential developments of 8 or more units become a Planned Unit Development. The first requirement of a PUD is access to municipal water and sanitary sewer. Neither are available at this site.
- Reviewed the Statement of Purpose for the RP district.
- Adjacent blueberry farmer unwilling to purchase additional land because it is not suitable for crops.
- Tree farming is an agricultural use.
- If true agricultural is not suitable for the land, then large lot residential is the second most desirable use. Particularly if the lots remain heavily wooded.
- Attorney Bultje explained the Planning Commission has indicated a consensus to update the Future Land Use map to allow large-lot residential. If the “3 C’s” method is met for determining an appropriate rezoning it is better suited than a contractual rezoning.
- Concerns raised that properties farther east on Buchanan will begin requesting rezonings out of the AG district.
- Typically, MDOT is unwilling to grant driveway access to US-31 if access can be obtained via a non-trunkline roadway.

**Motion** by Wilson, supported by Wagenmaker, to recommend the Township Board **approve** the Thirty-One Properties Inc. rezoning application of 11806 US-31 from Agricultural (AG) to Rural Preserve (RP) based on the application meeting the rezoning standards of the Zoning Ordinance and Master Plan. **Which motion carried, pursuant to the following roll call vote;** with Cousins voting against because there are agricultural uses available for the property.

Ayes: Wilson, LaMourie, Chalifoux, Wagenmaker, Kieft, Taylor, Hesselsweet
Nays: Cousins
Absent: Reenders

B. Zoning Ordinance Text Amendments

The Planning Commission noted the following points of discussion:

- Questioned if it was appropriate to obtain medical information from applicants requesting a waiver.
  - Not all requests will be related to medical.
Anyone seeking an accommodation is obligated to provide a legitimate reason to enable the Planning Commission to make an informed decision. The waiver process is voluntary.

- The special use notice area of 300-feet is necessary to know the true impact on the neighborhood.

**Motion** by Chalifoux, supported by Kieft, to recommend the Township Board approve the proposed zoning text amendment ordinance with draft date 9/1/2020. **Which motion carried unanimously.**

C. **Domestic Animal Waiver – Lampe**

Fedewa provided an overview through a memorandum dated September 2nd.

Applicant, Daniel Lampe, was present and available to answer questions.

The Planning Commission noted the following points of discussion:

- The total number of adult birds is being reduced.
- Plenty of space inside the lofts to properly house the birds.
  - Smaller “kit boxes” used to isolate the birds. These are inside the former dog kennel area, which did have a doghouse.
  - Are “kit boxes” structures or just a bird cage?
    - Per staff, not a structure because on stilts and essentially no ground cover.
- Lampe’s have no other pets.
- Nothing looks out of place. The less intrusive government can be, the better.

**Motion** by LaMourie, supported by Taylor, to **conditionally grant** the Domestic Animal Waiver request from Daniel and Doreen Lampe located at 14927 152nd Avenue, per Section 14.02.D of the Zoning Ordinance. The Planning Commission finds the following:

1. The birds in the application are not exotic or wild animals as defined in the Zoning Ordinance; rather, they are pets and considered to be domesticated animals as defined in the Zoning Ordinance.
2. The additional pigeons requested by the applicants are unlikely to cause negative impacts on neighboring properties.
   a. The birds are generally confined.
   b. One neighbor was unaware of their existence even though the applicants use to have 25 to 30 birds and are now seeking to have only eight, just 3 more than they are allowed by right.
   c. A second neighbor has supported the request of the applicants, and only one neighbor has objected.
   d. The birds are very small. They make very little noise and create very little waste.
e. The housing for the birds is cleaned daily, and they create no offensive smell.

f. The birds do not create a disease risk; they are vaccinated annually for PMV and Salmonella, and they are cared for by an Aviary veterinarian.

3. The lot in question has adequate size to accommodate eight birds; in fact, the lot has previously accommodated up to 25 to 30 birds without a neighbor even being aware. Further, the lot has an adequate physical structure to accommodate the number of birds requested.

4. Removing the birds from the lot would cause them harm. The birds are flock animals that mate for life. It would be detrimental to them if they were not kept together as couples. This would be particularly detrimental because they are award-winning racing pigeons. An odd number of adult birds cannot be kept without creating infighting. Newborns would die without their parents being together and carrying for them as a couple. An even number of adult birds must be kept, and eight is a reasonable number given all of the above factors in this motion.

5. The conditions of this approval are that the applicants comply with all of the representations made in their application for this waiver; that they comply with all other requirements of the Zoning Ordinance; that they replace the blue tarp existing on the current physical structure for housing the pigeons. **Which motion carried unanimously.**

VIII. REPORTS

A. Attorney’s Report – None
B. Staff Report – None
C. Other – None

IX. EXTENDED PUBLIC COMMENTS – None

X. ADJOURNMENT

*Without objection*, the meeting adjourned at 8:04pm.

Respectfully submitted,

Stacey Fedewa, AICP
Acting Recording Secretary
Grand Haven Charter Township
Planning Commission
13300 168th Avenue
Grand Haven, MI 49417

October 6, 2020

Re: Notice of Intent to Plan – Robinson Township

Dear Planning Commission:

On behalf of the Robinson Township Planning Commission, please allow this letter to serve as our formal notification of their intent to prepare a master plan in accordance with the Michigan Planning Enabling Act, PA 33 of 2008, as amended. Robinson Township is beginning the planning process and encourages your cooperation and comment. Additionally, they welcome any literature you consider valuable and able to assist them with their planning process.

Robinson Township intends to submit copies of the master plan and any other related documentation required by the Act by electronic mail pursuant to a link on their project website, which you can find here: https://www.freshcoastplanning.com/planrobinson. Printed copies will be available upon request.

It is the objective of Robinson Township to create the most comprehensive plan possible for the benefit of Robinson Township and the region. Consequently, Robinson Township realizes the importance of cooperative planning, as it is essential to achieving such comprehensiveness. As a result, they look forward to your contributions and wish you the best in similar endeavors that you may pursue. Thank you in advance for your attention to this matter and any contributions you may provide.

On behalf of the Robinson Township Planning Commission,

Gregory L. Ransford
Principal

CC: Planning Commission
    Board of Trustees
Community Development Memo

DATE: October 14, 2020
TO: Planning Commission
FROM: Stacey Fedewa, AICP – Community Development Director
RE: Special Land Use – VIP Outdoor Power -

<table>
<thead>
<tr>
<th>PROPERTY DETAILS</th>
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<tbody>
<tr>
<td><strong>Property Address</strong></td>
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<tr>
<td>17169 Hayes</td>
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<table>
<thead>
<tr>
<th>Existing Zoning</th>
<th>Existing Land Use</th>
<th>Existing Infrastructure</th>
<th>Existing Site Improvements</th>
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<tbody>
<tr>
<td>I-1 Industrial</td>
<td>Multi-tenant Industrial</td>
<td>Paved Road Municipal Water Sanitary Sewer</td>
<td>3 Industrial Buildings</td>
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<td>S</td>
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<td></td>
<td>W</td>
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BACKGROUND

This site is located at the NE corner of Hayes and 172nd Avenue. Tenants include,

→ VIP Outdoor Power
→ Kowalski Granite
→ Z Tire
→ Norton Packaging
→ CommWorld + Storage
During the rewrite of the zoning ordinance, VIP Outdoor Power & Repair contacted the Township about establishing a propane filling station. The previous ordinance would have precluded this site from pursuing the business opportunity.

The applicant is proposing a 1,000 gallon above-ground tank. It would allow customers to refill the average-sized propane tank typically used for a barbecue grill. Crystal Flash is the propane vendor supplying the tank and fuel. The image is an example from a Lansing station—primary differences being bollards instead of cement barriers and cabinet will be on the opposite end of the tank.

---

**FIRE/RESCUE REVIEW COMMENTS**

Staff has included a condition of approval to support the Fire/Rescue Departments.
## SPECIAL LAND USE REQUIREMENTS

<table>
<thead>
<tr>
<th>Section 12.34</th>
<th>OUTDOOR STORAGE – Gasoline Petroleum and Hazardous Material Storage</th>
<th>Staff Review Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Best practices must be followed to reduce or eliminate tank leakage, groundwater contamination, soil contamination, and other long-term environmental impacts of the storage. The applicant must propose practices, equipment, and site design to the Planning Commission to meet this requirement, and the Planning Commission shall determine whether the proposal is sufficient, and may utilize the services of a qualified professional, at the expense of the applicant, if deemed necessary.</td>
<td>None provided. Contacted LARA Storage Tanks Division</td>
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<td></td>
<td>Access driveways shall be located at least 100 feet from the nearest right-of-way line of any intersecting street or 75 feet from the nearest edge of any other driveway, both measured to the nearest edge of the access driveway. There shall be no more than one entranceway per street frontage, unless more are required by the fire department or other public safety entity.</td>
<td>Not Compliant. &lt;75’ from driveways 3 driveways on Hayes</td>
</tr>
<tr>
<td></td>
<td>The principal and accessory buildings and structures shall not be located within two hundred (200) feet of any residential use or district.</td>
<td>Compliant. Nearest residential use is over 1,000 feet east.</td>
</tr>
<tr>
<td></td>
<td>The area used for parking, display, or storage shall be paved or treated so as to prevent dust.</td>
<td>Compliant. Asphalt parking lot.</td>
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<tr>
<td></td>
<td>The parking area shall also be graded and drained so as to dispose of all surface water in a safe and effective manner.</td>
<td>Unknown. Contacted OCWRC</td>
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<td></td>
<td>A sight obscuring buffer shall be provided between the subject use, and any adjacent residential uses.</td>
<td>N/A</td>
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<tr>
<td></td>
<td>Signage shall be prohibited on tanks, except for safety signage required by a County, State, or Federal regulation.</td>
<td>Listed as condition of approval.</td>
</tr>
</tbody>
</table>
Staff recommends the following subjects as a starting place for discussion:

**Best Management Practices**

- Describe Best Management Practices being utilized for this project
- What surface will the filling station sit upon—asphalt, concrete, etc.?
- How will noxious odors be prevented?
- Indicate how overfilling and spills will be addressed and potential impact on the storm sewer.

**Aesthetics**

- Can the safety bollards be painted a muted color to blend into the surrounding area, rather than being bright yellow?
  - Establish a maximum height for the bollards.
- Tank will only be 10 feet away from the pathway—should landscaping or a wall of some type be utilized to create a feeling of separation?
  - Must consider implications with International Fire Code.
- Long-term maintenance schedule to ensure grass and other landscaping are regularly maintained.
- Will the diamond plate material of the cabinet cause glare issues for motorists?

**Access Management & Site Circulation**

- Compliance with the access management provisions of the Special Land Use requirements. Do curb cuts need to be closed?
  - The access point on Hayes is closer than 75-feet from other driveways.
  - There are 3 access points on Hayes when only 1 is permitted.
- Site is already full and tends to have parking issues. How will the influx of new customers be addressed? How does the customer pay for the fuel—enter the building or entirely outside?
  - Should the site be monitored for a year and revisited to determine if site changes are necessary?
- PC Discretion per Section 12.04.J states, “The Planning Commission may, when considering an application for a Special Land Use, which includes an existing building, agree to grant a departure from access management requirements in this Ordinance if the Planning Commission finds the standards in this section can be met even if the departure is granted.”
If the Planning Commission finds the application meets the standards, the following motion can be offered:

**Motion to conditionally approve** the Special Land Use application for Outdoor Hazardous Material Storage by way of a 1,000 gallon above-ground propane filling station located at 17169 Hayes. Approval is based on the application meeting the requirements of the Zoning Ordinance. This motion is subject to, and incorporates, the following report and conditions:

1. Applicant shall obtain a permit for Installation of Liquified Petroleum Gas Facilities from the Storage Tank Division of the Department of Licensing and Regulatory Affairs, Bureau of Fire Services.

2. Grass and other landscaping shall be regularly maintained to ensure long-term compliance with IFC 6107.3 Clearance to Combustibles and NFPA 58 Liquid Petroleum Gas Code A6.5.3.3.

3. Bollards shall be painted a muted color to blend harmoniously with the surrounding area.

4. Filling station shall be installed pursuant to the LP Dispenser Site Guidelines dated 3/12/2013 for a 1000-gallon tank. Including a maximum concrete pad size of 6’ x 14’ (144 sqft) and maximum of 14 bollards, 4” wide x [feet](#) tall, placed 4-feet on center, filled with cement.

5. Traffic circulation within the site shall be monitored for a period of 1 year. Should it be cause for concern, the matter will be brought back before the Planning Commission to determine an appropriate solution.

6. Signage is prohibited on tanks, except for safety signage required by a county, site or federal regulation.

7. *Optional – close curb cuts*

8. *Optional – landscaping or wall between pathway and filling station*

9. *Optional – additional best management practices*

If the Planning Commission finds the application does not meet the standards, the following motion can be offered:

**Motion to deny** the Special Land Use application for Outdoor Hazardous Material Storage, and direct staff to draft a formal motion and report for those discussion points which will be reflected in the meeting minutes. This will be reviewed and considered for adoption at the next meeting.

If the Planning Commission finds the applicant must make revisions, the following motion can be offered:

**Motion to table** the Special Land Use application, and direct the applicant to make the following revisions:

1. *List the revisions...*
1. This approval is based on the affirmative findings that all standards of the Special Land Use Criteria outlined in Section 12.04 have been fulfilled:

   A. The proposed use is consistent with and promotes the intent and purpose of this Ordinance.
   B. The proposed use is of such location, size, density, and character as to be compatible with adjacent uses of land and the orderly development of the district in which situated and of adjacent districts.
   C. The proposed use does not have a substantially detrimental effect upon, nor substantially impair the value of, neighboring property.
   D. The proposed use is reasonably compatible with the natural environment of the subject premises and surrounding area.
   E. The proposed use does not unduly interfere with provision of adequate light or air, nor overcrowd land or cause a severe concentration of population.
   F. The proposed use does not interfere or unduly burden the water supply facilities, sewage collection and disposal systems, park and recreational facilities, and other public services nor cause the Township to bear unreasonable costs to improve infrastructure.
   G. The proposed use is such that traffic and assembly of people relating to the use will not be hazardous, or inconvenient to the neighborhood, nor unduly conflict with normal traffic of the neighborhood.
   H. The proposed use is consistent with the health, safety, and welfare of the Township.
   I. The proposed use is such that traffic to, from, and on the premises and the assembly of persons relation to such use will not be hazardous, or inconvenient to the neighborhood, nor unduly conflict with the normal traffic of the neighborhood, considering, among other things: safe and convenient routes for pedestrian traffic, particularly of children, the relationship of the proposed use to main thoroughfares and to streets and intersections, and the general character and intensity of the existing and potential development of the neighborhood.

2. The application meets the site plan review standards of Section 18.07.G of the Zoning Ordinance. Specifically, the Planning Commission finds as follows:

   A. The uses proposed will not adversely affect the public health, safety, or welfare. Uses and structures located on the site take into account topography, size of the property, the uses on adjoining property and the relationship and size of buildings to the site. The site will be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this ordinance.
   B. Safe, convenient, uncontested, and well defined vehicular and pedestrian circulation is provided for ingress/egress points and within the site. Drives, streets and other circulation routes are designed to promote safe and efficient traffic operations within the site and at ingress/egress points.
   C. The arrangement of public or private vehicular and pedestrian connections to existing or planned streets in the area are planned to provide a safe and efficient circulation system for traffic within the Township.
   D. Removal or alterations of significant natural features are restricted to those areas which are reasonably necessary to develop the site in accordance with the requirements of this Ordinance. The Planning Commission has required that landscaping, buffers, and/or greenbelts be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.
E. Areas of natural drainage such as swales, wetlands, ponds, or swamps are protected and preserved insofar as practical in their natural state to provide areas for natural habitat, preserve drainage patterns and maintain the natural characteristics of the land.

F. The site plan provides reasonable visual and sound privacy for all dwelling units located therein and adjacent thereto. Fences, walls, barriers, and/or landscaping shall be used, as appropriate, to accomplish these purposes.

G. All buildings and groups of buildings are arranged so as to permit necessary emergency vehicle access as requested by the Fire/Rescue Department.

H. All streets and driveways are developed in accordance with the Township Subdivision Control Ordinance, the Ottawa County Road Commission and/or Michigan Department of Transportation specifications, as appropriate, unless developed as a private road in accordance with the requirements for private roads in the codified ordinances of the Township.

I. Sidewalks or pathways shall be deemed to be required along all public and private roadways unless the applicant provides compelling evidence, in the opinion of the Planning Commission, that they are not necessary for pedestrian access or safety.

J. Appropriate measures have been taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Provisions have been made to accommodate storm water, prevent erosion and the formation of dust.

K. Exterior lighting is arranged so that it is deflected away from adjacent properties and so it does not interfere with the vision of motorists along adjacent streets. Lighting is minimized to reduce light pollution and preserve the rural character of the Township.

L. All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts or public streets, are screened.

M. Entrances and exits are provided at appropriate locations so as to maximize the convenience and safety for persons entering or leaving the site.

N. The site plans conform to all applicable requirements of County, State, Federal, and Township statutes and ordinances.

O. As appropriate, fencing has been required by the Planning Commission around the boundaries of the development to minimize or prevent trespassing or other adverse effects on adjacent lands.

P. The general purposes and spirit of this Ordinance and the Master Plan of the Township are maintained.
# SPECIAL LAND USE APPLICATION

<table>
<thead>
<tr>
<th>Application Type</th>
<th>Fee</th>
<th>Escrow*</th>
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<td>Overlay Zone</td>
<td>$500</td>
<td>$1,000</td>
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<tr>
<td>Regular</td>
<td>$400</td>
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<tr>
<td>Amendment</td>
<td>$250</td>
<td>$500</td>
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<tr>
<th>Utility Escrow**</th>
</tr>
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<tbody>
<tr>
<td>Main Extension</td>
</tr>
<tr>
<td>Lift Station</td>
</tr>
</tbody>
</table>

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**Procedural information is included with this application. The remaining provisions can be found at www.ght.org/zoning.**

---

**Applicant Information**

- **Name**: VIP Outdoor Power LLC
- **Phone**: 616-849-0209
- **Address**: 19169 Hayes
- **Email Address**: sam@vipoutdoorpower.com

**Owner Information** *(If different from applicant)*

<table>
<thead>
<tr>
<th>Name</th>
<th>Phone</th>
<th>Address</th>
<th>Email</th>
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<tbody>
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</tbody>
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**Property Information**

- **Address/Location**: 19169 Hayes
- **Parcel Number**: 70
- **Current Zoning**: Master-Planned Zoning
- **Size (acres)**:

---

**Description of Proposed Use/Request** *(attach additional pages as needed)*

Installation of propane filling station

---

**NOTE:** The architect, engineer, planner, or designer shall be responsible for utilizing the Township Ordinance books and following all applicable requirements, including those of Chapters 12 and 18 of the Zoning Ordinance.

---

I hereby attest the information on this application is, to the best of my knowledge, true and accurate.

**Signature of applicant**: Sam Vanden Plaat / Member  **Date**: 8-24-2020

---

* To cover cost of legal and consulting fees, may be increased as necessary

** If approval of this application requires/includes the extension of a municipal utility, an additional $5,000 escrow fee shall be required, and an additional $2,000 escrow fee shall be required for the installation of a lift station.
For Office Use Only

Date Received ________________________________ Fee Paid? ________________________________

Materials Received: Site Plans __________________ Location Map __________________
Survey __________________ Legal Description __________________

Dated copy of approved minutes sent to applicant? __________ Date Sent ________________

PLANNING COMMISSION USE ONLY

Approval __________________________________

Tabled __________________________________

Denied __________________________________

Conditional Approval ________________________

The following conditions shall be met for approval:

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Signature of Planning Commission Chair __________________________ Date ________________
LP DISPENSER SITE GUIDELINES

Crash Protection Options
- 4" bump post, placed 4' on center, filled with cement
- Guardrails

Minimum pad size for dispenser
- 1000 gallon – 6' x 24'
- 500 gallon – 6' x 18'

Set Backs
- 10' from buildings with fire resistant walls
- 25' from buildings with non-fire resistant walls
- 25' from any pits
- 25' from buildable property line
- 10' from non-buildable property line
- 50' from public assembly building (school, church, etc.)
- 5' from driveways
- 25' from railways
- 20' from flammable Class II combustible liquids
PLAN REVIEW REPORT

This information is required under Act 207 of the Public Acts of 1941, as amended, being Section 29.5c of the Michigan Compiled Laws Annotated. Any person who knowingly fails to notify or submits false information shall be subject to a misdemeanor and/or civil penalties not to exceed $5000 per day for each tank which notification is not given or for which false information is submitted.

<table>
<thead>
<tr>
<th>FINAL</th>
<th>Date</th>
<th>FACILITY NUMBER</th>
<th>REFERENCES</th>
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<tbody>
<tr>
<td>Status Plan Approved with Conditions</td>
<td>7/21/2020</td>
<td>20003084</td>
<td>FR-0156-20</td>
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Installation of Liquefied Petroleum Gas Facility (LPG)

**SUBMITTER**

Crystal Flash
1754 Alpine
Grand Haven, MI 49417

**PROJECT:** VIP Outdoor Power LLC
**ADDRESS:** 17169 Hayes ST
Grand Haven MI 49417

**COUNTY:**

The plans and specifications for the above project have been reviewed for compliance with applicable rules. Field inspection approval will be required before placing the system into operation.

- Please verify that the valve set-up used in the liquid fill/bypass connection for a tank less than 4,000 gallons in capacity and used for motor vehicle fueling or container fill will meet the requirements of a double backflow check fill valve or a manual shutoff with a backflow check.
- Verify separation distance from tank to property line or building as required in Table 6.3.1.1 and that the point of transfer meets the separation distances to property lines or buildings as required in Table 6.5.2.1.

Hazardous Materials Storage Inspector NO ASSIGNMENT of the Department of Licensing and Regulatory Affairs, Fire Service Bureau, Storage Tank Division, telephone number 6165501252, may be contacted to schedule a site inspection.

This installation may not be placed into service until Department of Licensing and Regulatory Affairs personnel have conducted a final inspection. Preliminary inspections can be valuable in identifying and addressing site constraints and considerations prior to installation of the storage tank system.

Provide certification of compliance with the National Electrical Code at final inspection.

If this system is not installed within one year, please contact this office for possible removal of plans.

This review is based upon submitted information, and is not considered a permit. Approval of a tank installation plan by the Department of Licensing and Regulatory Affairs, does not relieve an owner or installer from having to meet the requirements of other state and local government laws, including zoning laws. The Hazardous Materials Storage Inspector may find additional deficiencies during site inspections.

If you have any questions concerning this matter, please contact the Storage Tank Division at (517) 241-8847.

R. Jeff Tanner 7-21-20

Jeff Tanner
Engineer
Storage Tank Division

Cc: NO ASSIGNMENT

B/3 3864 (REV 12/12)
<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>MANUFACTURER &amp; PART NUMBER</th>
</tr>
</thead>
</table>
| 1.  | CONTAINER DESIGN:  
Section 5.2:  
250 psi working pressure. | 1000 gallon tank rated for 250 psi.  
P/N: 362-24297441-2  
Ch# 401352  
Ant: $69.50 |
| 2.  | CONTAINER SUPPORTS/INSTALLATION:  
Section 5.2.7 & 6.6.3 & 6.6.4:  
Noncombustible; steel protection may be required. | Steel  
ID: CRISTAL FLASH  
Tran# 201 24297441-1  
Ch# 401352  
Ant: $69.50 |
| 3.  | LOCATION OF CONTAINER:  
Section 5.2 & 6.3 and Table 6.3.1.1:  
To important buildings, property lines which may be built upon, between containers, to FL/CL Dikes, FL/CL ASVs & UGSs, power lines, etc. | Meets or exceeds minimum required distances |
| 4.  | LIQUID WITHDRAWAL CONNECTION AT CONTAINER:  
Table 5.7.4.2 & 5.7.4.3(B) & 6.25.3.8.  
Liquid withdrawal. Combination of valves to prevent uncontrolled/accidental release. | A3209 R080 Rega Internal Valve |
| 5.  | PIPING INSTALLATION:  
Section 5.9, 6.9, & 6.24.6  
Schedule 40 - welded  
Schedule 80 - threaded  
Approved nonmetallic piping - only underground. | Schedule 80 threaded |
| 6.  | STRAINER:  
Section 5.17.1 & 6.18.4 Strainer element accessible for cleaning. | 11 m Mueller Strainer |
| 7.  | FLEXIBLE CONNECTOR:  
Section 5.8 & 6.9.6  
60 inch maximum length, approved hose or listed flexible connector. May be required due to vibration and/or movement. | SSF 1" x 18" twin city SS Flex |
| 8.  | HYDROSTATIC RELIEF:  
Section 5.13 & 6.13:  
Where liquid is trapped between shutoffs or between shutoff and check valves or bypass valves. Minimum 400 psi. | 31A5L Rega Hydro Static Relief Valve |
| 9.  | PUMP INSTALLATION:  
Section 5.17.2, 6.18.2, and 6.19.2:  
According to manufacturer’s recommendation. Bypass, internal or external, for positive displacement pump; or secondary means of bypass that cannot be rendered inoperative. Pump operating control/disconnect switch near pump. | 1.6 ELE Blackmer Amp  
Built in Bypass |
<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>MANUFACTURER &amp; PART NUMBER</th>
</tr>
</thead>
</table>
| 10.  | BYPASS PIPING:  
Section 6.9.3:  
Approved pipe or copper tubing. | Schedule 80 threaded. |
| 11.  | LIQUID FILL/BYPASS CONNECTION AT CONTAINER:  
Table 5.7.4.1(D) & 5.7.4.2 and Section 5.7.4.2(F): Liquid Fill (F):  
Combination of valves to prevent uncontrolled/excessorial release. Special attention to type of pump and hydrostatic relief if positive shutoff valve is used | 7550-PX Rega Excess Flow  
7556. 10.0  Rega Multi Valve |
| 12.  | VAPOR EQUALIZING/METER LINE CONNECTION AT CONTAINER:  
Table 5.7.4.1(D) & 5.7.4.2 and Section 5.7.7.2(A) & (E): Vapor Equalizing (E):  
Combination of valves to prevent uncontrolled/excessorial release. | 970.4x Rega Excess Flow |
| 13.  | LIQUID TRANSFER:  
Section 6.10.2:  
Distributing plants, distributing points, industrial plants - excess flow or ESV is required if pipe is larger than ½ inch internal diameter. | NA |
| 14.  | METER:  
Section 6.17.8 & 6.18.5:  
Installed as recommended by the manufacturer and securely mounted and protected against physical damage. | Neptune Manual Inside Cabinet |
| 15.  | LIQUID TRANSFER:  
Section 6.26.3.5:  
Motor fueling - excess flow or differential back pressure valve required. Rule of thumb: excess flow rated at 1.5 times pump capacity. | 3272. Rega Excess Flow Valve |
| 16.  | APPROVED BREAKAWAY COUPLING:  
Section 6.26.4.2:  
Required on self-service motor fueling. Does not take the place of excess flow valve. | Rega AR14146L |
| 17.  | APPROVED HOSE:  
Section 6.8.6:  
Marked for LP use - may not be used in lieu of piping. | 7032 .5" x 18', Parker LP Gas Hose  
7032 .5" x 6', Parker LP Gas Hose |
| 18.  | LOCATION OF POINT OF TRANSFER:  
Table 6.5.2.1 and Section 6.5:  
Distances to buildings, property lines, etc. | Meets Minimum Distance |
| 19.  | PIPING SUPPORT/PROTECTION:  
Section 6.9.3.10:  
Protected against physical damage. Painted or otherwise protected against corrosion. Nonmetallic piping - manufacturer's recommendation and not less than 12 inches underground. | Steel |
| 20.  | EMERGENCY SHUTOFF VALVES/CONNECTIONS FOR FLOW CONTROL:  
Section 6.9.12:  
Required on new and existing installations over 4,000 GWG individual or 4,000 GWG aggregate with manifolded liquid lines and where hose/awirl type piping is 1 ½ inches or larger for liquid and 1 ¾ inches or larger for vapor. Backflow OK if flow is only in one direction. If under 4,000 GWG, connection must be equipped in accordance with Table 5.7.4.1(C). | BOBSTAIL LOADING: Vapor line:  
Liquid line:  
TRANSPORT UNLOADING: Vapor line:  
Liquid line: |
### APPLICATION FOR INSTALLATION OF LIQUEFIED PETROLEUM GAS FACILITIES

**ITEM**

21. **BULKHEAD INSTALLATION OR EQUIVALENT:**
- **DESCRIPTION:**
  - Section 6.12.6.
  - Required on new and existing installations with ESV.
- **MANUFACTURER & PART NUMBER:**
  - N/A

22. **EMERGENCY SHUTOFF VALVE: REMOTE SHUTOFF/ THERMAL ACTUATION:**
- **DESCRIPTION:**
  - Section 5.13.2.3.
  - Required on new and existing installations with ESV and on all Internal Valves.
- **MANUFACTURER & PART NUMBER:**
  - Cable to remote location

23. **FIXED LIQUID LEVEL GAUGE:**
- **DESCRIPTION:**
  - Section 6.7.5.4.
  - Required on storage containers constructed after December 31, 1965.
- **MANUFACTURER & PART NUMBER:**
  - 7856 Legacy Multi Valve

24. **PRESSURE GAUGE:**
- **DESCRIPTION:**
  - Section 5.7.6.
  - Required on containers over 2,000 GWC or any size container for LPG service stations.
- **MANUFACTURER & PART NUMBER:**
  - 94YB Legacy 0-300 PSI gage

25. **VARIABLE LIQUID GAUGE:**
- **DESCRIPTION:**
  - Section 5.7.5.6.
  - Magnetic float or rotary gauge.
- **MANUFACTURER & PART NUMBER:**
  - Taylor HA 194 Float gages

26. **LABELING OF CONTAINER INLET AND OUTLET CONNECTION:**
- **DESCRIPTION:**
  - Section 6.7.6.2.
  - Required on containers of 2,000 GWC or more. Designate whether line communicates with liquid or vapor space.
- **MANUFACTURER & PART NUMBER:**
  - Lines will be labeled to communicate liquid or vapor space

27. **RAINCAPS:**
- **DESCRIPTION:**
  - Section 6.7.2.4.
  - Required for all pressure relief devices.
- **MANUFACTURER & PART NUMBER:**
  - All piping will be protected

28. **CORROSION PROTECTION:**
- **DESCRIPTION:**
  - Section 6.6.14 and 6.6.1 and 6.17
  - ANCHORING:
  - Section 6.6.1.6
- **MANUFACTURER & PART NUMBER:**
  - All piping will be protected

29.* **PRESSURE RELIEF DEVICES:**
- **DESCRIPTION:**
  - Section 5.7.3 & 6.7.2
  - No shutoff valves between relief device and container. Device must be marked with start-to-peak pressure in psig; rated relieving capacity in CFM at 60 degrees F and 14.7 psia; manufacturer's name and catalog number.
- **MANUFACTURER & PART NUMBER:**
  - 8656 Legacy Relief Valve

30. **PROTECTION AGAINST TAMPERING:**
- **DESCRIPTION:**
  - Section 5.19.4.2.
  - Section high industrial-type fence with two means of egress and three-foot clearance to allow access to egress. Second gate not required if enclosure is not over 100 square feet, the point of transfer is within three feet of a gate, and containers being filled are not within enclosure. OR suitable locking devices to prevent unauthorized operation of appurtenances, system valves or equipment.
- **MANUFACTURER & PART NUMBER:**
  - Locking cabinet

31. **FIRE PROTECTION:**
- **DESCRIPTION:**
  - Section 6.27 & 6.5.
  - Industrial plant, bulk plants, and dispensing stations. Fire safety analysis required for facilities over 4,000 gallon capacity. Fire extinguishers per rule for all facilities, typically one 16 lb E/C.
- **MANUFACTURER & PART NUMBER:**
  - 20# Dry Chemical Extinguisher

32. **PHYSICAL PROTECTION:**
- **DESCRIPTION:**
  - Section 6.6.1.5.
  - Where physical damage to LPG containers, or systems of which they are a part (e.g., piping, dispensing unit), from vehicles is a possibility, crash protection shall be provided.
- **MANUFACTURER & PART NUMBER:**
  - Cement filled steel poles on 4 centers surrounding the dispenser
Community Development Memo

DATE: October 16, 2020
TO: Planning Commission
FROM: Stacey Fedewa, AICP – Community Development Director
RE: Zoning Text Amendment Ordinance

BACKGROUND

Working through the ordinance, staff have identified additional improvements.

#1 – ONSITE SERVICES FOR MAJOR HOME BASED BUSINESSES

Several businesses have approached the Township to operate out of their homes, but the limitation of “no onsite services” have precluded these residents. Staff is proposing additional language to give the Planning Commission flexibility on allowing some onsite services based on individual applications.

For example, three businesses have inquired about relocating to their homes:
  - Dog grooming
  - Psychologist
  - Hemming and Alterations

#2 – US-31 OVERLAY FRONT YARD GREENBELT

The Grand Haven Custom Molding experience illuminated the need to provide a better description of front yard landscaping for properties in the US-31 Overlay Zone. It was referring you back to the Landscape chapter, but greenbelts were only utilized for full screening, which is not the intent of the Overlay Zone.

Staff is proposing the applicant have flexibility on final placement.

#3 – AVERAGE FRONT YARD SETBACK

The prior ordinance established the front yard setback as lots within 200 feet on the same side of the road. This method was not conducive for properties in the dunes, so a 300 foot buffer area was used. Subsequently, another circumstance arose where the 300 foot buffer was not conducive for a typical grid-style neighborhood.
For this reason, staff is proposing the Township allow both methods to be used. The Zoning Administrator decides when each method is most appropriate and includes guidance.

#4 – OUTDOOR LIGHTING

During the Spring Lake Village Zoning Ordinance update, staff found sections that would benefit the Township’s ordinance. Including references to the International Dark-Sky Association and the Illumination Engineering Society of North America (IESNA).

Staff is also recommending footcandle limitations be added.

#5 – FENCE GAP

A few cases arose in regard to the clearance between grade and the bottom of the fence. To provide clarity, staff is proposing a maximum clearance of 4” and specifying they must follow natural contours and not create a “stepped” look, which creates the large gaps.

SAMPLE MOTION

If the Planning Commission finds the above text amendments acceptable, the following motion can be offered:

Motion to recommend the Township Board approve the proposed zoning text amendment ordinance with draft date of 10/16/2020.

Please contact me if this raises questions.
ORDINANCE NO. ____

ZONING TEXT AMENDMENT ORDINANCE

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF GRAND HAVEN CHARTER TOWNSHIP, OTTAWA COUNTY, MICHIGAN, CONCERNING ON SITE SERVICES FOR MAJOR HOME-BASED BUSINESSES; CLARIFYING GREENBELT REQUIREMENTS; ESTABLISH TWO METHODS OF AVERAGE FRONT YARD SETBACK; CREATE FOOTCANDLE LIMITATIONS AND REQUIRE COLOR RATING INDEX FOR OUTDOOR LIGHTING; MAXIMUM GAP FROM GRADE TO BOTTOM OF FENCE; AND BY PROVIDING FOR AN EFFECTIVE DATE.

GRAND HAVEN CHARTER TOWNSHIP, COUNTY OF OTTAWA, AND STATE OF MICHIGAN, ORDAINS:

Section 1. Special Land Use – Home Based Businesses. Section 12.21 of the Grand Haven Charter Township Zoning Ordinance shall be restated in its entirety as follows.

Section 12.21

HOME BASED BUSINESSES.

(A) Minor Home Based Businesses: See Section 14.03.

(B) The following standards shall apply to Major Home Based Businesses:

(1) The operation of a Home Based Business shall be conducted within the Dwelling Unit, attached or detached Accessory Building, or rear yard.

(2) The Home Based Business shall be conducted by the person or persons occupying the Lot as their principal residence and up to two (2) on-site employees. Additional employees may meet at the Main Building solely for purposes of receiving instructions regarding work to be conducted at another site or collecting equipment or materials necessary for their work at another site, or documents related to their employment.

(3) One parking space per employee is required. Parking on grass is prohibited. Spaces for employees must be on a hard surface. On-street parking shall not be counted towards required parking space.

(4) The Home Based Business shall not create negative impacts on surrounding residential property, in the opinion of the Planning Commission.

(5) The floor area used for the Home Based Business shall not exceed fifty percent (50%) of the Gross Floor Area of the Dwelling Unit.

(6) It is the intent of these regulations to limit the number of customers visiting the site of the Major Home Based Business as much as possible while still balancing the economic interests of the business and maintaining the residential character of the neighborhood.

   (a) No in-person retail sales may take place as part of the Major Home Based Business (online or mail order retail is permitted, as is wholesale).
On-site services shall be considered on a case-by-case basis due to the variable nature of business models. To ensure the intent of this provision is met, the Planning Commission may establish limitations such as hours of operation.

Outside storage must be located in the rear yard and must be fully screened from surrounding properties by an opaque fence.

In the event of complaints by surrounding property owners or occupants, the Planning Commission shall hold a public hearing and determine whether the Home Based Business is in violation of this Ordinance. Home based businesses found in violation of this Ordinance shall be subject to the voiding of their Special Land Use permit.

Section 2. US-31 Character Overlay Zone – Landscaping Requirements. Section 8.08.B of the Grand Haven Charter Township Zoning Ordinance shall be restated in its entirety as follows.

Front Yard Landscape Area. A minimum thirty-five (35) foot wide landscaped area is required along fifty percent (50%) of the entire frontage, except for the area taken up by driveways, which is excluded from the fifty percent (50%). This area must include a combination of trees and shrubs planted in a natural arrangement. The specific design and location of plantings within this thirty-five (35) foot wide area is at the discretion of the applicant to provide flexibility on sightlines, among other factors.


Where an average setback line less than that required by this Ordinance has been established by existing buildings, the Zoning Administrator may select one of the following methods to establish the average front yard setback. The selection should be based on the character of the properties and surrounding area.

1. Existing buildings located within three hundred (300) feet of the lot in question, in all directions, such average setback shall apply. It is anticipated this method will be most useful in the Critical Dune Areas.

2. Existing buildings located within two hundred (200) feet of the lot in question, on both sides, such average setback shall apply. It is anticipated this method will be most useful in traditional grid-style block neighborhoods.

Section 4. Outdoor Lighting and Dark Skies – Maximum Lighting Levels. Section 6.07 of the Grand Haven Charter Township Zoning Ordinance shall be restated in its entirety as follows.

Section 6.07
MAXIMUM LIGHTING LEVELS.

The lighting levels have been established based on the recommendations of the International Dark-Sky Association that works to protect the night skies for present and future generations by limiting "sky glow" and other negative factors.

Specifications for all proposed lighting fixtures, including mounting heights, photometric data, designation as the Illumination Engineering Society of North America (IESNA) "cutoff" fixtures, Color Rendering Index (CRI) of all lamps (bulbs), and other descriptive information on the fixtures.

The average light level (total lumens divided by total square feet) in all areas of impervious surface (other than the Main Building) meet the following maximum requirements, in lumens per square foot.
Calculation

<table>
<thead>
<tr>
<th>Lumens + square feet of hardscape area</th>
<th>LZ-1</th>
<th>LZ-2</th>
<th>LZ-3</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>0.5</td>
<td>1.25</td>
<td>2.5</td>
</tr>
</tbody>
</table>

(D) The lighting shall be designed so the light intensity or brightness does not exceed:

a. Ten (10) footcandies within any part of the site.

b. One (1) footcandle at any property line, except where the property abuts a residential district or use where a maximum of one-half (½) footcandle is permitted.

Section 5. Sheds, Fences, Pools, and Porches – Fences and Walls. Section 10.03 of the Grand Haven Charter Township Zoning Ordinance shall be restated in its entirety as follows.

**Section 10.03  FENCES AND WALLS.**

(A) Fences on all lots in all districts are permitted in any yard following the issuance of a permit by the Zoning Administrator.

(B) The fence shall not contain barbed wire, electric current, broken glass, or other sharp or hazardous edges. Chain link fences shall not have sharp wire edges exposed. However, the use of barbed wire, electric current, sharp or hazardous edges, or wire of similar nature is permitted in the AG, RP, RR, or I-1 districts, if the use of such wire is necessary for security for a permitted use or special land use of the property which is being utilized.

(C) Fences shall not extend into any street right-of-way.

(D) A fence within a front yard or side yard abutting a street shall not exceed four (4) feet in height, except as otherwise permitted in this Section, and shall be at least fifty percent (50%) transparent, meaning that at least fifty percent (50%) of the total area between grade and four feet vertically, and between the ends of the fence horizontally, must be see-through. Fifty percent (50%) transparent fence designs may include, but are not limited to picket, chain link, split rail, and wrought iron.

(E) Fences within a rear yard or interior side yard shall not exceed six (6) feet in height, except as otherwise permitted in this Section, provided that such fences may not exceed four (4) feet in height when located within the front setback line of adjacent residential premises if such setback line were extended onto the premises served by such fences.

(F) The Zoning Administrator may permit the construction of customary or necessary fences, which may be needed due to the operation, or safety/security needs of the site, where such fences will not impede vision or unnecessarily block the view from any adjacent property.

(G) The clearance between grade and the bottom of the fence cannot exceed four (4) inches. Fences shall follow the natural contours of the land and not be installed in a “stepped” fashion which stagger the fence panels and creates large unattractive gaps.

Section 6. Effective Date. This amendment to the Grand Haven Charter Township Zoning Ordinance was approved and adopted by the Township Board of Grand Haven Charter Township, Ottawa County, Michigan on ____, 2020, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended; after introduction and a first reading on ____, 2020, and after posting and publication following such first reading as required by Michigan Act 359 of 1947, as amended. This Ordinance shall be effective on ____, 2020, which date is the eighth day after publication of a Notice of Adoption and Posting of the Zoning Text Amendment Ordinance in the Grand Haven Tribune, as required by Section 401 of Act 110, as amended. However, this effective
date shall be extended as necessary to comply with the requirements of Section 402 of Act 110, as amended.

______________________________  ______________________________
Mark Reenders, Township Supervisor  Laurie Larsen, Township Clerk

CERTIFICATE

I, Laurie Larsen, the Clerk for the Charter Township of Grand Haven, Ottawa County, Michigan, certify that the foregoing Grand Haven Charter Township Zoning Text Amendment Ordinance was adopted at a regular meeting of the Township Board held on __________, 2020. The following members of the Township Board were present at that meeting: _________. The following members of the Township Board were absent: _________. The Ordinance was adopted by the Township Board with members of the Board _________ voting in favor and _________ members of the Board voting in opposition. Notice of Adoption of the Ordinance was published in the Grand Haven Tribune on __________, 2020.

______________________________
Laurie Larsen, Clerk
Grand Haven Charter Township
Community Development Memo

DATE: October 16, 2020
TO: Planning Commission
FROM: Stacey Fedewa, AICP – Community Development Director
RE: MDOT Discussion of US-31 Access Points (M-45 to Pierce)

BACKGROUND

MDOT is continuing their long-term project of closing median access points. These are replaced by indirects (Michigan-lefts). Work is scheduled to be completed in 2022.

Representatives from MDOT will be attending the meeting to assist in the discussion:

• Marc Fredrickson, Muskegon Transportation Service Center Manager
• Kris Foondle, Local Grade Crossing Program Manager

2 OPTIONS

The Township does not “have a say” in MDOT’s decision to remove median access points, so you may be wondering why MDOT is soliciting community feedback.

A rare opportunity has presented itself and enables the Township to have a choice between the Current Plan and the Alternate Plan.

Current Plan

• Remove 4 median access points.
• Install 2 new indirects
  o SB US-31 near the existing M-45 indirect
  o NB US-31 near Pierce
• The undesirable aspect of this plan is the distance between the new indirects—over 1 mile.
Alternate Plan

- Remove the same 4 median access points.
- Close Pierce Street at US-31 and install a cul-de-sac.
  - Remove Railroad Crossing
  - Receive approximately $100,000 in additional PA 51 monies. The only caveat is the OCRC and Township must spend the funds on transportation-related items. Whether it be new projects or supplementing the subdivision street paving budget.
- Install 2 new indirects
  - The same SB US-31 near the existing M-45 indirect
  - NB US-31 near Winans
- The distance between the new indirects has been reduced to ½ mile.

Please contact me if this raises questions.
CURRENT PLAN

New Indirect for:
WB Winans to SB US-31
SB 158th to SB US-31
NB US-31 to WB Winans
NB US-31 to WB Pierce
WB Winans to WB Winans

Existing M-45 Indirect

Remove Median Access for Thru & Left Turn movements, Right Turn Only

New Indirect for:
SB US-31 to EB Winans
SB US-31 to NB 158th
EB Winans to NB US-31
EB Pierce to NB US-31
EB Winans to EB Winans
**ALTERNATE PLAN**

**Existing M-45 Indirect**
- Remove Median Access for Thru & Left Turn movements, Right Turn Only

**New Indirect for:**
- WB Winans to SB US-31
- SB 158th to SB US-31
- NB US-31 to WB Winans
- WB Winans to WB Winans

**New Indirect for:**
- SB US-31 to EB Winans
- SB US-31 to NB 158th
- EB Winans to NB US-31
- EB Winans to EB Winans

**Review Options for Closing**

**Close Pierce Remove Intersection and Railroad Crossing Construct Cul-de-sac west of Railroad**
Community Development Memo

DATE: October 15, 2020

TO: Planning Commission

FROM: Stacey Fedewa, AICP – Community Development Director

RE: Pre-Application Conference – Lakeshore Antiques Storage Building

PROPERTY DETAILS

<table>
<thead>
<tr>
<th>Property Address</th>
<th>Parcel Number</th>
<th>Parcel Size</th>
<th>Application Type</th>
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<tbody>
<tr>
<td>10300 US-31</td>
<td>70-07-35-200-015</td>
<td>4.5 Acres</td>
<td>Second Building</td>
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<table>
<thead>
<tr>
<th>Existing Zoning</th>
<th>Existing Land Use</th>
<th>Existing Infrastructure</th>
<th>Existing Site Improvements</th>
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<tbody>
<tr>
<td>C-2</td>
<td>Retail</td>
<td>Paved Road</td>
<td>1 Main Building</td>
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</table>

<table>
<thead>
<tr>
<th>Master-Planned Zoning</th>
<th>Surrounding Zoning &amp; Land Uses</th>
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</thead>
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<tr>
<td>Direction</td>
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<tr>
<td>E</td>
<td>RP</td>
</tr>
<tr>
<td>W</td>
<td>AG</td>
</tr>
</tbody>
</table>

BACKGROUND

Pursuant to Section 18.05.A, the purpose of a pre-application meeting is to exchange information and provide guidance to the applicant to assist in preparation of application materials. None of the information provided by the Planning Commission is binding upon the Township.

In December 2017, Tressa Mills purchased 10300 US-31 and opened Lakeshore Antiques. Various improvements have been made to the property including updated signage and a painted mural/wall sign. The applicant needs additional storage to continue growing the business, which is the basis for the pre-application...
Tom Miedema of Miedema Metal Building Systems has been selected as the design-build contractor.

The property is located in the US-31 Overlay Zone which has higher architectural requirements. The US-31 Character Overlay Zone chapter is included in your packet and highlights the sections relevant to the proposed project.

**RECOMMENDED DISCUSSION ITEMS**

**Landscaping**

- Front Yard Greenbelt
  - 35’ wide
  - 50% of entire frontage less driveway
    
    \[
    (366’ \text{ wide} \times 0.50 = 183 - 24’ \text{ driveway} = 159 \text{ linear feet of landscaping})
    \]

- Reduce Building Mass
  - Provided along walls that can be viewed from the street

**Parking**

This property has a parking schedule at a rate of 1 space per 200 sqft of GFA for a total of 50 spaces.

The new ordinance established a schedule of 1 space/300 sqft GFA and then allowing an acceptable range of 80% to 120% to offer flexibility to the property owner. The parking lot is now legally non-conforming:

- \[10,000 \text{ sqft} \div 300 \text{ sqft GFA} = 33 \text{ spaces}\]
  - 80% = 26 spaces
  - 120% = 40 spaces

Ideally, the Township would prefer to eliminate up to 10 spaces to reduce impervious surface. However, the parking lot is protected by the legally non-conforming status, so the property owner is not obligated to reduce the parking lot. That said, if a “sticking point” is identified, perhaps the parking lot could be used as a negotiating tool.
Frontage Roads

- The applicant also owns the property directly south. It is zoned C-2 and could develop in the future. If/when that occurs, the Township would want to establish a frontage road or service drive.
  - The US-31 Overlay Zone’s Access Management provisions want to limit the number of curb-cuts onto a limited-access highway.
- A “declaration agreement” similar to the one drafted for Westlake Environmental is recommended. The document would indicate the owner is obligated to create a frontage road/service drive from the existing access point if/when the south property develops.
  - Agreement would be recorded with the Register of Deeds to put all owners on notice of the requirement.

Landmark Tree Protection

- Recall the new ordinance establishes a Buffer Zone for tree removal. New construction would be subject to these buffers.
  - What is the extent of intended tree clearing?

Architectural Requirements

An important reminder for this section—most requirements only apply to parts of the building visible from publicly accessible spaces (public streets, private streets, parking lots, etc.).

- 80% of the building façade (exclusive of roofs and windows) must be one or more of—facing brick, stone, block, stained wood, etc.
- The width of the building does not exceed 50 feet, so architectural details along the walls are not required.
- Roofline—is the single slope for an accessory storage building acceptable?

Other Site Design Requirements

- Bury utility lines
- Screen utility cabinets
- Flow or spill curb
- Stormwater disposition
Chapter 8: US-31 CHARACTER OVERLAY
Section 8.01

FINDINGS AND STATEMENT OF PURPOSE.

US-31 is a state highway that serves as the primary north-south arterial through the Township. The primary function of the highways is to accommodate relatively high volumes of traffic as a link between Holland, Grand Haven, Muskegon and other destinations along the west Michigan coast. The corridor also provides access to a number of commercial, industrial and residential uses in the Township. The purpose of the US-31 Character Overlay Zone is to promote a balance between the various functions of this corridor and the preservation of its natural characteristics.

This special overlay district was developed following specific evaluation and planning for the corridor through the Township’s Master Land Use Plan Update, and thereafter in a subarea plan titled the US-31/M-45 Corridor Study. The zoning regulations herein are based on analysis of trends along the US-31/M-45 corridors, recommendations in the Township’s planning documents and findings along other corridors in Michigan and nationally.

(A) The Township finds that special comprehensive standards are needed along the US-31 corridor based upon the following findings:

(1) The combination of roadway design, traffic speeds, traffic volumes, traffic crashes and other characteristics necessitate special access standards.

(2) Studies by transportation organizations in Michigan and nationally have found a direct correlation between the number of access points and the number of crashes.

(3) The standards of this district are based upon considerable research and recommendations by the Michigan Department of Transportation (“MDOT”).

(4) Preservation of roadway capacity through access management protects the substantial public investment in the roadway system and helps avoid the need for costly reconstruction, which disrupts businesses.

(5) Growth and development resulting in increased demand upon natural resources has had the effect of encroaching upon, despoiling and/or eliminating many of the old growth/mature trees and vegetation. These resources, if preserved and maintained in an undisturbed and natural condition, provide air quality protection, maintenance of water quality, reduction of flood surges and soil erosion, and protection of vital wildlife habitat. Additionally, these resources provide important aesthetic, ecological, recreational and economic benefits to existing and future residents of the area and must, therefore, be protected.

(6) Trees and woodland systems are essential components to the general welfare of the Township, providing natural beauty, natural character, recreational opportunities and wildlife habitat.

(7) Protecting mature vegetation along with reproductive and regenerating capabilities of trees and woodland systems, maintains this heritage for existing and future Township residents.

(8) The protection of such natural resources is a matter of paramount public concern, as provided by Chapter IV, Section 52 of the Constitution of the State of Michigan and the Michigan Environmental Protection Act of 1970; MCL 324.1701 et seq.

(9) Building design and architecture is an important aesthetic consideration for the future image of the Township. Architectural guidelines are necessary to ensure building design is consistent with the intended character of the area, but such guidelines must be flexible to encourage creativity.

(B) Specifically, the Overlay Zone is intended to:

(1) Accommodate a variety of uses permitted by the underlying zoning, but ensure such uses are designed to achieve an attractive built and natural environment.
Provide architectural and site design standards that are more demanding than required elsewhere in the Township in order to promote harmonious development and complement the natural characteristics in the western sections of the Township.

Promote public safety and efficient flow of vehicular traffic by minimizing conflicts from turning movements resulting from the proliferation of unnecessary curb cuts and driveways.

Ensure safe access by emergency vehicles.

Encourage efficient flow of traffic by minimizing the disruption and conflicts between through traffic and turning movements.

Preserve the capacity along US-31 and other roads in the Overlay Zone by limiting and controlling the number and location of driveways, and requiring alternate means of access through shared driveways, service drives, and access via cross streets.

Reduce the number and severity of crashes by improving traffic operations and safety.

Require coordinated access among adjacent lands where possible.

Provide landowners with reasonable access, although the access may be restricted to a shared driveway, service drive, or via a side street, or the number and location of access points may not be the arrangement most desired by the landowner or applicant.

Require demonstration that prior to approval of any land divisions, the resultant parcels are accessible through compliance with the access standards herein.

Preserve Landmark Trees (see Section 8.10.C for definition), view sheds, and other natural features along the corridor.

Ensure that distractions to motorists are minimized by avoiding blight and clutter while providing property owners and businesses with appropriate design flexibility and visibility.

Implement the goals expressed in the US-31/M-45 Corridor Study.

Establish uniform standards to ensure fair and equal application.

Address situations where existing development within the Overlay Zone does not conform to the standards of this chapter.

Promote a more coordinated development review process with the Michigan Department of Transportation and the Ottawa County Road Commission.
Section 8.02

APPLICABILITY.

(A) Except as otherwise provided in this Section, the regulations herein apply to all lands contained within the area illustrated as the US-31 Character Overlay Zone on the Zoning Map, which identifies all parcels, as listed in the Township’s property records, on the effective date of the Ordinance, that are wholly or partially included in the Overlay Zone.

(B) Agricultural and residential uses in the AG, RP, RR, R-1, R-2, and R-4 districts shall be exempt from the requirements of the Overlay unless the property is master-planned for Office/Service, Commercial, or Industrial. In the event of a rezoning from one of those districts to R-3, C-1, C-2, or I-1, the requirements of the Overlay shall apply to the lot after the rezoning.

(C) Sites in the Overlay Zone that do not have frontage along US-31 are exempt from the dimensional standards of this Chapter. In those cases, the applicable dimensional standards of the underlying zoning district shall apply. All other standards of the Overlay Zone shall be applied.

(D) Where the standards of this Overlay Zone are more restrictive, as determined by the Zoning Administrator, such standards replace those that apply to the underlying zoning district outside the Overlay Zone. For example, if the underlying zoning district illustrated on the Township Zoning Map is C-2, the uses listed as permitted in Section 2.09 are permitted for that lot, but the access, landscaping, setbacks, signs and building architecture must comply with this Overlay Zone.

(E) No land division shall be approved within this Overlay Zone unless compliance with the minimum lot width standards herein is demonstrated, except if the entire parent parcel is contained within one or more of the following zoning districts: AG, RP, RR, R-1, R-2, and/or R-4, or if the parcel takes primary access from a private road or shared driveway.

(F) The Michigan Department of Transportation (MDOT) or the Ottawa County Road Commission (OCRC), as applicable, has jurisdiction within the highway’s right-of-way, while the Township has the authority for land use and site plan decisions along the frontage. This special set of zoning standards was created to help ensure a collaborative process between MDOT, OCRC, and Township in decisions on access within the US-31 Character Overlay Zone, and to implement the recommendations of the US-31/M-45 Corridor Study and site design standards applicable to this area.

(G) Proposed PUD’s within the Overlay Zone shall generally be consistent with the standards herein but may be modified by the Township based upon the specifics of the particular site and proposed use(s).
**Section 8.03
APPLICABILITY MATRIX.**

The standards described or referenced in this Ordinance apply to both new and existing development as listed or exempted in the following table for all lots in the US-31 Overlay Zone. All development in the US-31 Overlay Zone shall require full compliance with all applicable regulations including reviews, approvals, and permits from the Planning Commission prior to the start of any project or land disturbance.

For activities not listed, including but not limited to installing signage, landscaping, or accessory structures, the Zoning Administrator shall determine whether the alteration is substantial enough to require Planning Commission approval.

<table>
<thead>
<tr>
<th>Improvement/Requested Approval</th>
<th>Lot Width (Section 8.04)</th>
<th>Traffic Impact (Section 8.07)</th>
<th>Landscaping (Section 8.08)</th>
<th>Circulation &amp; Access (Section 8.09)</th>
<th>Woodland Protection (Section 8.10)</th>
<th>Architecture (Section 8.11)</th>
<th>Other Site Design (Section 8.12)</th>
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<tbody>
<tr>
<td>Lot Split</td>
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<tr>
<td>Expansion of Parking Area by 10+%</td>
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<td>Existing Building (No Exterior Renovations Except Signage)</td>
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<td>New Permitted Use</td>
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<td>New Special Land Use</td>
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<td>Alteration of Existing Main Building (See Chapter 18)</td>
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<td>Requiring Site Plan Approval</td>
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<td>Renovation Due to Disaster (See Chapter 16)</td>
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<tr>
<td>New Construction (Including Tear Down Redevelopments)</td>
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<td>PC</td>
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<td>PC</td>
<td>PC</td>
<td>PC</td>
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</tbody>
</table>

A: Administrative Approval Required.  PC: Planning Commission Approval Required.  -: Regulations Do Not Apply.

*In the event of a parking lot expansion, no new landscape islands shall be required within the pre-existing portion of the parking lot. All other landscape requirements must be met.

**Where the underlying district is C-1 or C-2, the identified requirements must be met in the rebuilding of the structure. Where the underlying district is any other district, the building may be rebuilt without compliance with the standards of this chapter.
CHAPTER 8: US-31 CHARACTER OVERLAY

ZONING ORDINANCE 2020

CHAPTER 8: US-31 CHARACTER OVERLAY

ZONING ORDINANCE 2020

Section 8.04
LOT WIDTH REQUIREMENT.

The following standard shall apply to any lot proposed to be created from a parent parcel that is (1) within the Overlay and (2) all or partially within the R-3, C-1, C-2, and I-1 zoning districts:

(A) No new lot shall be created that abuts US-31 that has less than four hundred fifty-five (455) feet of width along its US-31 frontage, in order to ensure that MDOT access management standards do not prevent new lots from building driveways. Lots within this Overlay that do not abut US-31 may be created provided they meet the dimensional requirements of the underlying zoning district.

(B) In no case shall the minimum lot width be less than three hundred (300) feet unless provisions have been made for shared access in the future.

(C) Submittal Information. The information listed in Section 8.06.A – 8.06.D shall be required with any request for a land division.

Section 8.05
SPECIAL LAND USES.

For special land uses, the following standards shall be considered:

(A) The building and site design will complement the existing and desired character within the Overlay Zone.

(B) Existing views to natural areas, woodlands and other natural features, will be preserved to the extent practical as deemed by the Planning Commission.

(C) The number of access points will be restricted to the fewest needed to allow motorists reasonable access to the site.

(D) Access spacing from intersections, other driveways, and any median crossovers will meet the standards within the Overlay Zone and will meet the standards of the applicable road agency (MDOT or the Ottawa County Road Commission) and will be the maximum practical.

(E) Provisions will be made to share access with adjacent uses, either now or in the future, including any necessary written shared access and maintenance agreements to be recorded with the Ottawa County Register of Deeds.

(F) Traffic impacts associated with the proposed use will be accommodated by the road system without degradation in the Level of Service (LOS) below one grade (example from LOS B down to LOS C) but in no case shall any movement(s) be projected at a LOS below D, unless improvements are being made to address the impacts.
Section 8.06
SUBMITTAL INFORMATION.

In addition to the submittal information required for site plan review in Section 18.07, the following shall be provided with any application.

(A) Existing access points within five hundred (500) feet of frontage on both sides of any adjoining roads, shall be shown on the site plan or on a separate plan sheet.

(B) Information on Site Distance. The applicant shall submit evidence indicating the sight distance requirements of MDOT and/or OCRC, as applicable, are met. This may require profiles.

(C) Dimensions between proposed and existing drives, intersections, and US-31 median crossovers.

(D) Where shared access is proposed or required, a shared access and maintenance agreement shall be submitted for approval. Once approved this agreement shall be recorded with the Ottawa County Register of Deeds.

(E) Dimensions shall be provided for driveways (width, radii, throat length, length of any deceleration lanes or tapers) and all curb radii within the site.

(F) The site plan shall illustrate the route and dimensioned turning movements of any expected truck traffic, tankers, delivery vehicles, waste receptacle vehicles and similar vehicles. The plan should confirm that routing the vehicles will not disrupt operations at the access points nor impede maneuvering or parking within the site.

(G) Traffic Impact. See Section 8.07.B, as applicable.

(H) Review Coordination. The applicant shall provide correspondence that the proposal has been submitted to MDOT or OCRC for their information. Any correspondence from either organization, shall be considered during the site plan review process. The Township may request attendance at coordination meetings with representatives of the applicable road agencies.

(I) Building Elevations. Elevation drawings shall be submitted illustrating the building design and height and describing construction materials for all proposed structures. Elevations shall be provided for all sides of the building. The elevations, colors and materials shall be considered part of the approved site plan.

(1) Color renderings of the building shall be submitted for Planning Commission review and approval.

(2) Proposed materials and colors shall be specified on the plan and color chips or samples shall also be provided at the tie of site plan review.

(J) Existing Landmark Tree Information. An inventory of all Landmark Trees in the Buildable Area and Buffer Zone, see Section 8.10, shall be provided. The Planning Commission may waive this requirement where large areas of existing woodland will be preserved, where the applicant demonstrates through overlays on aerial photography or other means that the site has been designed to protect woodlands or where the applicant demonstrates that existing trees are of poor quality through an evaluation by a qualified forester, arborist, or landscape architect. The applicant is encouraged to meet with the Planning Commission for a Pre-Application Presentation pursuant to Section 18.05.

(K) Landmark Tree Protection Information. The site plan shall demonstrate how existing trees and other natural features will be protected during and following construction utilizing fencing or other barrier that is obvious to construction personnel.

(L) Sign Design Details. Information shall be given on all proposed signs, including details on the base materials and sign materials and on landscaping around the base. See Section 8.12.C.
Section 8.07
TRAFFIC IMPACT.

(A) The following standards shall apply to a lot when the owner proposes to make one or more of the following improvements:

<table>
<thead>
<tr>
<th>Improvement/Requested Approval</th>
<th>Traffic Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Split</td>
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<tr>
<td>Removing Trees</td>
<td></td>
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<tr>
<td>Expansion of Parking Area by 10+%</td>
<td></td>
</tr>
<tr>
<td>Existing Building (No Exterior Renovations Except Signage)</td>
<td>New Permitted Use A</td>
</tr>
<tr>
<td></td>
<td>New Special Land Use PC</td>
</tr>
<tr>
<td>Alteration of Existing Main Building (See Chapter 18)</td>
<td>Not Requiring Site Plan Approval –</td>
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<td></td>
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</tr>
<tr>
<td>New Construction (Including Tear Down Redevelopments)</td>
<td>PC</td>
</tr>
</tbody>
</table>

A  Administrative Approval Required.  PC  Planning Commission Approval Required  –  Regulations Do Not Apply

(B) Any use that can be expected to generate one thousand (1,000) or more vehicle trips per day, based on a reliable estimate produced by a qualified professional and provided to the Township by the applicant, shall be required to submit a traffic impact study. If the road infrastructure surrounding the site is not sufficient for the proposed use, the site will be considered unripe for development, and upgrades identified by the traffic study must be completed prior to the Township processing the application, unless the applicant volunteers to provide the upgrades warranted by the study, which must be completed prior to issuance of a certificate of occupancy.
Section 8.08

LANDSCAPING REQUIREMENTS.

The following standards shall apply to a lot when the owner proposes to make one or more of the following improvements:

<table>
<thead>
<tr>
<th>Improvement/Requested Approval</th>
<th>Landscaping</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Split</td>
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<tr>
<td>Removing Trees</td>
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<tr>
<td>Expansion of Parking Area by 10+%</td>
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<tr>
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</tbody>
</table>

**A** Administrative Approval Required.  **PC** Planning Commission Approval Required  -- Regulations Do Not Apply

*In the event of a parking lot expansion, no new landscape islands shall be required within the pre-existing portion of the parking lot. All other landscape requirements must be met.

**Where the underlying district is C-1 or C-2, the identified requirements must be met in the rebuilding of the structure. Where the underlying district is any other district, the building may be rebuilt without compliance with the standards of this chapter.
(A) **Natural Landscape.** The overall design shall promote the impression of a natural landscape, particularly along the US-31 frontage. *(Diagrams below show site frontage landscape design)*

![Figure 8-1: Frontage Landscaping Design](image)

- **Natural Arrangement (Preferred)**
- **Formal Arrangement (Not Preferred)**

(B) **Front Yard Greenbelt.** A minimum thirty-five (35) foot wide greenbelt is required along fifty percent (50%) of the entire frontage, except for the area taken up by driveways, which is excluded from the fifty percent (50%). Said greenbelt shall be planted as required in [Chapter 4](#).

(C) **Reduce Building Mass.** Landscaping shall be provided along all walls to reduce the visual impact of building mass as viewed from the street.

(D) The standards of [Chapter 4](#) shall apply, except where they conflict with the provisions of this Overlay.
Section 8.09
CIRCULATION, ACCESS, AND PARKING REQUIREMENTS.

Access points (not including driveways that serve a single-family home, duplex, agricultural activity or essential service facility structure) shall meet the following standards. These standards are based on considerable research in Michigan and nationally and were prepared concurrent with guidelines promoted by MDOT. Ottawa County Road Commission (OCRC) and State standards shall supersede the following regulations. Compliance with Township regulations does not guarantee approval by the County or State.

(A) The following standards shall apply to a lot when the owner proposes to make one or more of the following improvements:

<table>
<thead>
<tr>
<th>Improvement/Requested Approval</th>
<th>Circulation &amp; Access</th>
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<tr>
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<tr>
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<td>PC</td>
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</tbody>
</table>

A Administrative Approval Required. PC Planning Commission Approval Required – Regulations Do Not Apply

**Where the underlying district is C-1 or C-2, the identified requirements must be met in the rebuilding of the structure. Where the underlying district is any other district, the building may be rebuilt without compliance with the standards of this chapter.

(1) All existing driveways may remain in place so long as the Main Building on the lot is not intentionally and completely demolished. This provision shall supersede all other provisions in this Section. Each lot shall be permitted one access point. This access point may consist of an individual driveway, a shared access with an adjacent use, or access via a service drive or frontage road. An additional driveway may be permitted by the Planning Commission upon finding that EITHER subsection (a) or subsection (b) exist. The additional driveway may be required to be along a side street or a shared access with an adjacent site.

(a) The site has a frontage of over six hundred sixty (660) feet and the spacing standards between access points listed below are met; and the additional access will not prevent adjacent lands from complying with the access spacing standards when such lands develop or redevelop in the future.

(b) A traffic impact study, prepared in accordance with accepted practices as described in this Chapter, demonstrates the site will generate over three hundred (300) trips in a peak hour or three thousand (3,000) trips daily, or four hundred (400) and four thousand (4,000) respectively if the site has access to a traffic signal; and the traffic study demonstrates the additional driveway will improve conditions for the motoring public and will not create negative impacts on through-traffic flow.
(2) Access points shall provide at least four hundred fifty-five (455) feet of spacing from other access points along the same side of US-31 (measured from centerline to centerline as shown on the figure). The Planning Commission may waive that standard if, and only if, MDOT grants a waiver from its equivalent standards. On roadways other than US-31, access points shall maintain spacing as required by the Ottawa County Road Commission (OCRC). The Planning Commission may waive that standard if, and only if, OCRC grants a waiver from its equivalent standards.

(3) Where the subject site adjoins land that may be developed or redeveloped in the future, including adjacent lands or potential outlots, the access shall be located to ensure the adjacent site(s) can also meet the access location standards in the future.

(4) Access points along sections of US-31 with an existing or planned median shall be located in consideration of existing or approved median crossovers (whether or not the crossovers meet current MDOT design standards) in order to provide a sufficient length for weaving across travel lanes and storage within the median consistent with MDOT published standards. In some cases, existing median cuts may need to be redesigned to meet current design standards. The township supports MDOT policies to limit the number of median crossovers to maintain traffic flow and reduce the potential for accidents.

(5) Access points along roads without a median shall be aligned with driveways on the opposite side of the street unless the Planning Commission determines that is not practical.

(6) Minimum spacing of access points from intersections shall be in accordance with the requirements of MDOT and/or OCRC, depending on the roadway in question (measured from pavement edge to pavement edge).

(7) No driveway shall interfere with municipal facilities such as streetlight or traffic signal poles, signs, fire hydrants, cross walks, bus loading zones, utility poles, fire alarm supports, drainage structures, or other necessary street structures. The Zoning Administrator is authorized to order and effect the removal or reconstruction of any driveway which is constructed in conflict with street structures. The cost of reconstructing or relocating such driveways shall be at the expense of the owner of the property accessed by the driveway.

(B) Parking Schedule.
(1) **Minimum.** The minimum number of parking spaces for any use within the Overlay Zone shall be eighty percent (80%) of the minimum listed in Section 5.06 for the use in question. For any property that provides less than the minimum number of parking spaces listed in Section 5.06, an additional two hundred (200) square feet of pervious surface must be provided on the site for each otherwise-required parking space that has not been provided. In other words, the space saved by not installing parking cannot be paved or hardscaped.

(2) **Maximum.** The maximum number of parking spaces for any use within the overlay shall be one hundred twenty percent (120%) of the minimum listed in Section 5.06 for the use in question. A site may be permitted to exceed the maximum number of parking spaces upon determination by the Planning Commission that the expanded parking lot is necessary for the efficient operation of the use.

(3) **Interior Landscape Islands.** For parking lots over one hundred (100) spaces or thirty thousand (30,000) square feet the interior of the parking lot shall have one (1) square feet of landscaped area for each fifteen (15) square feet of paved area.

**Figure 8-4: Parking Lot Landscaping**

(a) For parking lots one hundred thousand (100,000) square feet or greater in total area, the minimum island width shall be eighteen (18) feet.

(b) At least seventy five percent (75%) of the required parking lot landscaping shall be within the interior of the parking lot, not on the edges.

(c) Islands shall be located to improve traffic flow and views.
(d) Details on islands shall be provided including radii, length, width, square footage, ground cover, lighting, and irrigation.

(C) The following standards shall apply to a lot when the owner proposes to make the following improvement:

(1) New Construction (Including Tear Down Redevelopments).

(a) Where deemed practical and necessary the Planning Commission may require development of frontage roads, or private service drives as a means to ensure that traffic is able to more efficiently and safely ingress and egress. A property owner may also make use of frontage roads or private service drives where they are not otherwise required in order to gain design flexibility. Properties with frontage roads, or where frontage roads are proposed as part of the development, shall have the following benefits under this Ordinance:

(i) They shall be exempt from the lot width standards of this Section. The lot width standards of the underlying zoning district shall apply instead.

(ii) Driveways connecting to frontage roads or service drives shall be exempt from the driveway spacing standards of this Section.

(2) Frontage roads or service drives shall be constructed in accordance with the following standards:

(a) Service drives and frontage roads shall be setback as far as reasonably possible from the intersection of the access driveway with the public street. A minimum of twenty-five (25) feet shall be maintained between the public street right-of-way and the pavement of the frontage road, with a minimum thirty-five (35) feet of throat depth provided at the access point.

(b) The alignment of the service drive can be refined to meet the needs of the site and anticipated traffic conditions, provided the resulting terminus allows the drive to be extended through the adjacent site(s). This may require use of aerial photographs, property line maps, topographic information and other supporting documentation.

(c) In situations where a shared access facility is recommended, but not yet practical due to lack of development on adjacent parcels or other reasons, temporary direct access may be permitted, provided the plan is designed to accommodate the future shared access facility. The Planning Commission may require a written cross-access agreement to provide for the building of the shared access facility when it becomes available and the subsequent removal of the temporary access. This may require posting of a financial performance guarantee.

(D) Modifications by Planning Commission. Given the variation in existing physical conditions along the corridors, modifications to the access and circulation standards in this section may be permitted by the Planning Commission as part of the site plan review process after consideration of whether the following conditions apply:

(1) Physical limitations exist on the site that make compliance unreasonable (sight distance limitations, topography, wetlands, drain or water body, woodlands that will be preserved, existing development, unique site configuration or shape), or existing off-site access points make it impractical to fully comply with the standards.

(2) The use involves an access improvement to an existing site or a new use that will generate less traffic than the previous.

(3) The proposed modification is consistent with MDOT guidelines and MDOT staff support the proposed access design.

(4) The proposed modification is consistent with the general intent of the standards of this Overlay Zone and the recommendations of the US-31 and M-45 Corridor Study.

(5) If deemed necessary by the Planning Commission, a traffic study by a qualified traffic engineer has been provided that certifies the modification will improve traffic operations and safety along US-31 and is not simply for convenience of the development.
(6) The applicant shall demonstrate with dimensioned drawings that such modification shall not create non-compliant access to adjacent lands that may develop or redevelop in the future.

(7) The Planning Commission determines that although the site is not yet ripe for development due to access or roadway concerns, but the applicant volunteers to make any necessary roadway improvements prior to the project completion or occupancy of the first building, whichever occurs first.

(8) Indirect or shared access is not practical, for reasons other than the actions of the applicant.

(9) Such modification shall be demonstrated to be the minimum necessary.

Section 8.10
LANDMARK TREE PROTECTION.

To promote preservation of the important woodlands and viewsheds in the Overlay Zone the site shall be designed to preserve existing woodlands and individual Landmark Trees to the greatest extent possible. In particular, an effort should be made to preserve mature oak, hickory, beech, maple, ash, white pine and other mature trees.

(A) Applicability. The following standards shall apply to a lot when the owner proposes to make one or more of the following improvements:

<table>
<thead>
<tr>
<th>Improvement/Requested Approval</th>
<th>Woodland Protection</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Split</td>
<td>–</td>
</tr>
<tr>
<td>Removing Trees</td>
<td>A</td>
</tr>
<tr>
<td>Expansion of Parking Area by 10%</td>
<td>A</td>
</tr>
<tr>
<td>Existing Building (No Exterior Renovations Except Signage)</td>
<td>New Permitted Use</td>
</tr>
<tr>
<td></td>
<td>–</td>
</tr>
<tr>
<td></td>
<td>New Special Land Use</td>
</tr>
<tr>
<td></td>
<td>PC</td>
</tr>
<tr>
<td>Alteration of Existing Main Building (See Chapter 18)</td>
<td>Not Requiring Site Plan Approval</td>
</tr>
<tr>
<td></td>
<td>Requiring Site Plan Approval</td>
</tr>
<tr>
<td>Renovation Due to Disaster (See Chapter 16)</td>
<td>**</td>
</tr>
<tr>
<td>New Construction (Including Tear Down Redevelopments)</td>
<td>**</td>
</tr>
</tbody>
</table>

**Administrative Approval Required. PC Planning Commission Approval Required – Regulations Do Not Apply

**Where the underlying district is C-1 or C-2, the identified requirements must be met in the rebuilding of the structure. Where the underlying district is any other district, the building may be rebuilt without compliance with the standards of this chapter.

(B) Tree Removal Zones.

(1) Right-of-Way. Trees within the public street right-of-way shall not be removed, except as illustrated on the site plan. If necessary, a letter of understanding between the applicant, Township and MDOT will be provided.

(2) Building Footprint. The Building Footprint shall be defined as the area bounded by the proposed building. There shall be no restrictions on removing trees within the Building Footprint.
(3) **Buffer Zone.** The Buffer Zone shall be defined as the following portions of the site. Landmark Trees removed from the Buffer Zone must be replaced by new trees planted within the Buffer Zone, in accordance with the table in **Section D.**

(a) The required front yard (i.e. all land between the minimum front setback line and the front lot line)

(b) The required side yards, (i.e. all land between the minimum side setback lines and the side lot line), in front of the minimum rear setback line (i.e. between the minimum rear setback line and the front lot line).

(c) All land between the minimum rear setback line and a line twenty (20) feet closer to the rear lot line.

(4) **Restriction Zone.** The Restriction Zone shall be defined as all land between the rear lot line and the rear line of the Buffer Zone (the line described in **Subsection 2.c** above). No Landmark Tree shall be removed from the Restriction Zone.

---

**Figure 8-5: Tree Removal Zones**

- **Rear Lot Line**
- **Minimum Rear Setback Line**
- **20'**
- **Side Lot Line**
- **Building**
- **Front Lot Line / R.O.W. Line**
- **Street**

---

**Landmark Trees**

- **Restriction Zone = No cutting**
- **Buffer Zone = Replace landmark trees**
- **Buildable Area = Building footprint or replace landmark trees (area within 20’ of foundation excepted)**
## (C) Definition of a “Landmark Tree.”
A tree meeting all of the following criteria shall be considered a Landmark Tree. The Township may also designate a tree that is not one of the species above to be a Landmark Tree, provided that the tree has significance because of its size, location, and/or memorial or historic value as designated by the Township or the State, or another recognized authority. If staff and the developer are unable to agree upon whether a tree should be classified as a Landmark Tree under this section, the Planning Commission shall make a determination on classifying any tree as a Landmark Tree after reviewing information from staff and/or the developer.

1. If protected Landmark Tree is removed in an unauthorized capacity it shall constitute a municipal civil infraction. See Section 16.07.A.

2. In order to be considered a Landmark Tree, the tree must be one of the species listed below and have a Diameter Breast Height (DBH) of at least the number listed in the table below OR have a DBH of at least twenty-four (24) inches, regardless of species. The DBH shall be measured at four and one-half (4½) feet above the existing grade.

### Table: Landmark Trees

<table>
<thead>
<tr>
<th>Common Name</th>
<th>Scientific Name</th>
<th>DBH</th>
</tr>
</thead>
<tbody>
<tr>
<td>American Hornbeam</td>
<td>Ostrya Virginiana</td>
<td>8&quot;</td>
</tr>
<tr>
<td>Arborvitae</td>
<td>Thyja</td>
<td>18&quot;</td>
</tr>
<tr>
<td>Beech, (American)</td>
<td>Fagur grandifolia</td>
<td>18&quot;</td>
</tr>
<tr>
<td>Beech, (Blue)</td>
<td>Carpinus caroliniana</td>
<td>8&quot;</td>
</tr>
<tr>
<td>Birch</td>
<td>Betula</td>
<td>18&quot;</td>
</tr>
<tr>
<td>Black walnut</td>
<td>Juglan nigra</td>
<td>20&quot;</td>
</tr>
<tr>
<td>Cedar, (Red)</td>
<td>Juniperus virginiana</td>
<td>12&quot;</td>
</tr>
<tr>
<td>Chestnut</td>
<td>Castanea</td>
<td>10&quot;</td>
</tr>
<tr>
<td>Crabapple/Hawthorne</td>
<td>Malus/crataegus</td>
<td>12&quot;</td>
</tr>
<tr>
<td>Dogwood, (Flowering)</td>
<td>Cornus florida</td>
<td>8&quot;</td>
</tr>
<tr>
<td>Fir</td>
<td>Abies</td>
<td>18&quot;</td>
</tr>
<tr>
<td>Ginkgo</td>
<td>Ginkgo</td>
<td>18&quot;</td>
</tr>
<tr>
<td>Hemlock</td>
<td>Tsuga</td>
<td>18&quot;</td>
</tr>
<tr>
<td>Hickory</td>
<td>Carya</td>
<td>18&quot;</td>
</tr>
<tr>
<td>Kentucky Coffee.tree</td>
<td>Gymnocladus dioicus</td>
<td>18&quot;</td>
</tr>
<tr>
<td>Larch/Tamarack</td>
<td>Larix</td>
<td>12&quot;</td>
</tr>
<tr>
<td>London plane/Sycamore</td>
<td>Platanus</td>
<td>18&quot;</td>
</tr>
<tr>
<td>Maple</td>
<td>Acer</td>
<td>18&quot;</td>
</tr>
<tr>
<td>Oak</td>
<td>Quercus</td>
<td>18&quot;</td>
</tr>
<tr>
<td>Redbud</td>
<td>Cercis canadensis</td>
<td>6&quot;</td>
</tr>
<tr>
<td>Sassafras</td>
<td>Sassafras abidum</td>
<td>15&quot;</td>
</tr>
<tr>
<td>Serviceberry</td>
<td>Amelian chier</td>
<td>8&quot;</td>
</tr>
<tr>
<td>Spruce</td>
<td>Picea</td>
<td>18&quot;</td>
</tr>
<tr>
<td>Sweetgum</td>
<td>Liquid amber styraciflua</td>
<td>16&quot;</td>
</tr>
<tr>
<td>Tulip poplar</td>
<td>Liriodendrom tulipifera</td>
<td>18&quot;</td>
</tr>
<tr>
<td>White pine</td>
<td>Pinus Strobus</td>
<td>18&quot;</td>
</tr>
<tr>
<td>Wild Cherry</td>
<td>Prunus</td>
<td>18&quot;</td>
</tr>
<tr>
<td>Witch hazel</td>
<td>Hamamelis virginiana</td>
<td>8&quot;</td>
</tr>
</tbody>
</table>
(3) The tree is in good condition and health, in the opinion of the Zoning Administrator. Instead of relying on the Zoning Administrator’s decision, the applicant may, at their own expense, hire an arborist to examine the tree. In that case, the arborist’s decision shall be final.

(D) Replacement within the Buffer Zone. Replacement Trees shall be provided within the Buffer Zone to replace each Landmark Tree to be removed from the Buffer Zone in accordance with the following schedule. When the number of Replacement Trees results in a fraction, any fraction up to one-half (½) shall be disregarded, and any fraction over and including one-half (½) shall require one Replacement Tree. The minimum size for Replacement Trees is six (6) feet in height for evergreen trees and three (3) inches in caliper measured six (6) inches above grade for deciduous trees.

<table>
<thead>
<tr>
<th>Replacement Tree Size</th>
<th>Number of Replacement Trees Per Landmark Tree to Be Removed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Evergreen (height):</td>
<td></td>
</tr>
<tr>
<td>8 feet</td>
<td>1.00 trees</td>
</tr>
<tr>
<td>8.01 – 10 feet</td>
<td>0.75 trees</td>
</tr>
<tr>
<td>Greater than 10 feet</td>
<td>0.50 trees</td>
</tr>
<tr>
<td>Deciduous (Caliper):</td>
<td></td>
</tr>
<tr>
<td>2.5 – 3 inches</td>
<td>1.00 trees</td>
</tr>
<tr>
<td>3.5 – 3.99 inches</td>
<td>0.75 trees</td>
</tr>
<tr>
<td>4 inches or greater</td>
<td>0.50 trees</td>
</tr>
</tbody>
</table>

(1) All Replacement Trees shall satisfy current American standards for nursery stock and shall be as follows:

(a) Nursery grown or comparable or relocated from the same parcel.

(b) Number one (1) grade, with a straight, unsecured trunk and a well-developed uniform crown.

(c) Guaranteed for one (1) year from the time of planting.

(d) A species not included on the list of Removable Trees.

(e) Tree replacement shall occur prior to the issuance of a Certificate of Occupancy. If the tree cannot be planted due to the time of year, then the applicant must follow the Township’s Landscape Escrow process as described in Section 4.03.C.

(2) Replacement Trees shall be staked (where practical), fertilized, watered and mulched to ensure their survival in a healthy, growing condition. Property owners are responsible to take all measures necessary to ensure the health of Replacement Trees.

(E) Notwithstanding the preceding, the following are permitted with regard to all trees in all locations within a site:

(1) The removal of trees that are not designated as Landmark Trees under this Ordinance.

(2) Tree trimming and other routine maintenance that does not completely remove the tree or prevent its healthy development in the future.

(3) Removal or trimming made necessary by emergency caused by natural events, such as tornado, windstorm, flood, or other natural disaster, in which the removal of the tree would prevent injury or damage to persons or property.

(4) The removal of dead or diseased trees, as determined by a licensed arborist or forester, with the costs for the analysis paid for the applicant wishing to remove a landmark tree that they contend is dead or diseased. The removal or trimming must be accompanied through the use of standard forestry practices and techniques, including best practices to prevent the spread of known tree diseases.

(5) In addition, the activities of the following organizations shall be exempt from this Section:
(a) **Public Utilities.** The removal or trimming of trees necessitated by the installation, repair or maintenance work performed in a public utility easement or approved private easement for public utilities grants such permission.

(b) **Public Agencies.** The removal or trimming of trees if performed by or on behalf of the Township, County, State or other public agencies in a public right-of-way, on public property or on an easement for public utilities in connection with a publicly awarded construction project, such as the installation of public streets or public sidewalks.

### Section 8.11 
**ARCHITECTURAL REQUIREMENTS.**

All proposed development shall utilize quality architecture to ensure a building is compatible with surrounding uses, protects the investment of adjacent landowners, blends harmoniously with the natural features in the surrounding Grand Haven Township, and promotes a high-quality image to those traveling through the Township.

**A** **Commercial Standards.** The following standards shall apply to a lot with a C-1 or C-2 underlying zoning district when the owner proposes to make one or more of the following improvements:

<table>
<thead>
<tr>
<th>Improvement/Requested Approval</th>
<th>Architecture</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Split</td>
<td>—</td>
</tr>
<tr>
<td>Removing Trees</td>
<td>—</td>
</tr>
<tr>
<td>Expansion of Parking Area by 10+%</td>
<td>—</td>
</tr>
<tr>
<td>Existing Building (No Exterior Renovations Except Signage)</td>
<td>New Permitted Use</td>
</tr>
<tr>
<td></td>
<td>New Special Land Use</td>
</tr>
<tr>
<td>Alteration of Existing Main Building (See Chapter 18)</td>
<td>Not Requiring Site Plan Approval</td>
</tr>
<tr>
<td></td>
<td>Requiring Site Plan Approval</td>
</tr>
<tr>
<td>Renovation Due to Disaster (See Chapter 16)</td>
<td>**</td>
</tr>
<tr>
<td>New Construction (Including Tear Down Redevelopments)</td>
<td>**</td>
</tr>
</tbody>
</table>

**A** Administrative Approval Required. **PC** Planning Commission Approval Required. — Regulations Do Not Apply

**Where the underlying district is C-1 or C-2, the identified requirements must be met in the rebuilding of the structure. Where the underlying district is any other district, the building may be rebuilt without compliance with the standards of this chapter.**
Figure 8-6: Examples of Architectural Features

(1) **Purpose and Intent.** All proposed commercial development shall utilize quality architecture to ensure a building is compatible with surrounding uses, protects the investment of adjacent landowners, blends harmoniously with the natural features and promotes a high-quality image to those traveling through the Township. The Planning Commission shall have the authority to approve or disapprove an architectural design based on this purpose and intent, regardless of compliance with the letter of the standards below.

(2) The applicant and the applicant’s design professionals are encouraged to participate in a pre-application conference as described in Section 7.11.A and Section 18.05.

(3) Commercial architecture shall be reviewed by the Planning Commission as a part of site plan review under the following criteria:

(a) Buildings shall possess architectural variety but shall also promote the desired character in the Overlay Zone.

(b) Buildings shall be consistent with the scale and proportion of existing structures in the Overlay Zone.

(c) Building Materials.

(i) A minimum of eighty percent (80%) of the exterior finish material of all building facades (excluding the roof) visible from one or more publicly accessible spaces (public streets, private streets, parking lots, other spaces as determined by the Planning Commission), or adjacent residentially zoned land, exclusive of window areas, shall consist of one or more of the following:

- Facing Brick
- Cut Stone
- Split Face Block
- Fluted Block
• **Scored Block**
• **Native Field Stone**
• **Cast Stone**
• **Wood with an Opaque or Semi-Transparent Stain, or Bleaching Oil**

Any other block, or building material not specifically listed may be reviewed and approved by the Planning Commission if the material is compatible with surrounding uses, protects the investment of adjacent landowners, blends harmoniously with the natural features and promotes a high-quality image to those traveling through the Township.

(ii) Exterior Insulation and Finishing Systems (EIFS) materials shall not be the primary building material. However, the remaining maximum twenty percent (20%) of the façade may utilize other materials for architectural detailing such as fiberglass reinforced concrete, polymer plastic (fypon) or EIFS. The Planning Commission may permit other materials for facades not visible from a public street that are adequately screened from adjoining land uses.

(iii) Front building facades shall provide a minimum fifteen percent (15%) glass windows but shall not exceed eight percent (80%) glass. Calculations are exclusive of the roof area.

(d) **Building Walls.** In order to create a building that is visually interesting and has depth and dimension, building walls over fifty (50) feet in length shall be broken up with items such as:

• **Varying Building Lines**
• **Recesses**
• **Projections**
• **Wall insets**
• **Arcades**
• **Windows**
• **Architectural Accents**
• **Bands of Complementary Building Materials and Trees**

(i) Building rear facades shall be constructed to a finished quality comparable to the facade where visible to one or more publicly accessible spaces (public streets, private streets, parking lots, other spaces as determined by the Planning Commission).

(ii) **Existing Buildings.** Existing commercial, office or institutional buildings that do not comply with the above requirements may continue to use materials that do not conform to this section, including on additions or expansions. However, additions and expansions must include materials such as brick, stone or decorative block for architectural detailing, and must be designed to be architecturally consistent with the existing portion of the building.

(e) **Roof.**

(i) Rooflines shall be varied using dormers, gables, uneven peaks, or other architectural features. Flat roofs are discouraged.

(ii) Roof shape and materials shall enhance the aesthetic appeal of the building. Subtle colors shall be used for roofing material. Metal roofs shall only be permitted if compatible with the overall character of the building, and architectural elements are used to significantly reduce the roof mass when viewed from the street.

(iii) Rooftop equipment shall be illustrated on the plans and shall be screened from view by parapet walls or other architectural elements that complement the overall building design.

(f) **Entrances.** Building entrances shall utilize windows, canopies, and/or awnings to provide unity of scale, texture, and color, as well as provide a sense of place.
(g) Overhead Canopies. Overhead canopies for gas stations or other uses shall be designed to be compatible with the architectural characteristics of the main building such as peaked roofs, shingles, support structures that match or simulate materials of the main building, lighting fixtures fully recessed into the canopy and in neutral colors.

Figure 8-7: Examples of Architectural Features
(B) Industrial Standards. The following standards shall apply to a lot with an I-1 underlying zoning district when the owner proposes to make one or more of the following improvements:

**Figure 8-8: Examples of Architectural Features**

<table>
<thead>
<tr>
<th>Improvement/Requested Approval</th>
<th>Architecture</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Split</td>
<td>–</td>
</tr>
<tr>
<td>Removing Trees</td>
<td>–</td>
</tr>
<tr>
<td>Expansion of Parking Area by 10+%</td>
<td>–</td>
</tr>
<tr>
<td>Existing Building (No Exterior Renovations Except Signage)</td>
<td>New Permitted Use –</td>
</tr>
<tr>
<td></td>
<td>New Special Land Use –</td>
</tr>
<tr>
<td>Alteration of Existing Main Building (See Chapter 18)</td>
<td>Not Requiring Site Plan Approval –</td>
</tr>
<tr>
<td></td>
<td>Requiring Site Plan Approval A</td>
</tr>
<tr>
<td>Renovation Due to Disaster (See Chapter 16)</td>
<td>** –</td>
</tr>
<tr>
<td>New Construction (Including Tear Down Redevelopments)</td>
<td>PC</td>
</tr>
</tbody>
</table>

**Administrative Approval Required. Planning Commission Approval Required – Regulations Do Not Apply**

**Where the underlying district is C-1 or C-2, the identified requirements must be met in the rebuilding of the structure. Where the underlying district is any other district, the building may be rebuilt without compliance with the standards of this chapter.**
(1) Buildings shall be consistent with the scale and proportion of existing structures in the Overlay Zone.

(2) **Existing Buildings.** Industrial buildings do not comply with the above requirements and which are being renovated or expanded, or which are simply being maintained on a site which is subject to site plan review, may continue to use materials that do not conform to this section, including on additions or expansions. However, additions and expansions must include materials such as brick, stone or decorative block for architectural detailing.

(3) **New Construction.**

(a) **Building Walls.** All new industrial buildings should be designed to blend harmoniously with site features and promote a high-quality image to those traveling through the Township. To achieve this standard, building walls over fifty (50) feet in length shall be broken up with items such as:

- Varying Rooflines
- Varying Building Lines
- Recesses
- Projections
- Wall Insets
- Arcades
- Windows
- Architectural Accents
- Bands of Complementary Building Materials and Trees

The Planning Commission can waive this requirement for walls that are effectively screened from view by other buildings, landscaping, or Landmark Trees/other pre-existing vegetation.

(b) **Building Materials.** A minimum of eighty percent (80%) of the exterior finish material of all building facades (excluding the roof) visible from one or more publicly accessible spaces (public streets, private streets, parking lots, other spaces as determined by the Planning Commission), or adjacent residentially zoned land, exclusive of window areas, shall consist of one or more of the following:

- Facing Brick
- Cut Stone
- Split Face Block
- Fluted Block
- Scored Block
- Native Field Stone
- Cast Stone
- EIFS Materials
- Wood with an Opaque or Semi-Transparent Stain, or Bleaching Oil

Any other block or building material not specifically listed may be reviewed and approved by the Planning Commission if the material is compatible with surrounding uses, protects the investment of the adjacent landowners, blends harmoniously with the natural features and promotes a high-quality image to those traveling through the Township.
(C) **Multi-Family Residential Standards.** The following standards shall apply to a lot with an R-3 underlying zoning district when the owner proposes to make one or more of the following improvements:

<table>
<thead>
<tr>
<th>Improvement/Requested Approval</th>
<th>Architecture</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Split</td>
<td>--</td>
</tr>
<tr>
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<td>--</td>
</tr>
<tr>
<td>Expansion of Parking Area by 10+%</td>
<td>--</td>
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<tr>
<td>Existing Building (No Exterior Renovations Except Signage)</td>
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<tr>
<td></td>
<td>New Special Land Use</td>
</tr>
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<tr>
<td></td>
<td>Requiring Site Plan Approval</td>
</tr>
<tr>
<td>Renovation Due to Disaster (See Chapter 16)</td>
<td>**</td>
</tr>
<tr>
<td>New Construction (Including Tear Down Redevelopments)</td>
<td>PC</td>
</tr>
</tbody>
</table>

*Administrative Approval Required. PC Planning Commission Approval Required – Regulations Do Not Apply

**Where the underlying district is C-1 or C-2, the identified requirements must be met in the rebuilding of the structure. Where the underlying district is any other district, the building may be rebuilt without compliance with the standards of this chapter.

(1) Garage locations shall be varied and/or recessed to reduce the emphasis on the garages along the street edge.

(2) Multi-Family residential units shall be varied using color, arrangement and/or materials to emphasize facade elements and provide the look of multiple buildings built over time, rather than a single design repeated several times.

(3) The planes of exterior walls shall be varied in height, depth or direction. Long facades shall include sufficient relief and landscaping to reduce the dominance of the building.

(4) Rear elevations that face either US-31 or another residential use or district shall utilize materials and design details similar to the front facade.

(5) The Planning Commission may permit a section of the building to encroach up to five (5) feet into the required side yard to provide improved views along the roadway upon a finding by the Planning Commission that all of the following exists:

   (a) The size of the encroachment footprint can be up to 1/3 of the area of additional setback.
   
   (b) The average setback along the building frontage shall meet or exceed the amount typically required.
   
   (c) Sight distance is not affected.
   
   (d) The variable setback shall improve views along the street or preserve woodlands.
(D) **Waivers and Modifications.** Any person claiming to be aggrieved by a decision of the Planning Commission pursuant to the architectural standards of this subsection (Section 8.11) may appeal that decision to the Township Board. Any such appeal shall be the exclusive remedy for the aggrieved person and must be filed with the Zoning Administrator within ten (10) days of the decision by the Planning Commission from which the appeal is taken. The appeal must be based on the same documentation previously submitted to the Planning Commission, not on any revised documentation. The Township Board shall then consider the appeal, applying the same standards set forth above and using the same procedure as was used by the Planning Commission (e.g., if the Planning Commission held a public hearing, the Township Board shall hold a public hearing with the same notice requirements as were used for the Planning Commission public hearing). The Township Board may affirm, reject or revise the Planning Commission decision. Requests for building design waivers or modifications must be submitted to the Township before any Planning Commission decision on a Special Land Use or Site Plan Approval. Township Board approval of architectural design shall not constitute approval of a Site Plan or Special Land Use approval, and those approvals will have to be obtained separately through the process described in this Ordinance.

(E) **Repairs After Disaster.** With respect to Major Amendment renovations due to disaster (fire, flood, tornado, etc.), the Planning Commission shall have the discretion to require less than full compliance with the architectural standards stated in this Section, based upon a consideration of the standards of Chapter 12 for Special Land Uses.

### Section 8.12
**OTHER SITE DESIGN REQUIREMENTS.**

(A) The following standards shall apply to a lot when the owner proposes to make one or more of the following improvements:

<table>
<thead>
<tr>
<th>Improvement/Requested Approval</th>
<th>Other Site Design</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Split</td>
<td>--</td>
</tr>
<tr>
<td>Removing Trees</td>
<td>--</td>
</tr>
<tr>
<td>Expansion of Parking Area by 10+%</td>
<td>A</td>
</tr>
<tr>
<td>Existing Building (No Exterior Renovations Except Signage)</td>
<td>New Permitted Use</td>
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<td></td>
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</tr>
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</tr>
<tr>
<td></td>
<td>Requiring Site Plan Approval</td>
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<tr>
<td>Renovation Due to Disaster (See Chapter 16)</td>
<td>**</td>
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<tr>
<td>New Construction (Including Tear Down Redevelopments)</td>
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*A Administrative Approval Required. PC Planning Commission Approval Required – Regulations Do Not Apply

*In the event of a parking lot expansion, no new landscape islands shall be required within the pre-existing portion of the parking lot. All other landscape requirements must be met.*
(B) Building Setbacks. The minimum front setback requirement for lots abutting US-31 shall be one hundred (100) feet for all buildings. Existing structures along US-31 not in compliance shall be considered legal non-conformities. Principal and accessory buildings on lots not abutting US-31 shall meet all setback requirements of the underlying Zoning District.

The Planning Commission may reduce the required front yard setback for lots abutting US-31 by up to fifty (50) feet upon a finding that the following conditions exist:

1. The minimum depth of the driveway throat shall be at least thirty-five (35) feet or greater if warranted by projected traffic volumes.

2. The setback shall not be greater than twenty-five (25) feet closer to the road right-of-way than the farthest forward main building on an adjacent lot. Further, the reduced setback shall not significantly reduce views to an existing adjacent business.

(3) In addition to the above, at least three of the following conditions must exist:

(a) The applicant demonstrates the reduced setback will not increase the permitted building envelope on the site.

(b) The reduced front yard setback will accommodate construction of a shared access system, rear service drive or frontage road.

(c) The site frontage area lacks any significant natural features and the reduced setback will preserve important woodlands in the rear of the site.

(d) The building and site design utilize high quality materials and plant quantities in excess of what is otherwise required.

(e) No parking, loading, or bay doors are provided in the front of the building.
(C) **Signage.** If a Ground or Pylon Sign is provided, the sign shall provide architectural features, details, or ornaments inspired by the building. The area of the sign may be increased 10% above that otherwise permitted if the Planning Commission determines that the sign is of exceptional design and aesthetic quality.

(D) **Utility Lines.** All new utility lines, including but not limited to, electrical, phone, broadband, and fiber, must be buried and may not be strung overhead on poles. Existing utility lines may be re-located or left unchanged.

(E) **Utility Cabinets.** All utility cabinets (such as transformers) must be screened with evergreen trees or shrubs that meet the minimum size-at-planting requirements of this Ordinance.

(F) **Curb.** Generally, mountable or rolled concrete curbs shall be used throughout the parking lot and paved areas. The Township may vary the specifications shown below based on the specific needs of that site. The use of concrete curbs around the paved areas creates a well-defined space, it will add strength to the edges of the pavement, assists in directing stormwater, and allows for efficient snow removal with a plow-only and does not require the use of a loader. The Township may consider a curb waiver if raingardens are utilized for stormwater disposition.

(Figure 8-10: Curbs)

(G) **Loading and Service Bay Doors.** Loading and service bay doors shall not face a public street. Such doors shall be in the rear of the site. Where this is not practical, location on the side may be permitted as long as additional walls and landscaping are provided, and/or such areas are recessed, to minimize the negative visual impact.

(H) **Fences.** Any fence must be shown on the site plan, including details on materials and color. Fences shall be durable and decorative in nature. Chain link fences shall only be approved for a location not generally visible to the public or dwelling unit occupants. Any visible segments of chain link fence will be vinyl coated with additional landscaping provided to screen the view.

(I) **Pathways.** The Planning Commission shall require pathways or sidewalks during the site plan review process, where they deem them to be necessary and efficient. Sidewalks or pathways shall be deemed to be required along all public and private roadways unless the applicant provides compelling evidence, in the opinion of the Planning Commission, that they are not necessary for pedestrian access or safety. Sidewalks shall terminate in an appropriate fashion consistent with the needs and safety of pedestrians. No sidewalk shall terminate into landscaping.

(J) **Stormwater.** Storm sewers, drains, and retention and detention areas or natural water areas shall be located so as to properly accommodate storm water on the site and prevent runoff to adjacent properties. The design of storm water management systems and drainage facilities shall be consistent with best practices in low impact development and stormwater management, including, but not limited to, natural drainage solutions such as bio-swales and rain gardens, green roofs, rain barrels, permeable pavement, and other methods of infiltration. See **Section 4.02.A.3**.