

**GENOA CHARTER TOWNSHIP  
PLANNING COMMISSION  
PUBLIC HEARING  
APRIL 14, 2014  
6:30 P.M.  
AGENDA**

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

APPROVAL OF AGENDA:

CALL TO THE PUBLIC:

**OPEN PUBLIC HEARING #1...** Public Hearing for the purpose of considering Zoning Ordinance Text Amendments to Articles 7 and 25 regarding Temporary Outdoor Sales and Events.

**Planning Commission disposition of petition**

- A. Recommendation of Zoning Ordinance Text Amendments.

**OPEN PUBLIC HEARING #2...** Review of sketch plan application and sketch plan for building renovation, parking lot improvements, and signage for Northridge Church, located at 7555 Brighton Rd, Brighton, Parcel # 4711-25-300-037. The request is petitioned by Jim King on behalf of Northridge Church.

**Planning Commission disposition of petition**

- A. Disposition of Sketch Plan.

**Administrative Business:**

- *Staff report*
- *Approval of March 10, 2014 Planning Commission meeting minutes*
- *Member discussion*
- *Adjournment*



2911 Dorr Road  
Brighton, MI 48116  
810.227.5225  
810.227.3420 fax  
genoa.org

## MEMORANDUM

**TO:** Planning Commission

**FROM:** Kelly VanMarter, Assistant Township Manager/Community Development Director

**DATE:** April 10, 2014

**RE:** Zoning Ordinance Text Amendments – Temporary Outdoor Sales and Events

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Dear Commissioners,

In response to requests from members of our business community, the Township Board has requested amendments to the Township Zoning Ordinance in regard to Temporary Outdoor Sales and Events. The current ordinance allows for Temporary Sales twice during a calendar year for a maximum of 14 days total. Also, it does not provide for non-sales related events. Art Van and the Howell Chamber of Commerce have requested additional time in regard to the Tent Sale regulations and Home Depot has requested provisions for a classic car show event to be hosted weekly on their property.

Together with the Township Attorney and LSL Planning staff we have prepared the proposed ordinance amendments for your review. Please see pages 7-5, 7-15, 7-16 and 25-26 of the Ordinance Articles contained herein for the revisions. The proposed amendments define what a Temporary Outdoor Sale/Event is and will allow them up to 28 days in a calendar year. There are also additions to the regulations and requirements associated with such uses.

I look forward to discussing this with you on Monday. Please let me know if you have any questions or concerns.

Sincerely,

Kelly VanMarter  
Assistant Township Manager/Community Development Director

**SUPERVISOR**

Gary T. McCririe

**CLERK**

Paulette A. Skolarus

**TREASURER**

Robin L. Hunt

**MANAGER**

Michael C. Archinal

**TRUSTEES**

H. James Mortensen

Jean W. Ledford

Todd W. Smith

Linda Rowell

**5. Discussion regarding draft ordinance amendment regarding temporary sales and events.**

It was the consensus of the board that the draft ordinance amendment is reasonable and to refer it to the Planning Commission for review and a recommendation along with the timeline referenced by Kelly VanMarter in her correspondence dated Feb. 27, 2014.

**6. Discussion and possible determination of Township participation in a proposed Grand Oaks Road Improvement Special Assessment District.**

Moved by Smith and supported by Skolarus to approve General Fund participation in the amount of \$100,000.00 to the Grand Oaks Road Improvement Project in an effort to be supportive of the Latson Road Interchange and the change in vehicular traffic as a result of that development. Further, that the project is acceptable to the owners of property within the district and that a petition from those properties identified will be received by the Township Board in excess of the 51% required by law under Act 188. The motion passed.

**7. Request for approval of the Lake Edgewood Sewer, Oak Pointe Sewer, and Oak Pointe Water Rate Analysis and to amend the budget for the fiscal year ending March 31, 2014 and to approve the recommendation for the budget for the fiscal year ending March 31, 2015.**

*(Note: This request was reviewed immediately after approval of the regular agenda in the meeting.)*

Dr. Greg Tatara addressed the board and answered questions related to his request.

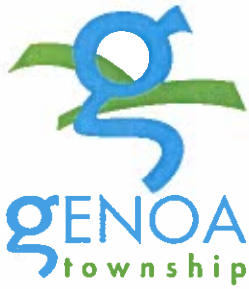
Moved by Hunt and supported by Mortensen to amend the FY 2014 and approve the FY 2015 Operating Budgets for the Lake Edgewood Sewer System, the Oak Pointe Sewer System and the Oak Pointe Water System. The motion passed.

Move by Mortensen and supported by Ledford to increase the Lake Edgewood Sewer System metered sewer rate from \$6.43 per 1,000 gallons to \$6.62 per quarter and the flat rate sewer from \$110.87 per quarter to \$120 per quarter, effective June 1<sup>st</sup>, 2014. The motion passed.

Move by Skolarus and supported by Mortensen to increase the Oak Pointe Water System metered water rate from \$3.08 per 1,000 gallons to \$3.12 per 1,000 gallons and the debt rate from \$10 per quarter to \$15 per quarter, effective May 1<sup>st</sup>, 2014. The motion passed.



**8. Review of the January 21, 2014 minutes of the Board with regard to an increase in refuse collection related to the Federal Consumer Price Index and the relationship to the contract rate and adjustments with Duncan that expires July 31, 2016.**

Moved by Smith and supported by Skolarus to rescind the previous motion of January 21, 2014 related to an increase in refuse fees based upon the C.P.I. and to increase the refuse fee by \$2.00 annually beginning on the winter 2014 tax billing for all units receiving this benefit. Further,



## MEMORANDUM

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**TO:** Honorable Board of Trustees  
**FROM:** Kelly VanMarter, Assistant Township Manager   
**DATE:** February 27, 2014  
**RE:** Temporary Sale/Event Ordinance  
**MANAGER'S REVIEW:** 

As was discussed at the February 3<sup>rd</sup>, 2014 Board meeting please find attached draft language amending the Ordinance to allow for both temporary sales and events in the community. This language proposes to allow for these types of sales and events for a maximum of 28 days in a calendar year. The proposed language continues to exclude outside vendors and sales of items that are not also sold within a permitted use on the site. These proposed changes are intended to address issues related to auto shows and also to provide Art Van with additional tent sale dates as they requested (see attached letter).

After the February 3<sup>rd</sup> meeting, I made several attempts to contact Mr. Horton in regard to the Home Depot Classic Car show with no success because his voicemail was full. Last week, Mr. Horton visited the Township Hall and I informed him that I could issue a permit for 2 events under the current ordinance and that I was working on amendments which would allow additional events once adopted. Unfortunately, Mr. Horton continued to be concerned and expressed that he may attend the March 3<sup>rd</sup>, 2014 meeting to relay his dissatisfaction.

If after review and discussion, the Board is comfortable with the proposed language I will begin the official process to amend the ordinance. A possible amendment adoption timeline is provided below for your reference:

March 28 – Publish Notice of Amendment & Public Hearing

April 14 – Planning Commission Public Hearing and Recommendation

May 5 – Introduction of Amendments to Board

May 21 - County Planning Commission Recommendation

June 2 – Township Board Approval/Denial and possible Adoption

### **SUPERVISOR**

Gary T. McCririe

### **CLERK**

Paulette A. Skolarus

### **TREASURER**

Robin L. Hunt

### **TRUSTEES**

H. James Mortensen

Jean W. Ledford

Todd W. Smith

Linda Rowell

### **MANAGER**

Michael C. Archinal



Howell Area  
**Chamber**  
of Commerce

123 E. Washington St., Howell, MI 48843 | p: 517.546.3920  
f: 517.546.4115 | howell.org | chamber@howell.org

May 21, 2013

Mr. Mike Archinal  
Manager  
Genoa Township  
2911 Dorr Road  
Howell, MI 48843

Dear Mike:

Art Van Furniture has been a valuable member of the community since it first opened in Genoa Township..

An involved member of the Howell Area Chamber of Commerce, Art Van has sponsored the Michigan Challenge Balloonfest and been generous with area charities including Gleaners Food Bank, Toys for Tots and LACASA.

Recently, Art Van requested that the Genoa Township Zoning Board of Appeals approve its request to extend the days permitted by the township's tent ordinance to allow the store to accommodate its Tent Sales for the same length of time they are conducted in communities such as Lansing and Ann Arbor. The request was denied.


Mr. William Kennedy, store manager of the Howell Art Van Furniture, has formally requested the township extend the days allowed, which would require an amendment to the ordinance. I respectfully request that you seriously consider his request in order that the Howell store can offer the same services and sales of other Art Van Furniture stores in the state.

The Howell Art Van Furniture has been careful to maintain a spotless exterior and parking lot, with attractive landscaping. It carefully follows city ordinances. Art Van is an exemplary corporate citizen in the Howell area.

The Howell Chamber of Commerce is proud to have Art Van Furniture one of its fine business members. I urge you to seriously consider Mr. Kennedy's request.

Thank you.

Sincerely,

  
Pat Convery  
President

✓ Cc: Mr. William Kennedy, Art Van Furniture

**CONNECT. ADVOCATE. LEAD**



**Art Van Furniture**

4101 E. Grand River Ave.  
Howell, Michigan 48843  
517-552-0720  
www.artvan.com

April 19, 2013

**RE: Genoa Charter Township Application for Variance  
Case #13-11**

Michael Archinal  
Genoa Township Manager

Dear Mr. Archinal,

We petitioned to have a permit for a tent to be erected on our property from May 10 thru May 20, 2013 and August 2, 2013 thru August 19, 2013. We requested an additional 17 days over the terms of the zoning ordinance and were not approved for the extended time. We would like to respectfully submit that this ordinance be reviewed to make it more business friendly.

Art Van Furniture has been an outstanding partner with Genoa Township, as well as the entire State of Michigan. We are an active member of the Chamber of Commerce attending every meeting. We also have been a partner in the Howell Balloon Fest, and make many charitable contributions within our own community such as LACASA center for battered women, as well as the local Gleaners Food Bank, Livingston county Toys for Tots program, not to mention many other non-profit organizations throughout the community and state.

The Art Van Furniture Tent Sale is a state wide event. It gives our community an opportunity to experience the best savings we have to offer throughout the entire year and is a very exciting time for the community. We provide free refreshments, face painting, balloons, and many other fun things that the Howell and Brighton communities have come to enjoy. In fact, many of our guests call and stop by at this time of year asking when we will be having our annual tent sale! We feel that we would be doing the residents of the Howell, Brighton, and surrounding areas a great disservice by having them drive to another one of our locations that will have a tent available for a longer period of time.

Art Van Furniture has been diligent at keeping our store beautiful to enhance the charm of the Howell area. We keep up on our landscaping, have just had our parking lot resurfaced and keep our store in pristine condition. Also, we are very diligent on following the city codes and guidelines. We have been asked by the Township not to put ground hugger signs in front of our building. We have honored that request, as many of our competitors and other retail establishments in the area have not.

Based on our reputation in the community as well as the income generated for this community, we respectfully submit that the ordinance is not appropriate for our situation, and that the ordinance be reviewed.

Thank you in advance for you consideration,

William Kennedy  
Store Manager  
Art Van Furniture Howell

**ARTICLE 7  
COMMERCIAL AND SERVICE DISTRICTS  
(OSD, NSD, GCD, RCD)**

**Sec. 7.01 STATEMENT OF PURPOSE**

- 7.01.01 **Office Service District:** The Professional Office Service District (OSD) is established to accommodate office and services needed uses to serve nearby residential neighborhoods and the community overall. This district is also intended to serve as a transitional use to protect residential districts and to avoid undesirable commercial strip development. It is intended further that all activities in the Professional Office Service District shall be conducted entirely within wholly enclosed permanent buildings, except parking of employee and customer vehicles and the loading or unloading of commercial vehicles.
- 7.01.02 **Neighborhood Services District:** The Neighborhood Services District (NSD) is established to accommodate retail business and services to serve the needs of nearby residential neighborhoods. It is intended further that all activities in the Neighborhood Services District shall be conducted entirely within wholly enclosed permanent buildings, except parking of employees' and customers' vehicles and the loading or unloading of commercial vehicles and that all goods produced on the premises shall be sold in the premises where produced.
- 7.01.03 **General Commercial District:** The General Commercial District (GCD) is established to accommodate those retail businesses and services which are intended to serve the requirements of the overall community. The larger size and variety of permitted commercial uses typically generates greater volumes of traffic than neighborhood service establishments. General Commercial Uses require a moderate to large area devoted to off street parking and loading, and generally tend to create problems of congestion, noise and impairment of aesthetic values. These districts are thus intended to be clustered rather than creating an undesirable strip commercial pattern of development. Provisions are included in order to buffer this district from nearby residential areas.
- 7.01.04 **Regional Commercial District:** The Regional Commercial District (RCD) is established to accommodate those retail businesses and services which are intended to serve a retail market area that includes Genoa Township, the surrounding communities and bypass traffic. The large size and variety of permitted commercial uses typically generates significant volumes of vehicular and pedestrian traffic. Regional Commercial Uses require a large area devoted to off street parking and loading, and generally tend to create problems of congestion, noise and impairment of aesthetic values. These uses need to be located in areas that have the transportation, utility and public service infrastructure to serve these intensive uses. By the nature of these uses serving the region beyond Genoa Township, convenient access to regional transportation is necessary. This district is specifically designated for the regional commercial center designated in the Master Plan along Grand River Avenue west of Latson Road, which will be served by the new full service interchange with I-96 at Latson Road.
- 7.01.05 It is intended further that all activities in the OSD, NSD, GCD and RCD shall be conducted entirely within wholly enclosed permanent buildings, except parking of employees and customers vehicles and the loading or unloading of commercial vehicles, unless outdoor activities are approved as a Special Land Use under the provisions of Article 19.

**Sec. 7.02 PERMITTED AND SPECIAL LAND USES**

7.02.01 **List of Uses:** In the commercial districts, land, buildings and structures shall be used only for one or more of the following uses. Land and/or buildings in the districts indicated at the top of Table 7.02 may be used for the purposes denoted by a “P” in the column below by right. Land and/or buildings in the districts indicated at the top of Table 7.02 may be used for the purposes denoted by “S” after special land use approval in accordance with the general and specific standards of Article 19 Special Land Uses. A notation of “- -” indicates that the use is not permitted within the district. The “Req.” column indicates additional requirements or conditions applicable to the use.

<b>Table 7.02 Schedule of Commercial Uses</b>						
		<b>OSD</b>	<b>NSD</b>	<b>GCD</b>	<b>RCD</b>	<b>Req.</b>
<b>Retail Uses</b>						
Retail establishments and shopping centers which provide goods such as bakery goods, including bakery items produced on the premises, groceries, produce, meats, provided no slaughtering shall take place on the premises, seafood; dairy products, beverages appliances, electronics, furniture, and home furnishings, apparel, jewelry, art, pharmaceuticals, home improvement supplies, hardware, and garden supplies, sporting goods, bicycles, toys, hobby crafts, videos (rental, and sales), music, musical instruments, books, computer hardware and software, antiques, flower shops, greeting card shops, auto parts and similar establishments not specifically addressed elsewhere	Uses up to 15,000 square feet gross floor area	--	P	P	P	
	Uses 15,001 - 30,000 square feet of gross floor area	--	S	P	P	7.02.02(a)
	Uses 30,000 - 60,000 square feet of gross floor area	--	--	S	P	7.02.02(a)
	Uses over 60,000 square feet of gross floor area	--	--	--	S	7.02.02(a)
	Pharmacies with drive-up window	--	S	S	S	7.02.02(b)
Automobile, motorcycle, boat and recreational vehicle sales, new and used		--	--	S	S	7.02.02(c)
Outdoor commercial display, sales or storage		--	S	S	S	7.02.02(d)
<b>Service Uses</b>						
Banquet halls, assembly halls, dance halls, private clubs, fraternal order halls, lodge halls or other similar places of assembly		--	--	P	P	
Business services such as mailing, copying, data processing and retail office supplies		P	P	P	P	
Child care centers, preschool and commercial day care		P	P	P	--	7.02.02(e)
Conference Centers		S	--	S	P	7.02.02(f)
Funeral home or mortuary		S	--	P	--	7.02.02(g)
Bed and breakfast inns, hotels and motels with no more than 25 rooms not including accessory convention/meeting facilities or restaurants These uses may include the residence for the owner/manger's family		--	P	P	P	
Hotels and motels with more than 25 rooms including accessory convention/meeting facilities and restaurants		--	--	P	P	



<b>Table 7.02 Schedule of Commercial Uses</b>						
		OSD	NSD	GCD	RCD	Req.
Kennels, commercial		--	--	S	--	7.02.02(h)
Laundromats		--	S	P	--	
Personal and business service establishments, performing services on the premises, including: dry cleaning drop-off stations (without on site processing), photographic studios, copy centers, mailing centers, data processing centers, dressmakers and tailors, shoe repair shops, tanning salons, beauty parlors, barber shops, and similar establishments		P	P	P	P	
Dry cleaning drop-off stations with drive-through service		S	S	S	S	7.02.02(b)
Restaurants, taverns, bars, delicatessen, food carryout, coffee shops, and similar establishments serving food or beverages	Standard restaurants and coffee shops, except as provided below	S	P	P	P	
	Restaurants and bars serving alcoholic beverages	S	S	P	P	
	Bars providing dancing and live music	--	--	P	P	
	Restaurants with open front windows	--	S	S	S	7.02.02(i)
	Restaurants with outdoor seating	--	P	P	P	7.02.02(i)
	Drive-through restaurants	--	--	--	S	7.02.02(j)
	Drive- in restaurants	--	--	S	S	7.02.02(j)
	Carry-out restaurants	--	P	P	P	
	Coffee Shop with drive-through	--	--	S	S	7.02.02(j)
Studios of photographers and artists		P	P	P	P	
Tattoo parlors		--	--	P	P	
Tool and equipment rental, excluding vehicles		--	--	P	P	
<b>Auto Service Uses</b>						
Minor auto repair establishment		--	--	S	S	7.02.02(k)
Auto/gasoline service station		--	--	--	S	7.02.02(k)
Automobile wash, automatic or self serve		--	--	S	S	7.02.02(l)
Leasing and rental of automobiles, trucks and trailers		--	--	S	--	
<b>Office Service and Medical Uses</b>						
Adult day care facilities		S	--	S	--	
Banks, credit unions, savings and loan establishments and similar financial institutions	With up to 3 drive-through teller windows	P	S	P	P	7.02.02(m)
	With more than 3 drive-through teller windows	S	--	S	S	7.02.02(m)
	Stand alone automatic drive-up teller machines	--	S	S	S	
Hospitals		S	--	--	--	7.02.02(n)
Offices of non-profit professional, civic, social, political and religious organizations		P	P	P	--	
Medical urgent care facilities, medical centers and clinics		S	--	P	--	

GENOA TOWNSHIP ZONING ORDINANCE

<b>Table 7.02 Schedule of Commercial Uses</b>						
		<b>OSD</b>	<b>NSD</b>	<b>GCD</b>	<b>RCD</b>	<b>Req.</b>
Medical offices of doctors, dentists, optometrists, chiropractors, psychiatrists, psychologists and similar or allied professions, excluding clinics, and urgent care centers	Buildings up to 15,000 square feet of gross floor area	P	P	P	P	
	Buildings over 15,000 square feet of gross floor area	S	S	P	P	
Offices of lawyers, engineers, architects, insurance, and real estate agents, financial consultants, and brokers, advertising offices, accounting, and bookkeeping services, clerical, and stenographic services, sales offices, other types of executive, or administrative offices and similar or allied professions	Buildings up to 15,000 square feet of gross floor area	P	P	P	P	
	Buildings between 15,000 and 55,000 square feet of gross floor area	P	S	P	P	
	Buildings over 55,000 square feet of gross floor area	S	--	P	P	
Veterinary clinics, veterinary hospitals and related offices		S	--	S	--	7.02.02(o)
<b>Recreation</b>						
Carnivals, fairs, commercial cider mills and amusement parks		--	--	S	--	7.02.02(p)
Leasing and rental of recreational equipment, including but not limited to boats, canoes, motor homes and jet skis, when accessory to a permitted use		--	S	--	--	
Marinas without boat storage or repair		--	S	--	--	
Motion picture theaters		--	--	P	P	
Public parks and open space		P	P	P	P	
Recreation (outdoor) commercial or private, recreation centers, including children's amusement parks, batting cages, and go-cart tracks		--	--	S	S	7.02.02(q)
Miniature golf courses and driving ranges		--	--	S	S	7.02.02(r)
Recreation (indoor) such as bowling alleys, skating rinks, arcades, indoor golf or softball, indoor shooting/archery ranges		--	--	S	S	7.02.02(s)
Health clubs, fitness centers, gyms and aerobic clubs		S	S	P	P	
<b>Education</b>						
Commercial schools and studios for teaching photography, art, music, theater, dance, martial arts, ballet, etc		S	S	P	P	
Elementary schools, junior and senior high schools and colleges		P	--	--	--	
Dormitories or student apartments accessory to a college		S	--	--	--	
Vocational and technical training facilities		P	--	P	P	
<b>Public/Institutional</b>						
Animal Shelters		--	--	S		7.02.02(t)
Bus passenger stations		--	--	S	S	
Churches, temples and similar places of worship and related facilities		S	P	P		

<b>Table 7.02 Schedule of Commercial Uses</b>					
	OSD	NSD	GCD	RCD	Req.
Shelters and rehabilitation centers for philanthropic or non-profit institutions			S	S	7.02.02(u)
Essential public services and structures, not including buildings and storage yards	P	P	P	P	
Essential public buildings	--	--	P	--	
Public/government buildings such as; township/state/county offices, public museums, libraries and community centers	P	P	P	--	
<b>Accessory Uses</b>					
<del>T</del> Accessory temporary outdoor sales and <u>Temporary Outdoor</u> events	--	P	P	P	7.02.02(v)
Accessory drive-through service not listed above	--	--	S	S	7.02.02(b)
Accessory uses, buildings and structures customarily incidental to any of the above	P	P	P	P	
Accessory fuel storage and use or storage of hazardous materials	--	--	S	S	13.07

(as amended 12/31/06 and 3/5/10)

**7.02.02 Use Conditions:** Uses noted above shall only be allowed where the following requirements are complied with:

- (a) Shopping centers and home improvement centers over 15,000 square feet shall comply with the following requirements:
  - (1) The center shall have access to at least one County Primary Road or roadway with a right-of-way of at least eight six (86) feet.
  - (2) The design of the center shall ensure that vehicular circulation patterns will minimize conflicts between vehicles and pedestrians on-site,
  - (3) The impacts of traffic generated by the center on adjacent streets will be mitigated to ensure a level of service D, or maintenance of the current level of service if lower than D, along the site's frontage and nearest signalized intersections.
  - (4) Internal circulation shall be designed such that no intersection includes more than four aisles or drives.
  - (5) Site entrances shall be restricted to three-way movements, with unrestricted inbound movements.
  - (6) Internal drives defined by the ends of aisles shall have raised curbed islands at appropriate locations to define circulation paths and control movements through the parking lot.
  - (7) Loading facilities which serve the commercial establishment in the principal building shall be screened from public view.

- (8) Any building side facing a public street or residential district shall be constructed with brick, split face block or similar decorative material, unless a landscaped berm is approved by the Township.
  - (9) Any outlots shall have access, circulation and parking designed to complement the entire site.
- (b) Accessory drive-through service for uses other than restaurants and banks shall comply with the following requirements:
- (1) The drive-through facility must be attached to the structure.
  - (2) The drive-through service, including any lighting associated therewith shall be screened from adjacent residential land uses such that it will not impact the use and enjoyment of said residential land use.
  - (3) Clear identification and delineation between the drive-through facility and the parking lot shall be provided.
  - (4) Each drive-through facility shall provide an escape lane to allow other vehicles to pass those waiting to be served. The Planning Commission may waive the requirement for an escape lane where it can be demonstrated that such a waiver will not result in an adverse effect on public safety or the convenience of patrons of the facility.
  - (5) There shall be a minimum of three (3) stacking spaces.
  - (6) The drive-through facility shall be located on the side or rear elevation of the building to minimize visibility from the public or private roadway.
  - (7) The number of on-site directional signage shall be limited to two (2) signs meeting the area and location requirements of Article 16.
  - (8) The principal structure shall be setback a minimum of fifty (50) feet from all lot lines and the public right-of-way, unless a greater setback applies.
  - (9) When located in the NSD district, accessory drive-through service windows for pharmacies/drug stores shall be used only for prescription drug pick-up and drop-off. Only one drive-through service lane is permitted for each pharmacy or drug store structure in the NSD district. (as amended 12/31/06)
- (c) Automobile, motorcycle, boat and recreational vehicle sales, new and used shall comply with the following requirements:
- (1) Sale space for used mobile homes, recreational vehicles and boats may only be carried on in conjunction with a regularly authorized new mobile home, recreational vehicle or boat sales dealership on the same parcel of land.
  - (2) All outdoor storage areas shall be paved with a permanent, durable and dustless surface and shall be graded and drained to dispose storm water without negatively impact adjacent property. The Township Board, following a recommendation of the Planning Commission and the Township Engineer, may approve a gravel surface for

all or part of the display or storage area for low intensity activities, upon a finding that neighboring properties and the environment will not be negatively impacted.

- (3) No storage or display of vehicles shall be permitted in any landscape greenbelt area, provided the Township may permit a display pod for an automobile within the greenbelt area where it is integrated into the landscape design.
  - (4) The site shall include a building of at least five hundred (500) feet of gross floor area for office use in conjunction with the use.
  - (5) All loading and truck maneuvering shall be accommodated on-site.
  - (6) All outdoor storage area property lines adjacent to a residential district shall provide a buffer zone A as described in Section 12.02. A buffer zone B shall be provided on all other sides. The Planning Commission may approve a six (6) foot high screen wall or fence, or a four (4) foot high landscaped berm as an alternative.
- (d) Commercial Outdoor Display Sales or Storage including, but not limited to, sales or storage of: building/lumber supply, contractor's yards, garden/landscape supplies, nurseries, greenhouses, stone, farm implements, automobiles, trucks, recreational vehicles, mobile homes, boats, jet skis, mowing equipment, construction equipment and similar materials or equipment shall comply with the following requirements:
- (1) Minimum lot area shall be one (1) acre.
  - (2) Any stockpiles of soils, fertilizer or similar loosely packaged materials shall be sufficiently covered or contained to prevent dust or blowing of materials.
  - (3) All outdoor storage areas shall be paved with a permanent, durable and dustless surface and shall be graded and drained to dispose stormwater without negatively impact adjacent property. The Township Board, following a recommendation of the Planning Commission and the Township Engineer, may approve a gravel surface for all or part of the display or storage area for low intensity activities, upon a finding that neighboring properties and the environment will not be negatively impacted.
  - (4) No outdoor storage shall be permitted in any required yard (setback) of buildings for the district in which the commercial outdoor display, sales or storage use is located. Any approved outdoor sales or display within a parking lot shall meet the required parking lot setback; provided the Planning Commission may require additional landscaping screening or ornamental fencing.
  - (5) The site shall include a building of at least five hundred (500) feet of gross floor area for office use in conjunction with the use.
  - (6) All loading and truck maneuvering shall be accommodated on-site.
  - (7) All outdoor storage area property lines adjacent to a residential district shall provide a buffer zone A as described in Section 12.02. A buffer zone B shall be provided on all other sides. The Planning Commission may approve a six (6) foot high screen wall or fence, or a four (4) foot high landscaped berm as an alternative.

- (8) The height of all material and equipment stored in an outdoor storage area shall not exceed the height of any landscape screening, wall or fence. Boats and recreational vehicles may exceed the height of the fence provided that they are setback from the fence a distance equal to their height. Storage of materials up to the height of the adjacent building wall may be permitted in the rear yard if it is illustrated on the site plan, the rear yard does not abut a residential district, will not be visible from an expressway and such storage is confined to within twenty (20) feet of the building.
- (e) Child day care shall provide a minimum of fifty (50) square feet of indoor play area for each child cared for. There shall be one hundred (100) square feet of outdoor play area for each child that would be using the play area at any one given time, provided the minimum outdoor play area shall be no less than one thousand (1,000) square feet. The required play area shall be fenced.
- (f) Conference Centers shall comply with the following requirements:
  - (1) The site shall have direct access, via lot frontage or an improved road, to at least one paved arterial roadway (County Primary Road).
  - (2) The location, geometric design and throat depth of site access points, and overall internal site circulation, shall prevent unreasonable traffic congestion on public roadways. The level of service shall not be below "D" for any turning movements for any event. A traffic management program shall be submitted as part of the application.
  - (3) Building height shall not exceed thirty-five (35) feet but may be three (3) stories (i.e. a permitted exception from the maximum number of stories allowed for other buildings in the various zoning districts).
  - (4) Minimum floor area shall be ten thousand (10,000) square feet of usable conference rooms, meeting rooms, banquet rooms and pre-function space.
  - (5) Minimum building and outdoor use areas shall be setback at least one-hundred (100) feet from any property line of residentially zoned and/or seventy-five (75) feet from any other property line. Buffer zones shall be provided as required for "community commercial" uses in Section 12.02. The Planning Commission may reduce the required setbacks by up to fifty percent (50%) where more extensive landscaping or existing features provide an extensive screen.
  - (6) Parking setbacks shall be forty (40) feet in the front yard, twenty-five (25) feet for side and rear yards adjacent to residential uses, and ten (10) feet elsewhere.
  - (7) The proposed building(s) may provide atriums, lobbies, or other public gathering places.
  - (8) The accessory uses, specialty shops, and activity centers shall be customarily incidental to the primary components of the conference center.
  - (9) All uses, except for off-street parking or loading spaces and approved outdoor gathering places (such as courtyards, plazas, etc.) shall be conducted within a completely enclosed building. Sales, display, and outdoor storage of any commodities or storage containers, vehicles or other uses shall be expressly prohibited.

- (10) In addition to other requirements, the Impact Assessment shall describe intended and anticipated number, type and frequency of events that may be expected at the proposed site including hours of operation. Include information about outdoor receptions and the location where they may be held.
  
- (g) Funeral homes shall comply with the following requirements:
  - (1) Minimum lot area shall be one (1) acre and minimum lot width shall be one hundred and fifty (150) feet.
  - (2) An off-street vehicle assembly area shall be provided to be used in support of funeral processions and activities. This area shall be in addition to the required off-street parking and its related maneuvering area.
  
- (h) Commercial kennels shall comply with the following requirements:
  - (1) For kennels housing dogs, the minimum lot size shall be two (2) acres for the first four (4) dogs and an additional one-third (1/3) acre for each one (1) additional dog.
  - (2) Building wherein dogs are kept, dog runs, and/or exercise areas shall not be located nearer than one hundred and fifty (150) feet to any lot line and two hundred (200) feet from the road right-of-way.
  - (3) Such facilities shall be subject to other conditions and requirements necessary to ensure against the occurrence of any possible nuisance (i.e., fencing, sound-proofing, sanitary requirements).
  - (4) All enclosures for breeding, rearing, shelter, or other uses in connection with harboring of animals, shall be hard surfaces and provided with proper drains for washing with water pressure.
  - (6) All animals shall be kept indoors between the hours of 10:00 PM and 6:00 AM.
  
- (i) Open front restaurant (window service) and restaurants with outdoor seating shall comply with the following requirements:
  - (1) All trash containers shall be provided outside. Both recycle bins and trash receptacles shall be provided.
  - (2) For open front restaurants with window service, all signs for an open front window placed on the building shall be flat; and interior signs visible to patrons through glass or an opening shall not exceed twenty-five percent (25%) of that area.
  - (3) Additional parking shall be provided for outdoor seating and standing areas.
  - (4) Outdoor noise shall not be greater than that commonly associated with a restaurant. The Township Board may place restriction on outdoor speakers or hours of operation to control the noise.

- (5) The Zoning Administrator shall approve a land use permit for any outdoor seating including a sketch plan illustrating seating areas, enclosures/railings, sufficient off-street parking and lighting. (as amended 12/31/06)
  
- (j) Restaurants or coffee shops with drive-in or drive-through facilities shall comply with the following requirements:
  - (1) Principal and accessory buildings shall be setback fifty (50) feet from any adjacent public right of way line or property line.
  - (2) The establishment of a new drive-through restaurant shall require the lot be separated a minimum of five hundred (500) feet from any other lot containing a drive-through restaurant.
  - (3) Only one (1) access shall be provided onto any street.
  - (4) Such restaurants constructed adjacent to other commercial developments shall have a direct vehicular access connection where possible. (as amended 3/5/10)
  
- (k) Automobile service stations and maintenance establishments (including those accessory to another use) shall comply with the following requirements:
  - (1) There shall be a minimum lot area of one (1) acre and minimum lot frontage of two hundred fifty (250) feet.
  - (2) Pump islands shall be a minimum of twenty (20) feet from any public right of way or lot line, and at least forty (40) feet from any residential lot line.
  - (3) Access driveways shall meet the standards of Article 15; turning movements may be restricted in consideration of traffic conditions. Only one driveway shall be permitted from each street unless the Planning Commission determines additional driveways will be consistent with the purpose of Article 15.
  - (4) Where adjoining residentially zoned or used property, a solid fence or wall six (6) feet in height shall be erected along any common lot line. Such fence or wall shall be continuously maintained in good condition. The Planning Commission may approve a landscaped berm as an alternative.
  - (5) All repair work shall be conducted completely within an enclosed building. Garage doors shall not face any public roadway except as approved by the Planning Commission under the following circumstances:
    - a. For through garages where doors are provided on the front and rear of the building;
    - b. Garages located on corner or through lots; and,
    - c. Were the Planning Commission determines that a rear garage would have a negative impact on an abutting residential district.



Under these circumstances the Planning Commission may require additional landscape screening above and beyond what is required for street frontage landscaping.

- (6) There shall be no outdoor storage or display of vehicle components and parts, supplies, or equipment or other merchandise, except within an area defined on the site plan approved by the Planning Commission and which extends no more than ten (10) feet beyond the building.
  - (7) Storage of wrecked, partially dismantled, or other derelict vehicles is prohibited, unless such storage is required under police or court order. Vehicles shall not be stored outdoors for more than seven (7) days in any thirty (30) day period.
  - (8) Storage of gasoline shall be at least four hundred (400) feet from churches, schools or similar public/quasi public places of assembly.
  - (9) Below ground fuel storage tanks shall be at least two thousand (2000) feet from any drinking water well serving two or more residential units.
  - (10) The design and materials of the canopy shall be compatible with the main building. The proposed clearance of any canopy shall be noted on the site plan. Any signs, logo or identifying paint scheme on the canopy shall be reviewed by the Planning Commission and considered part of the maximum wall sign permitted. Details on the canopy lighting shall be provided to ensure there is no glare on the public streets or adjacent property, and that lighting levels are in accordance with Section 12.03. Canopy lighting shall be recessed such that the light source cannot be seen from off site.
  - (11) The applicant shall submit a Pollution Incidence Protection Plan (PIPP) as part of the Impact Assessment. The PIPP shall describe measures to prevent groundwater contamination caused by accidental gasoline spills or leakage, such as: special check valves, drain back catch basins and automatic shut off valves.
  - (12) In the event that an automobile service station use has been abandoned or terminated for a period of more than one (1) year, all underground gasoline storage tanks shall be removed from the premises.
  - (13) The establishment of a new automobile service station shall require the lot to be separated a minimum of five hundred (500) feet from any other lot containing an existing automobile service station.
- (1) Automobile washes, automatic or self-service, shall comply with the following requirements:
    - (1) Only one (1) ingress/egress driveway shall be permitted on any single street.
    - (2) Where adjoining a residential district, a solid fence or wall six (6) feet in height shall be erected along any common lot line. Such fence or wall shall be continuously maintained in good condition. The Planning Commission may require landscaping, including a berm, as an alternative.
    - (3) All washing facilities shall be within a completely enclosed building.

- (4) Vacuuming and drying may be located outside the building, but shall not be in the required front yard and shall be set back at least fifty (50) feet from any residential district.
- (5) All cars required to wait for access to the facilities shall be provided stacking spaces fully off the street right-of-way which does not conflict with vehicle maneuvering areas to access gasoline pumps or vacuums, and as required Article 14, Parking and Loading-Unloading Standards.
- (m) Banks, credit unions, savings and loan institutions with drive-through facilities shall only be permitted one (1) ingress/egress driveway, or one (1) pair of one-way driveways along any street.
- (n) Hospitals shall comply with the following requirements:
  - (1) Building shall not exceed a height of four (4) stories.
  - (2) Minimum site size shall be twenty (20) acres.
  - (3) The proposed site shall have at least one property line abutting a primary road as classified by the Livingston County Road Commission, or along a roadway with a right-of-way of at least eight six (86) feet.
  - (4) Front, side and rear yard minimum setback shall be fifty (50) feet.
  - (5) Parking setback shall be forty (40) feet in the front yard, twenty (20) feet for side and rear yards.
  - (6) Emergency room, ambulance and delivery areas shall be screened from public view with an obscuring wall and/or landscaping a minimum of six (6) feet in height.
  - (7) Auxiliary uses, such as a pharmacy, gift shop, cafeteria, medical office buildings with required parking and similar customary hospital related uses shall be allowed.
- (o) Veterinary hospitals shall comply with the following requirements:
  - (1) The principal accessory building or structure shall be setback seventy five (75) feet from the front property line and fifty (50) feet from all other property lines.
  - (2) All principal use activities shall be conducted within a totally enclosed principal building.
- (p) Carnivals, fairs, commercial cider mills and amusement parks shall comply with the following requirements:
  - (1) Minimum lot size shall be ten (10) acres.
  - (2) A site plan shall be provided clearly defining activity areas using fences, buildings, walkways or other suitable barriers.
  - (3) All buildings, structures and parking shall be at least three hundred (300) feet from any dwelling unit excluding any dwelling unit on the site.

- (4) The Township Board may require placement of a six (6) foot high fence around all or part of the site.
  - (5) Access shall be provided onto a primary road, as designated by the Livingston County Road Commission. Access shall be controlled, with capability to accommodate at least three (3) lanes of ingress traffic. At least three hundred (300) feet on stacking (queuing) area shall be provided on site before parking fee collection.
  - (6) The amount of on-site parking shall be deemed sufficient.
  - (7) Maximum coverage by buildings and structures shall be twenty percent (20%).
  - (8) The Township Board may require posting of a performance bond or other form of financial guarantee. The bond shall be in an amount determined by the Board as necessary to cover any potential damage or clean-up on the site or adjacent properties.
  - (9) The Township Board may establish limits on hours of operation, time limits on validity of special use permit, or any other measures deemed necessary to minimize negative impacts on nearby uses and traffic operations along public streets.
  - (10) Prior to issuance of a Special Land Use Permit, the applicant shall provide evidence of public liability insurance and property damage insurance to cover potential liability for death or injury to persons, or damage to property, which may result from the conduct of the activity.
- (q) Commercial Outdoor Recreation Establishments (excluding golf related uses) shall comply with the following requirements:
- (1) Such uses shall include, but need not be limited to, the following: recreational fields, rinks or courts, including football, softball, soccer, tennis, basketball, ice skating, and similar activities, swimming pools open to the general public or operated by a private non-profit organization, archery and shooting ranges, animal racing, go-cart, automobile or motorcycle tracks, music concert pavilions and band shells, amusement parks and uses accessory to the above uses, such as refreshment stands, retail shops selling items related to the above uses, maintenance buildings, office for management functions, spectator seating and service areas, including locker rooms and rest rooms.
  - (2) The site shall be adequate to accommodate the intended use(s), parking and adequate buffer areas without significant impact on nearby properties in terms of noise, traffic, lighting glare, views, odors, trespassing, dust or blowing debris, as determined by the Planning Commission. The applicant shall provide documentation the site size is adequate using national facility standards.
  - (3) The site shall be located on a paved street which is classified as a Primary Route by the Livingston County Road Commission.
  - (4) No building or spectator seating facility shall be located within one hundred (100) feet of a property line.
  - (5) The site shall be periodically cleared of debris.

- (r) Golf Driving Ranges, Miniature Golf Courses shall comply with the following requirements:
  - (1) All traffic ingress and egress shall be from a Primary Road, as classified by the Livingston County Road Commission.
  - (2) Any lot line abutting a residential district shall provide a fifty (50) foot wide, landscaped buffer zone A, as defined in Section 12.02.
  - (3) A minimum twenty (20) foot wide greenbelt, as described in Section 12.02, shall be provided along any public street or highway.
  - (4) Site size shall be adequate to retain all golf balls within the site by means of a fence no more than six (6) feet high.
  - (5) The Planning Commission may restrict the hours of operation in consideration of the adjacent land uses and zoning.
  
- (s) Indoor commercial recreation: (bowling alleys, ice arenas, skating rinks, etc.) shall comply with the following requirements:
  - (1) The principal and accessory buildings and structures shall be not be located within one-hundred (100) feet of any residential district or permitted use.
  - (2) All uses shall be conducted completely within a fully enclosed building.
  
- (t) Animal shelters shall comply with the following requirements:
  - (1) Building wherein animals are kept, dog runs, cat cages, and/or exercise areas shall not be located nearer than one hundred (150) feet from any lot line and two hundred (200) feet from the road right of way and any residential zoning district.
  - (2) An operations/management plan must be submitted for review.
  - (3) All shelters shall be operated in conformance with all applicable county and state regulations and operated by a licensed operator.
  - (4) The applicant may be required to post a financial guarantee, the amount of which to be determined by the Township board, before a permit is granted or renewed.
  - (5) The application shall include a floor plan for the facility that indicates noise insulation measures.
  - (6) All enclosures for breeding, rearing, shelter, or other uses in connection with harboring of animals, shall be hard surfaces and provided with proper drains for washing with water pressure.
  - (7) Such facilities shall be subject to other conditions and requirements necessary to ensure against the occurrence of any possible nuisance (i.e., fencing, sound-proofing, sanitary requirements).

- (u) Shelters and rehabilitation centers for philanthropic or non-profit institutions shall comply with the following requirements:
  - (1) The center shall have access to at least one County Primary Road, State Trunkline or roadway with a right-of-way of at least eight six (86) feet.
  - (2) The site shall not be located within five hundred (500) feet of a residential zoning district. (as amended 12/31/06)
- ~~(v) Accessory temporary outdoor sales and events may be permitted only in connection with, incidental to and on the same lot with a permitted use and shall comply with the following conditions:~~
  - ~~(1) Merchandise sold shall be that of the regular retail use in the principal building of the site.~~
  - ~~(2) Proof of tenant occupancy in the principle building shall be provided to the satisfaction of the Zoning Administrator.~~
  - ~~(3) The event or sale shall be permitted a maximum of twice during a calendar year for a maximum of fourteen (14) days total.~~
  - ~~(4) The Zoning Administrator shall approve a land use permit including a sketch plan illustrating structures, sufficient off-street parking, utilities, lighting and signs prior to initiation of such activity. (as amended 12/31/06)~~
- (v) Temporary outdoor sales and Temporary outdoor events may be permitted on the same lot with a developed permitted use and shall comply with the following conditions:
  - (1) The total of all such uses on any given lot shall be allowed for a combined total of a maximum of twenty-eight (28) days during a calendar year.
  - (2) There shall be no outside vendors. Merchandise sold or service provided shall be that of the regular use in the principal building of the site. Proof of tenant occupancy in the principal building shall be provided to the satisfaction of the Zoning Administrator.
  - (3) All such uses shall be contained on-site and shall not have an adverse impact on adjacent properties or the surrounding neighborhood. Parking shall be provided on-site and shall not exceed parking and/or occupancy loads.
  - (4) Such uses shall not occupy or utilize the street right-of-way nor block traffic movement on the street, and shall not interfere with pedestrian's use of the sidewalks. Available sanitation facilities must be adequate to meet the requirements of the expected attendance and any temporary facilities shall be approved for use by the Livingston County Health Department. Traffic and dust control measures shall be utilized as deemed necessary by the Zoning Administrator throughout the duration of the sale or event.

- (5) In addition to being subject to Genoa Township Ordinances, such uses shall be subject to all other applicable law, rules, and regulations including but not limited to the Livingston County Sanitary Code, the regulations of the Livingston County Health Department, Building Department, Road Commission, Sheriff's Department and the Brighton Area Fire Authority, as applicable. The applicant shall allow for inspections by Township officials and by the Brighton Area Fire Authority.
- (6) The applicant shall submit and obtain the Zoning Administrator's approval of a Land Use Permit for each Temporary outdoor sale and/or Temporary outdoor event prior to each such use. The application for Land Use Permit shall include a site plan illustrating location of structures and sale/event areas (with setbacks), sufficient off-street parking, means of ingress/egress, location of utilities, fire lanes, proposed and existing lighting and signs prior to initiation of such activity.
- (7) The use of any sound system shall be controlled so as not to become a nuisance to adjacent properties and shall comply with the Township Noise Ordinance.
- (8) Failure to comply with any of the standards within this section shall constitute grounds for immediate termination of the Land Use Permit for the temporary sale and/or event.
- (9) The restrictions set forth herein shall be enforceable except to the extent pre-empted by state law.

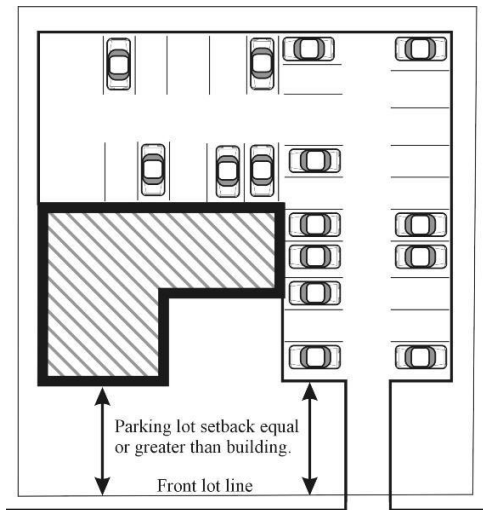
**Sec. 7.03 DIMENSIONAL STANDARDS**

7.03.01 **Commercial Schedule of Area and Bulk Requirements.** All lots, buildings, structures and parking areas shall comply with the area height and bulk requirements in Table 7.03.01:

<b>Table 7.03.01 DIMENSIONAL STANDARDS – COMMERCIAL DISTRICTS</b>								
<b>District</b>	<b>Min. Lot Area<sup>(a)</sup></b>	<b>Min. Lot Width<sup>(a)(b)(c)</sup></b>	<b>Minimum Yard Setbacks – <sup>(d)(e)(f)</sup></b>				<b>Max. Lot Coverage<sup>(o)</sup></b>	<b>Max. Height<sup>(k)</sup></b>
			<b>Front Yard<sup>(g)(h)(i)(j)</sup></b>	<b>Side Yard<sup>(l)</sup></b>	<b>Rear Yard<sup>(m)</sup></b>	<b>Parking Lot</b>		
Neighborhood Service District (NSD)	1 Acre	100 ft.	70 ft. 35 ft. if no parking in the front yard	10 ft. each side	40 ft.	10 ft.	Governed by setbacks	20 ft. one story
Office Service District (OSD)	1 Acre	100 ft.	70 ft. 35 ft. if no parking in the front yard	20 ft. each side	40 ft.	20 ft. 10 ft. side and rear	35% bldg. 60% impervious surface	35 ft. 2.5 stories
General Commercial District (GCD)	1 Acre	150 ft.	70 ft. 35 ft. if no parking in the front yard	15 ft. each side	50 ft.	20 ft. 10 ft. side and rear	35% bldg 75% impervious surface	35 ft. 2 stories
Regional Commercial District (RCD)	2 Acres	200 ft. <sup>(n)</sup>	70 ft. 35 ft. if no parking in the front yard	20 ft. each side	50 ft.	20 ft. 10 ft. side and rear	35% bldg 75% impervious surface	45 ft. 3 stories
Planned Unit Development (PUD)	See Article 10, Planned Unit Development Districts. Setbacks from perimeter of property shall be consistent with the standards of the underlying zoning district. Internal setbacks shall be determined during the PUD review process.							

7.03.02 Footnotes to Table 7.03.01:

- (a) **Lot Area with Shared Access:** The lot area and width may be reduced to 20,000 square feet and 80 foot lot width for sites that have shared driveways and service drive connections with adjacent lots/uses and all access management requirements of Section 15.06 are complied with.
- (b) **Lot Width:** Minimum lot width is measured at the required front yard setback distance from right-of-way. Measurement for flag shaped lots shall be at the point where the narrow access strip joins the larger section of the lot, as determined by the Zoning Administrator.
- (c) **Depth to Width Ratio:** Lot depth shall be no greater than four (4) times the width.
- (d) **Landscape Buffers:** See landscape buffer zone and screening requirement in section 12.02 based on adjacent zoning.
- (e) **Natural Features Setback:** All structures shall be setback a minimum of twenty five (25) feet from an MDEQ regulated wetland and seventy (70) feet from the shoreline of a lake.
- (f) **Projections into Yards:** Projections into required yards are permitted for certain architectural features as described in section 11.01.04.
- (g) **Front Yard Setback Reduction:** The reduced front yard setback is allowed for sites that do not have parking in the front yard. The parking lot, including parking spaces and drive aisles must be located in the rear yard or the side yard where the parking lot is located no closer to the front lot line than the front wall of the building, with the exception of driveways providing access from the road and service drives or frontage roads providing cross-access to adjacent lots. (as amended 12/31/06)
- (h) **Use of Front Yard:** Except for necessary drives, walks and approved signs, or as authorized by Special Land Use, the required front yard shall not be used for loading, storage or accessory structures. (as amended 3/5/10)
- (i) **Landscape Greenbelt:** The front yard shall include a landscaped greenbelt as required by section 12.02.
- (j) **Detention Ponds:** Detention ponds shall be prohibited in the front yard, unless the Township Engineer determines there is no reasonable alternative due to existing topography and natural drainage problems.
- (k) **Exceptions to Height Limitations:** See exceptions to maximum height required for mechanical equipment; cornices; spires; cupolas; for institutional uses etc. in section 11.01.05.
- (l) **Side Yard Setback:** Where the building is connected to a building on an adjoining lot by an approved fire wall, the required side yard on the common side may be reduced to zero (0) feet.
- (m) **Rear Yard Setback:** The setback may be reduced to not less than twenty-five (25) feet by the Planning Commission if a wall or landscaped berm is provided to screen loading





areas, and the rear of the building has the same architectural character and materials as the front and side.

- (n) **Access Spacing:** Access points shall be at least 600 feet from a signalized intersection or expressway interchange ramps provided the spacing may be modified by the Township, with input from road agency staff, to minimize conflicts with traffic operations at intersections or existing access points.
- (o) **Impervious surface:** Impervious surface shall be determined as the total ground square footage of the building footprint plus the total of all paved surfaces.

**Sec. 7.04 ADDITIONAL SITE DEVELOPMENT STANDARDS**

7.04.01 All Permitted and Special Land Uses shall comply with all applicable provisions of this Zoning Ordinance including those listed below.

- (a) Article 11, General Provisions, shall be adhered to for general dimensional standards, calculation of (buildable) lot area, access to dedicated streets, projections into yards, supplementary height regulations, principal building, structure or use, determination of "similar uses", changes in tenancy/ownership, voting place, temporary buildings and structures, open storage, parking and repair of vehicles, essential public services, wireless communication facilities, fences, walls and screens, reception antennas and towers and wind energy conversion systems. (as amended 3/5/10)
- (b) Article 12, Site Development Regulations, shall be adhered to for commercial, office and industrial architecture, greenbelts, landscape materials and screening, exterior lighting, waste receptacles and non-motorized pathways and sidewalks.
- (c) Article 13, Environmental Protection Regulations, shall be adhered to for, clearing of woodlands and earth changes prior to development, wetland protection standards, floor drains, stormwater management and performance standards. (as amended 12/31/06)
- (d) Article 14, Parking and Loading-Unloading Standards, shall be adhered to for all non-single family residential parking.
- (e) Article 15, Access Management and Private Road Standards, shall be adhered to for all commercial driveways, shared driveways and private roads.
- (f) Article 16, Sign Standards, shall be adhered to for all signage.
- (g) Article 18, Site Plan Review and Impact Statement, shall be adhered to for the submission, review and approval of site plans for non-single family residential uses.
- (h) Article 19, Special Land Uses, shall be adhered to for the submission, review and approval of all special land uses.
- (i) Article 20, Land Divisions, shall be adhered to for all applications to divide land. Where a subdivision plat is required, the requirements of the Township Subdivision Control Ordinance shall be followed.

**ARTICLE 25  
DEFINITIONS**

**Sec. 25.01 CONSTRUCTION OF LANGUAGE**

The following rules of construction apply to the text of this Ordinance:

- a. The particular shall control the general.
- b. In the case of any difference of meaning or implication between the text of this ordinance and any caption or illustration, the text shall control.
- c. The word "shall" is always mandatory and not discretionary. The word "may" is permissive, with the decision made by the Township Zoning Administrator, Planning Commission, Township Board or Zoning Board of Appeals; as indicated.
- d. Words used in the present tense shall include the future and words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
- e. The word "building" includes the word "structure." The word "build" includes the words "erect" and "construct." A "building" or "structure" includes any part thereof.
- f. The phrase "used for" includes "arranged for," "designed for," "intended for," "maintained for," or "occupied for."
- g. The term "including" means "including, but not limited to" and the term "such as" means "such as, but not limited to" unless otherwise noted.
- h. The word "person" includes an individual, a corporation, a partnership, an incorporated association, or any other similar entity recognizable as a "person" under the laws of Michigan.
- i. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions or events connected by the conjunction "and," "or," "either...or," the conjunction shall be interpreted as follows:
  - 1) "And" indicates that all the connected items, conditions, provisions or events shall apply.
  - 2) "Or" indicates that the connected items, conditions, provisions, or events may apply singly or in any combination (i.e. "or" also means "and/or").
  - 3) "Either...or" indicates that the connected items, conditions, provisions or events shall apply singly but not in combination.
- j. The terms "abutting" or "adjacent to" include property along the lot lines of the subject site including those in another community, but do not include lands separated by a public street right-of-way.
- k. The word "days" shall mean calendar days and include all weekend days and holidays.
- l. Terms not herein defined shall have the meaning customarily assigned to them.

Sec. 25.02 **DEFINITIONS**

**Access Management:** A technique to improve traffic operations and safety along a major roadway through the control of driveway locations and design; consideration of the relationship of traffic activity for properties adjacent to, and across from, one another; and the promotion of alternatives to direct access.

**Accessory Building Or Structure:** A detached structure on the same lot with, and of a nature customarily incidental and subordinate to, a principal structure, and occupied or devoted exclusively to an accessory use.

**Accessory Use:** A use which is clearly incidental to, customarily found in connection with and located on the same zoning lot, unless otherwise specified, as the principal use to which it is related.

When "accessory" is used in this Zoning Ordinance, it shall have the same meaning as accessory use.

An accessory use includes, but is not limited to, the following:

- a. Domestic or agricultural storage in a barn, shed, stable, tool room, garage or similar accessory building or other structure.
- b. Decks, whether attached or detached from a principal structure, porches, gazebos and playground equipment.
- c. Residential accommodations for servants or caretakers, when exclusively permitted.
- d. Swimming pools for the use by occupants of a residence, or their guests; and change rooms.
- e. A newsstand primarily for the convenience of the occupants of a building, which is located wholly within such building and has no exterior signs or displays.
- f. Storage of merchandise normally carried in stock in connection with a business or industrial use, and storage of goods used in or produced by commercial or industrial uses, unless such storage is excluded in the applicable district regulations. Outdoor display, sales and storage in a commercial or industrial district requires a Special Use Permit, as described in Article 12.
- g. Accessory off-street parking spaces, open or enclosed, subject to the accessory off-street parking regulations for the district in which the zoning lot is located (Article 14).
- h. Accessory off-street loading, subject to the off-street loading regulations for the district in which the zoning lot is located.
- i. Signs, subject to the standards contained in Article 16.
- j. Fences when constructed and located in accordance with the requirements of this Ordinance.
- k. Uses customary and clearly incidental to a principal use such as, offices of a manufacturing or warehousing use contained in the same principal structure. Where two or more activities take place within a principal building, the accessory use shall generally be the use occupying the least square footage or generating the least amount of traffic or other external impacts. Interpretation of accessory v. principal use shall be made by the Zoning Administrator.

**Adult Day Care:** A facility which provides care for over twelve (12) adults for less than 24 hours.

**Adult Care Facilities:** A facility for the care of adults, over eighteen (18) years of age, as licensed and regulated by the State under Michigan Public Act 218 of 1979, and rules promulgated by the State Department of Social Services. Such organizations shall be defined as follows:

- a. **Adult Foster Care Facility:** means a governmental or nongovernmental establishment that provides foster care to adults. It includes facilities and foster care homes for adults who are aged, mentally ill, developmentally disabled, or physically handicapped who require supervision on an ongoing basis but who do not require continuous nursing care. An adult foster care facility does not include nursing homes, homes for the aged, hospitals, alcohol or substance abuse rehabilitation center, or a residential center for persons released from or assigned to a correctional facility.
- b. **Adult Foster Care Small Group Home:** means a private home with the approved capacity to receive 12 or fewer adults who are provided supervision, personal care, and protection in addition to room and board, for 24 hours a day, 5 or more days a week, and for 2 or more consecutive weeks for compensation.
- c. **Adult Foster Care Large Group Home:** means a private home with approved capacity to receive at least 13 but not more than 20 adults to be provided supervision, personal care, and protection in addition to room and board, for 24 hours a day, 5 or more days a week, and for 2 or more consecutive weeks for compensation.
- d. **Adult Foster Care Family Home:** means a private home with the approved capacity to receive 6 or fewer adults to be provided with foster care for 5 or more days a week and for 2 or more consecutive weeks. The adult foster care family home licensee must be a member of the household and an occupant of the residence.
- e. **Congregate Facility:** Residence for more than twenty (20) adults.

**Adult Regulated Use:** for the purpose of this ordinance, the following definitions shall be classified as adult regulated uses (adult entertainment use or establishment):

- a. **Adult Book Or Video Store:** An establishment that has a substantial portion of its stock in trade and offers for sale, for any form of consideration, any one or more of the following: a.) books, magazines, periodicals, or other printed matter, or photographs, films, movies, motion pictures, video cassettes, compact disks, slides, or other visual representations that are characterized by an emphasis on matter depicting, describing or related to specified sexual activities or specific anatomical areas, as hereinafter defined.
- b. **Adult Smoking Or Sexual Paraphernalia Store:** An establishment having, as a substantial portion of its stock in trade and offers for sale, for any form of consideration, paraphernalia designed or usable for sexual stimulation or arousal or for smoking, ingesting or inhaling marijuana, narcotics or other stimulating or hallucinogenic drug-related substances.
- c. **Adult Theater or Entertainment Center:** An establishment used for live performances or presenting material by means of motion pictures, films, video tapes or receivers, photographic slides or other similar means of projection or display, which performances or material is distinguished or characterized by an emphasis on matter depicting, describing or related to specified anatomical areas or specified sexual activities, as hereinafter defined for observation by patrons therein, including an establishment which features any of the following: topless dancers and/or bottomless dancers, strippers, waiters, waitresses or employees.

- d. **Host or Hostess Establishment:** An establishment or club offering socialization with a host or hostess for a consideration to the host or hostess or for an admission or membership fee.
- e. **Massage Parlor:** An establishment having a substantial portion of its space devoted to massages of the human body or parts thereof by means or pressure, imposed friction, stroking, kneading, rubbing, tapping, pounding, vibrating or otherwise stimulating the same with hands, other parts of the human body, mechanical devices, creams, ointments, oils, alcohol or any other means of preparations to provide relaxation or enjoyment to the recipient. The following uses shall not be included in the definition of a massage parlor:
  - 1. establishments which routinely provide such services by a licensed physician, a licensed chiropractor, a licensed osteopath, a licensed physical therapist, a licensed nurse practitioner, a therapeutic massage practitioner as defined in this Ordinance or any other similarly licensed medical professional;
  - 2. fitness center;
  - 3. electrolysis treatment by a licensed operator of electrolysis equipment; and
  - 4. hospitals, nursing homes, medical clinics or medical offices.
- f. **Sauna, Hot Tub or other Similar Health or Body Improvement or Enjoyment Enterprise:** An establishment having a substantial portion of its space devoted to saunas, hot tubs, whirlpools, sun lamps and similar body relaxing, soothing or improving facilities which are available for male and female customers with or without supervision or participation by employees or independent contractors of the business, excluding retail establishments which provide for the sale of new saunas, hot tubs or other similar health or body improvement or enjoyment items.
- g. **Specified Anatomical Areas:** Specified anatomical areas means and includes any one or more of the following: a) less than completely covered human genitals, pubic region, buttocks, anus, or female breasts below a point immediately above the top of the areola; or b) human male genitals in a discernible turgid state, even if completely and opaquely covered.
- h. **Specified Sexual Activities:** Specified sexual activities means and includes any one or more of the following: a) the fondling or erotic touching of human genitals, pubic region, buttocks, anus, or female breasts; b) human sex acts, normal or perverted, actual or simulated, including but not limited to intercourse, oral copulation, or sodomy; c) human masturbation, actual or simulated; d) human excretory functions as part of, or as related to, any of the activities described above; and e) physical violence, bondage, mutilation, or rape, actual or simulated, as part of or as related to, any of the activities described above.
- i. **Substantial Portion:** Substantial portion means a use or activity accounting for more than twenty (20%) percent of any one or more of the following: stock-in-trade, display space, floor space, or viewing time, movie display time, or entertainment time measured per month.

**Alteration:** Any change, addition or modification in construction or type of occupancy, or in the structural members of a building, such as walls or partitions, columns, beams or girders, the consummated act of which may be referred to herein as "altered" or "reconstructed".

**Animal, Domesticated (Pet):** An animal that is commonly considered capable of being trained or is capable of adapting to living in a human environment and being of use to human beings, and which is not likely to bite without provocation nor cause death, maiming or illness to human beings, including by way of example: bird (caged), fish, rodent (bred, such as a gerbil, rabbit, hamster or guinea pig), cat (domesticated), lizard (non-poisonous), and dog. Wild, vicious, or exotic animals shall not be considered domesticated. Animals bred, raised or boarded for commercial purposes are not considered pets.

**Animal, Non-Domesticated, Vicious Or Exotic:** Any animal that attacks, bites, or injures human beings or domesticated animals without adequate provocation, or which because of temperament, conditioning, or training, has a known propensity to attack, bite, or injure human beings or domesticated animals. Or, an animal from a species which is not commonly domesticated or kept as livestock, or which is not native to the State of Michigan, or a species which, irrespective of geographic origin, is of wild or predatory character, or which because of size, aggressive or vicious characteristics would constitute an unreasonable danger to human life or property if not kept, maintained or confined in a safe and secure manner, including any hybrid animal that is part exotic animal.

**Animal Shelter:** A facility operated by a licensed individual, humane society, a society for the prevention of cruelty to animals or any other similar institutions. A facility where animals are housed for an extended period of time and are available for adoption/placement.

**Apartments:** A suite of rooms or a room in a multiple-family building arranged and intended for a place of residence of a single-family or a group of individuals living together as a single housekeeping unit.

**Arcade:** The use of a building or a portion of a building for the location, operation, and placement of five (5) or more mechanical amusement devices. Mechanical amusement devices shall mean any device, apparatus, mechanical equipment or machine operated as amusement for required compensation. The term does not include vending machines used to dispense foodstuffs, toys, or other products for use and consumption.

**As-built plans:** Revised construction plans in accordance with all approved field changes.

**Auto repair establishment, major:** An automotive repair establishment which may conduct, in addition to activities defined below as "minor repairs," one or more of the following: general repair, engine rebuilding, rebuilding or reconditioning of motor vehicles, collision service, such as body, frame, or fender straightening and repair; overall painting and undercoating of automobiles, major overhauling of engine requiring removal of cylinder-head or crank casepan, recapping or retreading of tires, steam cleaning and similar activities.

**Auto repair establishment, minor:** An automotive repair establishment that conducts maintenance and minor repair, including one or more of the following: oil change, tire and brake service, exhaust system repair, glass repair and audio, and alarm installation.

**Automobile Body Repair Station:** includes buildings and premises where, along with the sale of engine fuels, the following services may be carried out: general repair, engine rebuilding, rebuilding or reconditioning of motor vehicles; collision service, such as body, frame or fender straightening and repair; overall painting and undercoating of automobiles.

**Automobile (Gasoline) Service Station:** includes buildings and premises for the primary purpose of the retail sales of gasoline (stored only in underground tanks), oil, grease, batteries, tires and other operational fluids and accessories for the automobile, and the installation of such commodities, and for other minor automobile repair not to include: auto refinishing, body work, dismantling of automobiles for the purpose of reuse or resale of parts, or storage of automobiles other than those in for immediate repair or service. Sales of convenience items shall be considered an accessory use when occupying no more than twenty-five percent (25%) of the gross floor area.

**Automobile Wash:** includes any building or structure or portion thereof containing facilities for washing motor vehicles using production line methods with a conveyor, blower, steam cleaning device or other mechanical washing devices; and shall also include coin and attendant operated drive-through, automatic

self-serve, track mounted units and similar high volume washing establishments, but shall not include hand washing operations in an "Automobile service station."

**Bar/lounge/tavern:** A bar or lounge is a type of restaurant which is operated primarily for the dispensing of alcoholic beverages, although the sale of prepared food or snacks may also be permitted. If a bar or lounge is part of a larger dining facility, it shall be defined as that part of the structure so designated or operated.

**Basement:** The portion of a building which is partially or wholly below grade but so located that the vertical distance from the mean grade to the floor is greater than the vertical distance from the mean grade to the ceiling (see Figure 25.1). A basement shall not be counted as a story.

**Bed and Breakfast Inn:** Shall mean any dwelling in which overnight accommodations are provided or offered for transient guest for compensation, including provision for a morning meal only for the overnight guest only. A bed and breakfast is distinguished from a motel in that a bed and breakfast establishment shall have only one set of kitchen facilities, employ only those living in the house or up to one (1) additional employee, and have facade style consistent with surrounding homes.

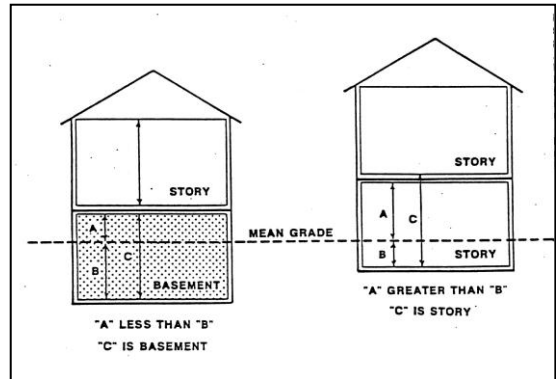


Figure 25.1 Basement

**Block:** The property abutting one side of a street and lying between the two nearest intersecting streets, crossing or terminating) or between the nearest such street and railroad right-of-way, unsubdivided acreage, lake, river or live stream; or between any of the foregoing and any other barrier to the continuity of development, or corporate boundary lines of the Municipality.

**Block Face:** Defined as and consists of those properties fronting along an existing right-of-way and located between the intersections of existing streets, or between intersections and dividers such as rivers, rail-roads, and other similar natural or man-made features.

**Board of Appeals:** (also referred to in this Zoning Ordinance as the Board of Zoning Appeals). The body established by the Township Board to exercise the authority granted by the Michigan Zoning Enabling Act (Public Act 110 of 2006). The jurisdiction of the Board of Appeals is described in Article 23. (as amended 12/31/06)

**Buffer Zone:** A strip of land with landscaping, berms or walls singularly or in combination required between certain zoning districts based on the landscaping standards of this zoning ordinance. The intent of the required buffer zones is to lessen visual and noise impacts.

**Building:** Any structure (excluding fences) either temporary or permanent, having a roof supported by columns or walls, and intended for the shelter, or enclosure of persons, animals, chattels, or property of any kind. A building shall include mobile homes, manufactured housing, sheds, garages, greenhouses, pole barns and used for the purposes of a building and similar structures. A building shall not include such structures as signs, fences or smokestacks, but shall include structures such as storage tanks, produce silos, coal bunkers, oil cracking towers, or similar structures.

**Building Envelope:** The ground area of a lot which is defined by the minimum setback and spacing requirements within which construction of a principal building and any attached accessory structures (such as a garage) is permitted by this Ordinance. For condominium developments, the building envelope shall be illustrated on a site plan.

**Building Height:** The vertical distance from the grade at the center of the front of the building to the highest point of the roof surface in a flat roof, to the deck line for mansard roofs, and to the beam height level between eaves and ridge for gable, hip and gambrel roofs (see Figure 25.2).

**Building Line:** A horizontal line parallel to a front, side or rear lot line which is located at the point of principal exterior wall or structural feature nearest the front, side or rear lot line, not including permitted yard projections. (See Figure 25.3)

**Building Permit:** An authorization issued by the Livingston County Building Department to move, erect or alter a structure within the Township.

**Business:** A company, enterprise or similar organization designed to provide goods or services to consumers. A business may provide goods or services to the public or cliental on-site, such as with retail sales, or be involved in the administration, production, distribution or storage of goods to be provided at another location, such as with manufacturing. A business may include any commercial, office, institutional or industrial use (see "Use"). (as amended 3/5/10)

**Caliper:** The diameter of a deciduous (canopy) tree trunk measured as follows:

- a. Existing trees are measured at four and one-half (4.5) feet above the average surrounding grade; and,
- b. Trees which are to be planted shall be measured twelve (12) inches above the average surrounding grade if the tree caliper is more than four (4) inches, or if the tree caliper is less than four (4) inches, it shall be measured at six (6) inches above the average surrounding grade.

**Caretaker (living quarters):** An independent residential dwelling unit or living area within a principal building designed for and occupied by no more than two (2) persons, where at least one (1) is employed to provide services or to look after goods, buildings, or property on the parcel on which the living quarters are located.

**Cemetery:** Land used or intended to be used for burial of the human dead and dedicated for such purposes. Cemeteries include accessory columbaria and mausoleums, but exclude crematories.

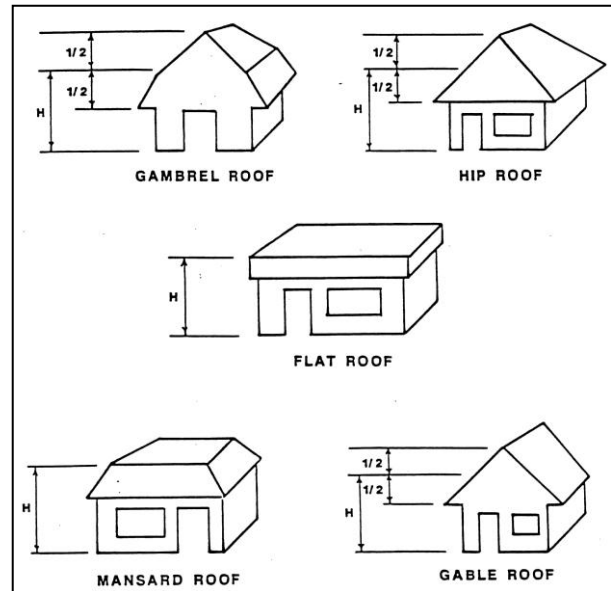


Figure 25.2 Building Height

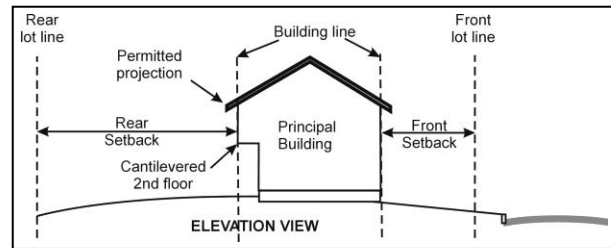


Figure 25.3 Building Line



**Child Care Facility:** A facility for the care of children under eighteen (18) years of age, as licensed and regulated by the State under Michigan Public Act 116 of 1973 and the associated rules promulgated by the State Department of Social Services. Such organizations shall be further defined as follows:

- a. **Child Care or Day Care Center:** A facility, other than a private residence, receiving more than six pre-school or school age children for group care for periods of less than 24 hours a day, and where the parents or guardians are not immediately available to the child. It includes a facility which provides care for not less than two consecutive weeks, regardless of the number of hours of care per day.

The facility is generally described as a child care center, day care center, day nursery, nursery school, parent cooperative preschool, play group, or drop-in center. "Child care center" or "day care center" does not include a Sunday school conducted by a religious organization where children are cared for during short periods of time while persons responsible for such children are attending religious services.

- b. **Child Caring Institution:** A child care facility which is organized for the purpose of receiving minor children for care, maintenance, and supervision, usually on a 24 hour basis, in a building maintained for that propose, and operates throughout the year. It includes a maternity home for the care of unmarried mothers who are minors, an agency group home, and institutions for mentally retarded or emotionally disturbed minor children. It does not include hospitals, nursing homes, boarding schools, or an adult foster care facility in which a child has been placed.
- c. **Foster Family Home:** A private home in which one but not more than four minor children, who are not related to an adult member of the household by blood, marriage, or adoption, are given care and supervision for 24 hours a day, for four or more days a week, for two or more consecutive weeks, unattended by a parent or legal guardian.
- d. **Foster Family Group Home:** A private home in which more than four but less than seven children, including children related to the caregiver by blood, marriage, or adoption, are provided care for 24 hours a day, for four or more days a week, for two or more consecutive weeks, unattended by a parent or legal guardian.
- e. **Family Day Care Home:** A private home in which up to six (6) minor children are received for care and supervision for periods of less than 24 hours a day, including children related to the caregiver by blood, marriage, or adoption. It includes a home that gives care to an unrelated child for more than four weeks during a calendar year.
- f. **Group Day Care Home:** A private home in which more than six but not more than 12 children are given care and supervision for periods of less than 24 hours a day unattended by a parent or legal guardian, including children related to the caregiver. It includes a home that gives care to an unrelated child for more than four weeks during a calendar year.

**Church or temple:** Any structure wherein persons regularly assemble for religious activity.

**Clear Vision Area:** An area of each lot near any street intersection or commercial driveway which shall remain clear of obstructions between a height of two (2) feet and six (6) feet to ensure safe sight distance for motorists (see figure 25.4).

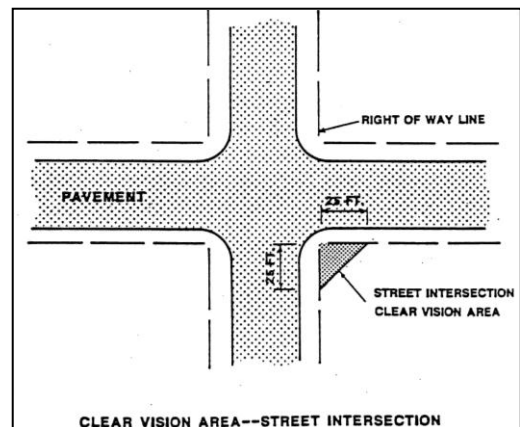


Figure 25.4 Clear Vision Area

**Clinic, medical:** An establishment where human patients who are not lodged overnight are admitted for examination and treatment by a group of physicians, dentists, or similar professionals. A medical clinic may incorporate customary laboratories and pharmacies incidental to or necessary for its operation or to the service of its patients, but may not include facilities for overnight patient care or major surgery.

**Club or fraternal organization:** An organization of persons for special purposes or for the promulgation of sports, arts, sciences, literature, politics, or the like, but not operated for profit or to espouse beliefs or further activity that is not in conformance with the constitution of the United States or any laws or ordinances. The facilities owned or used by such organization may be referred to as a "club" in this ordinance.

**Coffee Shop:** An establishment serving coffee beverages as its primary product to a customer in a ready-to-consume state. The preparation and sale of food or snacks to customers may also be permitted. The method of operation may include indoor and/or outdoor seating and may be characteristic of a carryout or drive-through restaurant or combination thereof. (as amended 3/5/10)

**Commercial vehicle:** Any vehicle bearing or required to bear commercial license plates and which falls into one or more of the categories listed below:

- a. truck tractor;
- b. semi-trailer, which shall include flat beds, stake beds, roll-off containers, tanker bodies, dump bodies and full or partial box-type enclosures;
- c. vehicles of a type that are commonly used for the delivery of ice cream, milk, bread, fruit or similar vending supply or delivery trucks. This category shall include vehicles of a similar nature which are also of a type commonly used by electrical, plumbing, heating and cooling, and other construction oriented contractors;
- d. tow trucks;
- e. commercial hauling trucks;
- f. vehicle repair service trucks;
- g. snow plowing trucks;
- h. any other vehicle with a commercial license plate having a gross vehicle weight in excess of ten thousand (10,000) pounds or a total length in excess of 22 feet.

**Condominium Act:** Michigan Act 59 of 1978, as amended.

**Condominium, Contractible:** A condominium project from which any portion of the submitted land or building may be withdrawn in pursuant to express provisions in the condominium documents and in accordance with the Genoa Township Code of Ordinances and the Condominium Act, Act 59 of the Public Acts of 1978, as amended.

**Condominium, Detached:** A residential condominium project designed to be similar in appearance to a conventional single-family subdivision.

**Condominium, General Common Element:** The common elements other than the limited common elements.

**Condominium, Limited Common Element:** A portion of the common elements reserved in the master deed for the exclusive use of less than all of the co-owners.

**Condominium, Master Deed:** The condominium document recording the condominium project as approved by the Township Board to which is attached as exhibits and incorporated by reference the approved bylaws for the project and the approved condominium subdivision plan for the project.

**Condominium Setbacks:** Shall be measured as follows:

- a. **Front Yard Setback** - the minimum distance required between the public street right-of-way or private road easement line and the foundation of the unit site. Where there is not public right-of-way or access easement, the front yard setback shall be measured from the nearest pavement edge to the foundation of the unit site.
- b. **Side Yard Setback** - the minimum distance required between the limits of the development and the side of a unit or the distance between the side boundary of a site condominium and the side of a unit or half the distance between the sides of any adjacent units where there are no condominium sites.
- c. **Rear Yard Setback** - the minimum distance required between the limit of the development and the rear of the unit or the distance between the rear boundary of a site condominium and the rear of a unit or half the distance between the rear of any two adjacent units. Note: where the rear of a detached condominium faces the side of an adjacent condominium unit, the units shall be spaced a distance equal to the combined rear and side setbacks.

**Condominium, Site:** A condominium project containing or designed to contain structures or other improvements for residential commercial, office, industrial or other uses permitted in the zoning district in which it is located and in which each co-owner owns exclusive rights to a volume of space within which a structure or structure may be constructed as a condominium unit as described in a master deed.

**Condominium Unit:** The portion of the condominium project designed and intended for separate ownership as described in the Master Deed, regardless of whether it is intended for residential, office, industrial, business, recreational, use as a time-share unit, or any other type of use.

**Condominium Unit Site:** The area designating the perimeter within which the condominium unit must be built. After construction of the condominium unit, the balance of the condominium unit site shall become a limited common element. The term "condominium unit site" shall be equivalent to the term "lot," for purposes of determining compliance of a site condominium subdivision with provisions of this Ordinance pertaining to minimum lot size, minimum lot width, maximum lot coverage and maximum floor area ratio.

**Conference Center:** A multi-purpose facility whose primary purpose is to accommodate meetings, seminars, social and civic events, and conferences. Such a facility offers a total meeting environment which typically consists of meeting rooms, conference rooms, and catering uses that comprise continuous space. A conference center may include lodging facilities. A hotel/motel with at least 10,000 sq. ft of conference room facilities shall also be considered a conference center. Accessory uses may include dining areas, recreational facilities, specialty shops, that cater to conference center guests.

**Convalescent or Nursing Home:** A structure with sleeping rooms, where persons are housed or lodged and are furnished with meals, nursing and limited medical care.

**Day:** A calendar day unless otherwise stated.

**Day Care Center, Commercial:** see "Child Care Facility"

**Day Care Home:** see "Child Care Facility"

**Density:** The number of dwelling units situated on or to be developed per net acre of land. The following calculation shall be utilized in determining maximum density:

- a. The acreage exclusive of paragraphs (b) and (c) below shall be calculated at one-hundred percent (100%) toward the total site acreage.
- b. The acreage comprised of land within the 100-year floodplain elevation, or wetlands protected by the Goemaere-Anderson Wetland Protection Act, PA 203 of 1979, shall be calculated at twenty five percent (25%) toward the total site acreage.
- c. All open bodies of water and public rights-of-way are excluded from density calculation.

**Development:** The proposed construction of a new building or other structure on a zoning lot, the relocation of an existing building on another zoning lot, or the use of open land for a new use. A development may include a site plan, a plot (building) plan, a condominium plan, a plat or a mobile home park.

**Dog Run:** A fenced in area designed specifically to enclose pets. (as amended 3/5/10)

**Drive-In Business:** A business establishment so developed that its retail or service character is dependent on providing a driveway approach or parking spaces for motor vehicles so as to serve patrons while in the motor vehicle rather than within a building or structure, including customer communication facilities for banks or other uses. A drive-in restaurant is distinct from a drive-through restaurant in that the majority of drive-in patrons consume food and beverages while in the vehicle and parked on the premises.

**Drive-in Restaurant:** See "Restaurant, Drive-in."

**Drive-through Business:** A business establishment so developed that its retail or service character is wholly or partly dependent on providing a driveway approach and service windows or facilities for vehicles in order to serve patrons food and beverages in a ready-to-consume state from a drive-through window to patrons in motor vehicles. A drive-through restaurant may or may not also have indoor seating.

**Dwelling:** Any building, or part thereof, containing sleeping, kitchen, and bathroom facilities designed for and occupied by one family. In no case shall a travel trailer, motor home, automobile, tent or other portable building not defined as a recreational vehicle be considered a dwelling. In the case of mixed occupancy where a building is occupied in part as a dwelling unit, the part so occupied shall be deemed a dwelling unit for the purposes of the Zoning Ordinance.

- a. **Manufacture Dwelling Unit:** A dwelling unit which is substantially built, constructed, assembled, and finished off the premises upon which it is intended to be located.

- b. **Site Built Dwelling:** A dwelling unit which is substantially built, constructed, assembled, and finished on the premises upon which it is intended to serve as its final location. Site built dwelling units shall include dwelling units constructed of precut materials, and panelized wall roof and floor sections when such sections require substantial assembly and finishing on the premises upon which it is intended to serve as its final location.
- c. **One-Family or Single-Family Detached Dwelling:** An independent, detached residential dwelling designed for and used or held ready for use by one family only.
- d. **Two-Family or Duplex Dwelling:** A detached building, designed exclusively for and occupied by two families living independently of each other, with separate housekeeping, cooking, and bathroom facilities for each.
- e. **Townhouse:** A self-contained single dwelling unit attached to a similar single dwelling unit with party or common walls, designed as part of a series of three (3) or more dwelling units, each with:
  - 1. a separate entryway with direct access to the outdoors at ground level,
  - 2. a separate basement, if applicable,
  - 3. a separate garage,
  - 4. separate utility connections, and,
  - 5. defined front and rear yards.

Townhouses may also be known as attached single family dwelling units, row houses, clustered single family dwellings or stack ranches. Any three or more attached dwellings not meeting the above criteria shall be considered an apartment or multiple family dwelling. (as amended 12/31/06)

- f. **Multiple-Family Dwelling:** A building designed for and occupied by three (3) or more families living independently, with separate housekeeping, cooking, and bathroom facilities for each. Multiple-family dwelling units may also be known as apartments, which have common entrances.
- g. **Apartment Dwelling:** An apartment is an attached dwelling unit with party or common walls, contained in a building with other dwelling units or sharing the occupancy of a building with other than a residential use. Apartments are commonly accessed by a common stair landing or walkway. Apartments are typically rented by the occupants, but may be condominiums. Apartment buildings often may have a central heating system and other central utility connections. Apartments typically do not have their own yard space. Apartments are also commonly known as garden apartments or flats. (as amended 12/31/06)

**Easement:** A right-of-way granted, but not dedicated, for limited use of private land for private, public or quasi-public purpose, such as for franchised utilities, a conservation easement or an access easement for a private road or service drive, and within which the owner of the property shall not erect any permanent structures.

**Engineering Standards:** Engineering Design Standards regulating storm water management systems site grading and soil erosion control, sanitary sewer, municipal water, parking lot design, private road design, and construction processes. The design standards are adopted by the Township Board and may be amended from time to time. (as amended 3/5/10)

**Essential Public Service:** The erection, construction, alteration, or maintenance by public utilities or any governmental department or commission of underground or overhead gas, electrical, steam, or water transmission or communication, supply or disposal systems, including poles, wires, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, railroad rights-of-way, traffic signals, hydrants, and other similar equipment and accessories in connection with, but not including, buildings. Non-governmental towers, radio and television towers, and cellular phone antennas are not considered to be essential public services.

**Essential Public Service Building:** A building or structure principal to an essential public service, such as a drop-off stations for residential recyclables, vehicle garages, telephone exchange buildings, electricity transformer stations or substations, and gas regulator stations. .

**Excavation:** Any breaking of ground, except farming or common household gardening and ground care.

**Family:** means either of the following:

- a. A domestic family which is one or more persons living together and related by the bonds of blood, marriage or adoption, together with servants of the principal occupants and not more than one additional unrelated person, with all of such individuals being domiciled together as a single, domestic, housekeeping unit in a dwelling.
- b. The functional equivalent of the domestic family which is persons living together in a dwelling unit whose relationship is of a permanent and distinct character and is the functional equivalent of a domestic family with a demonstrable and recognizable bond which constitutes the functional equivalent of the bonds which render the domestic family a cohesive unit. All persons of the functional equivalent of the domestic family must be cooking and otherwise operating as a single housekeeping unit. This definition shall not include any society, club, fraternity, sorority, association, lodge, coterie, organization or group where the common living arrangement and/or the basis for the establishment of the functional equivalency of the domestic family is likely or contemplated to exist for a limited or temporary duration.

**Farm:** All of the contiguous neighboring or associated land, buildings, and machinery operated as a single unit on which the production of farm products is carried on directly by the owner- operator, manager or tenant farmer, by his own labor or with the assistance of members of his household or hired employees; provided, however, that a farm operation shall follow generally accepted agricultural and management practices as defined by the Michigan Commission of Agriculture for farming activities which include: 1) tree fruit production, 2) small fruit production, 3) field crop production, 4) forage and sod production, 5) livestock and poultry production, 6) fiber crop production, 7) apiary production, 8) maple syrup production, 9) mushroom production and 10) greenhouse production; but unless otherwise permitted, the following shall not be considered a farm: establishments involved in industrial like processing of agricultural products, keeping fur-bearing animals or game or operating as fish hatcheries, dog kennels, stockyards, slaughterhouses, stone quarries, gravel or sand pits or the removal and sale of topsoil, fertilizer works, boneyards or the reduction of animal matter, or for the disposal of garbage, sewage, rubbish, junk or offal.

**Farm Labor Housing:** A dwelling or lodging unit that is used exclusively by agricultural employees employed full-time or seasonally in the agricultural use of the property.

**Fence:** A structure of definite height and location constructed of wood, masonry, stone, wire, metal, or any other material or combination of materials serving as a physical barrier, marker, or enclosure, (see also "Wall").

**Fence, privacy:** A fence which is over ninety (90%) percent solid or impervious and serves as an opaque screen. (as amended 3/5/10)

**Floodplain.** That area which would be inundated by storm runoff or flood water equivalent to that which would occur with a rainfall or flood of one hundred (100) year recurrence frequency after total development of the watershed.

**Floor Area, Gross.** The sum of all gross horizontal areas of all floors of a building or buildings, measured from the outside dimensions of the outside face of the outside wall. Unenclosed courtyards or patios shall not be considered as part of the gross floor area except where they are utilized for commercial purposes, such as the outdoor sale of merchandise. (see Figure 25.5)

**Floor Area, Residential:** For the purpose of computing the minimum allowable floor area in a residential dwelling unit, the sum of the horizontal areas of each story of the building shall be measured from the exterior faces of the exterior walls or from the centerline of walls separating two dwellings. The floor area measurement is exclusive of areas of basements, unfinished attics, attached garages, breezeways, and enclosed and unenclosed porches.

**Floor Area, Usable:** That area used for or intended to be used for the sale of merchandise or services' or for use to serve patrons, clients or customers. Such floor area which is used or intended to be used principally for the storage or processing of merchandise, hallways, or for utilities or sanitary facilities, shall be excluded from this computation of "Usable Floor Area." Measurement of usable floor area shall be the sum of the horizontal areas of the several floors of the building, measured from the interior faces of the exterior walls. (see Figure 25.5)

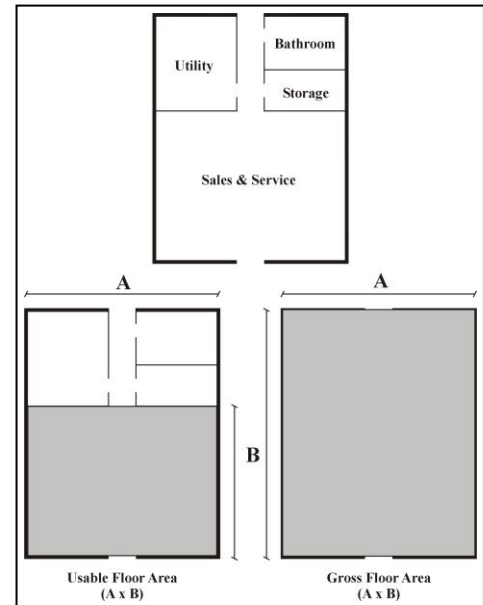


Figure 25.5 Floor Area

**Freeboard:** for storm water retention or detention ponds it is the vertical distance between the design high water elevation and the top of the pond elevation. (as amended 3/5/10)

**Frontage.** The linear dimension of a lot measured along the public road right-of-way line, private road access easement, or shared driveway.

**Funeral Home or Mortuary Establishment:** An establishment where the dead are prepared for burial or cremation and where wakes or funerals may be held. A funeral home or mortuary establishment shall not include crematoria.

**Garage:** Part of a principal building or an accessory building or structure used primarily for the parking or storage of vehicles in connection with a permitted use of the principal building, where there is no vehicle servicing or storage for compensation.

**Garden Center:** An establishment with retail sales of trees, fruits, vegetables, shrubbery, plants, landscaping supplies, lawn furniture, playground equipment and other home garden supplies and equipment.

**Gazebo:** A freestanding, roofed, usually open-sided structure offering a place for shade or rest. (as amended 12/17/10)

**Grade, Mean:** The arithmetic average of the lowest and highest grade elevations in an area within five (5) feet of the foundation line of a building or structure, or in the area between the foundation line and the lot line, where the foundation line is less than five (5) feet from the lot line. (see Figure 25.6).

**Greenbelt:** See “Landscaping, Greenbelt”

**Hazardous uses and materials:** Any use which involves the storage, sale, manufacture, or processing of materials which are dangerous, combustible and/or produce either poisonous fumes or explosions in the event of fire. These uses include all high hazard uses listed in the State Building Code.

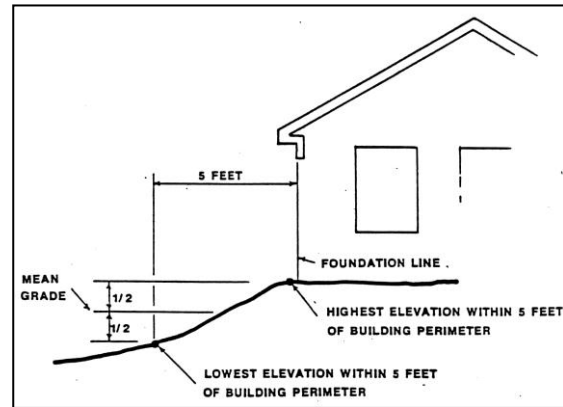


Figure 25.6 Measurement of Mean Grade

**Hazardous or toxic waste:** Waste or a combination of waste and other discarded material (including but not limited to solid, liquid, semisolid, or contained gaseous material) which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause or significantly contribute to the following if improperly treated, stored, transported, disposed of, or otherwise managed: an increase in mortality, or an increase in serious irreversible illness, or serious incapacitating but reversible illness, or substantial present or potential hazard to human health or the environment.

**Home Occupation:** An occupation or profession conducted entirely within a dwelling by the inhabitants thereof, such use being clearly incidental to the principal use of the dwelling as a residence.

**Hospital:** A facility offering primarily inpatient care, and services for observation, diagnosis, and active treatment of patients with a medical, surgical, obstetric, chronic, or rehabilitative condition requiring the daily care and supervision of a physician(s) and medical support staff. A hospital may or may not also have a clinic offering outpatient services.

**Hotel:** A building or part of a building, with a common entrance or entrances, in which the dwelling units or rooming units are used primarily for transient occupancy, and/or in which one or more of the following services are offered: maid service, furnishing of linen, telephone, secretarial or desk service, and bellboy service. A hotel may include a restaurant or cocktail lounge, public banquet halls, or meeting rooms.

**Housing For The Elderly:** Housing constructed for the exclusive use of an individual fifty five (55) years of age or older, or for a couple where at least one (1) of the individuals is over the age of fifty five (55). Housing for the elderly may include the types of facilities listed below.

- a. **Senior Apartments:** multiple-family dwelling units where occupancy is restricted to persons fifty five (55) years of age or older.
- b. **Congregate Or Interim Care Housing:** A semi-independent or assisted care housing facility containing congregate kitchen, dining, and living areas, but with separate sleeping rooms. Such facilities typically provide special support services, such as transportation and limited medical care.



- c. **Dependent Housing Facilities:** Extended care facilities such as convalescent homes and nursing homes which are designed for older persons who need a wide range of health and support services, including personal nursing care.

**Impact Assessment:** An assessment of the ecological, social, economic, and physical impacts of a project on and surrounding the development site.

**Improvements:** Any additions to the natural state of land which increases its value, utility or habitability. Improvements include but are not limited to street pavements, with or without curbs and gutters, sidewalks, water mains, storm and sanitary sewers, trees and other appropriate and similar items.

**Intensive Livestock Operation:** An agricultural operation in which many livestock are bred and/or raised within a confined area, either inside or outside an enclosed building. While the density of confined livestock varies, it significantly exceeds that of traditional farming operations and includes both the number of confined livestock in the confined area and the amount of land which serves as the waste disposal receiving area.

**Junk Yard:** (see Salvage Yard).

**Kennel, Commercial:** Any premise on which more than the below specified number cats or dogs, (but not including wild, vicious or exotic animals) of more than six (6) months of age are either permanently or temporarily kept for the purposes of breeding, boarding, training, sale, protection, hobby, pets or transfer. Lots less than ten (10) acres with more than three (3) cats or three (3) dogs or more than a total of five (5) in combination (e.g. 3 dogs and 2 cats) shall be considered a kennel. Lots of ten (10) acres or more with more than five (5) cats or five (5) dogs or more than a total of seven (7) in combination (e.g. 5 dogs and 2 cats) shall be considered a kennel. (as amended 12/31/06)

**Land Use Permit:** An authorization issued by the Township Zoning Administrator to erect, move or alter a structure within the Township or to approve a change in use of land or structure. For certain uses, the land use permit is issued following site plan approval by the Planning Commission or special land use approval by the Township Board.

**Lake.** A permanent water body that has definite banks, a bed, visible evidence of a continued occurrence of water, and a surface area of water that is ten (10) acres or more in size.

**Landscaping:** The treatment of the ground surface with live plant materials normally grown in Livingston County such as, but not limited to, grass, ground cover, trees, shrubs, vines, and other live plant material. In addition, a landscape design may include other decorative natural or processed materials, such as wood chips, crushed stone, boulders or mulch. Structural features such as fountains, pools, statues, and benches shall also be considered a part of landscaping if provided in combination with live plant material. Various landscaping related terms are defined below.

- a. **Berm:** A continuous, raised earthen mound comprised of non-toxic materials with a flattened top and sloped sides, capable of supporting live landscaping materials.
- b. **Buffer Zone:** (see "Buffer Zone").
- c. **Grass:** Any of a family of plants with narrow leaves normally grown as permanent lawns.
- d. **Greenbelt:** A strip of land of definite width and location reserved for the planting of a combination of shrubs, trees, and ground cover to serve as an obscuring screen or buffer for noise or visual enhancement.

- e. **Ground Cover:** Low-growing plants that form a dense, extensive growth after one complete growing season, and tend to prevent weeds and soil erosion.
- f. **Hedge:** A two (2) to three (3) foot tall row of evergreen or deciduous shrubs that are planted close enough together to form a solid barrier.
- g. **Parking lot landscaping:** Landscaped areas located in and around a parking lot in specified quantities to improve the safety of pedestrian and vehicular traffic, guide traffic movement, improve the environment and improve the appearance of the parking area and site.
- h. **Planting:** A young tree, vine or shrub that would be placed on or in the ground.
- i. **Screen or screening:** A wall, wood fencing or combination of plantings of sufficient height, length, and opacity to form a visual barrier. If the screen is composed of non-living material, such material shall be compatible with materials used in construction of the main building, but in no case shall include wire fencing.
- j. **Shrub:** A self-supporting, deciduous or evergreen woody plant, normally branched near the base, bushy, and less than fifteen (15) feet in height.
- k. **Tree:** A self-supporting woody, deciduous or evergreen plant with a well-defined central trunk or stem which normally grows to a mature height of at least fifteen (15) feet.
- l. **Ornamental tree:** A deciduous tree which is typically grown because of its shape, flowering characteristics, or other attractive features, and which grows to a mature height of twenty five (25) feet or less.

**Level of service:** A qualitative measure describing operational conditions within a traffic stream; generally described in terms of such factors as speed and travel time, freedom to maneuver, traffic interruptions, comfort and convenience, and safety.

**Livestock:** Any of various bird or animal breeds, long ago domesticated by man so as to live and breed in a tame, docile, tractable condition useful to man, including horses, ponies, mules, donkeys, cattle, sheep, goats, buffaloes, llama, ostriches, chickens, ducks, geese turkeys and swine.

**Loading Space, Off-Street:** Space logically and conveniently located for bulk pick-ups and deliveries, designed to accommodate the maneuvering area needed by expected sizes of delivery vehicles when all off-street parking spaces are filled.

**Lot:** An undivided portion of land of at least sufficient size to meet minimum zoning requirements for use, buildings, structures, lot coverage, yards, and other open spaces as may be present or required under provisions of this Ordinance and having frontage on an improved public street, or on an approved private road, or shared driveway. A lot may consist of either: a single lot of record, a portion of a lot of record, a combination of contiguous lots of record that have been combined into one tax ID number, or a parcel of land described by metes and bounds. (as amended 12/31/06)

**Lot Area:** The total horizontal area within the lot lines of a lot, exclusive of any submerged area of any lake, stream or canal (below the shoreline or ordinary high water mark).

**Lot, Corner:** A lot where the interior angle of two adjacent sides at the intersection of two streets is less than one hundred and thirty-five (135) degrees. A lot abutting upon a curved street or streets shall be considered a corner lot for the purposes of this Ordinance if the arc is of less radius than one hundred fifty (150) feet and the tangents to the curve, at the two points where the lot lines meet the curve or the straight street line extended, form an interior angle of less than one hundred and thirty-five (135) degrees. (See Figure 25.7)

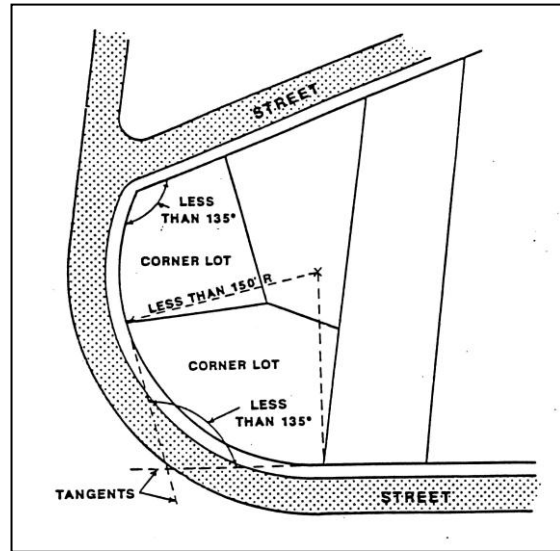


Figure 25.7 Lot, Corner Measurements

**Lot Coverage:** The part or percent of a lot occupied by buildings, structures and accessory buildings.

**Lot Coverage, Impervious Surface:** The part or percent of a lot occupied by building, structures, uses, accessory buildings, accessory structures and paved areas.

**Lot Depth:** The arithmetic mean of the shortest and longest distances from the front lot line to the rear lot line (see figure 25.8).

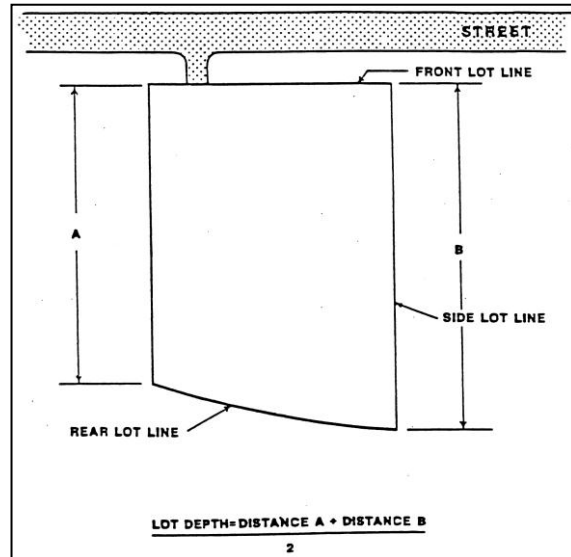


Figure 25.8 Lot Depth Measurement

**Lot, Flag:** A lot that has access to a public right-of-way or private road access easement by means of a narrow strip of land (see figure 25.9).

**Lot, Interior:** Any lot other than a corner lot.

**Lot Line:** The lines bounding a lot or parcel and listed below and illustrated on Figure 25.10.

- a. **Front Lot Line:** The lot line(s) abutting a public street or private road easement that separates the lot from such right-of-way or easement; typically measured along the right-of-way line. Corner lots or through lots are considered to have two front lot lines and shall provide the minimum required front yard setback at both front lot lines. In the case of a flag lot, the front lot line shall be that lot line that abuts the public street right-of-way or private road easement and the lot line that is roughly parallel to the street right-of-way (See figure 25.10). (as amended 12/31/06)
- b. **Rear Lot Line:** The lot line opposite and most distant from the front lot line. For an irregular or triangular shaped lot, a

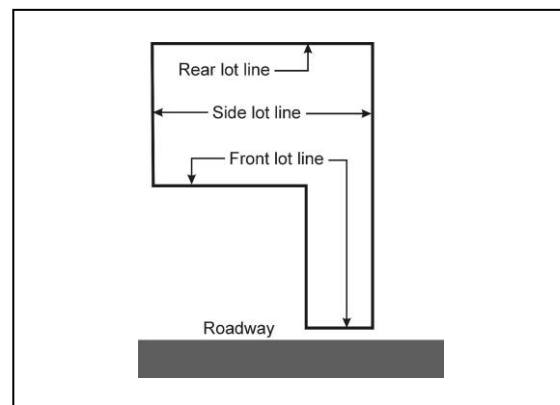


Figure 25.9 Flag-lot Lot Lines

line at least ten (10) feet in length, entirely within the lot, parallel to and most distant from the front lot line (See figure 25.11). (as amended 12/31/06)

- c. **Side Lot Line:** Any lot line not a front or rear lot line.
- d. **Waterfront Lot Line:** The boundary of a lot that follows the shoreline of a lake or stream. (Also see “shoreline.”)
- e. In the case where the above definitions are not sufficient to designate lot lines, the Zoning Administrator shall designate the front, rear and side lot lines in consideration of the orientation of the building(s) on the lot, the address of the lot, the orientation of other buildings along the block, and natural features affecting site design.

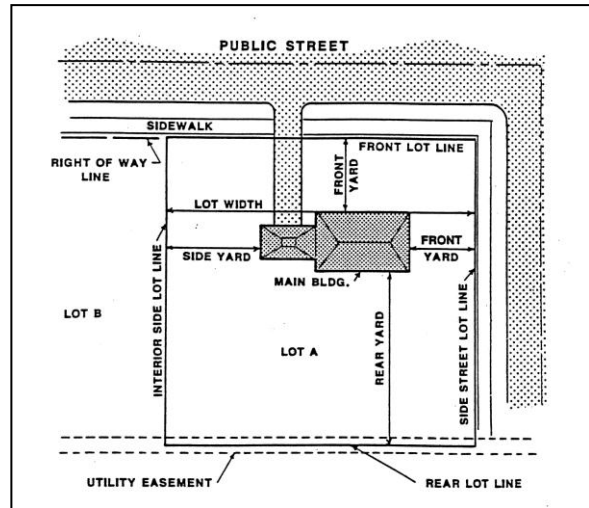


Figure 25.10 Lot Lines and Yards Measurement (Note: Yards May Not Always Equal Required Setbacks)

**Lot of Record:** A parcel of land, the dimensions of which are shown or, a document or map on file with the County Register of Deeds or in common use by Municipal or County Officials, and which actually exists as so shown, or any part of such parcel held in a record ownership separate from that of the remainder thereof.

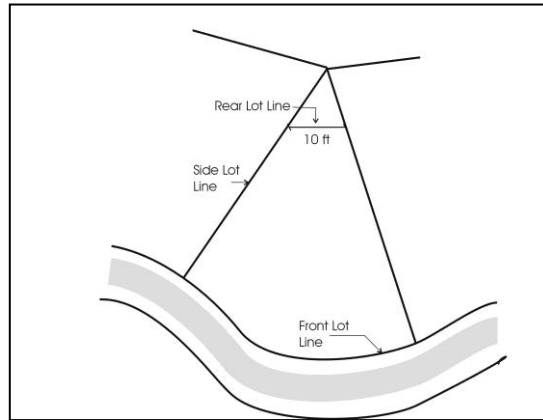


Figure 25.11 Rear Lot Line on Triangular Lot

**Lot, Through:** Any interior lot having frontage on two more or less parallel streets as distinguished from a corner lot. In the case of a row of double frontage lots, all yards of said lots adjacent to streets shall be considered frontage, and front yard setbacks shall be provided as required.

**Lot, Width:** The horizontal distance between side lot lines measured parallel to the front lot line at the minimum required front setback excluding private road access easement. For irregularly shaped lots with access easements or "flag lots" connecting to a public street, the minimum lot width shall be measured at the point where the narrow access connects to the main section of the parcel. This determination shall be made by the Zoning Administrator. Figure 25.12 illustrates calculation of minimum lot width for lots along curvilinear streets.

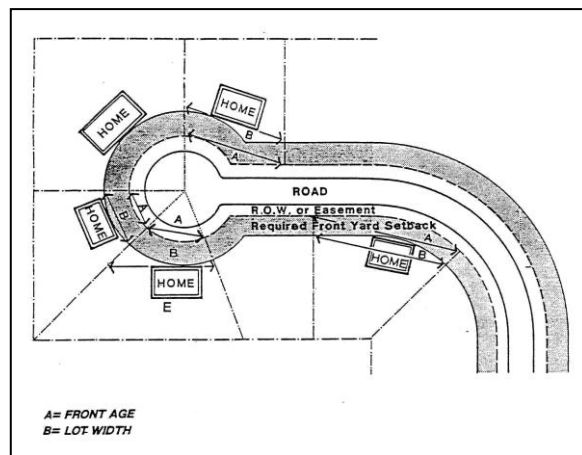


Figure 25.12 Lot Width on Curvilinear Streets

**Major Thoroughfare:** An arterial street, state trunkline, or roadway classified as a Primary Road by

the Livingston County Road Commission, which is intended to service as a large volume of traffic, generally within a right-of-way at least eighty six (86) feet wide.

**Manufactured Home:** A dwelling unit which is designed for long-term residential use and is wholly or substantially constructed at an off-site location.

**Master Plan:** The Comprehensive Community Plan, sub area plans or corridor plans including graphic and written proposals for future land use, zoning, site design, physical development and or capital improvements.

**Mezzanine:** An intermediate floor in any story occupying a maximum one-third (1/3) of the story's floor area.

**Mini or Self Storage Warehouse:** A building or group of buildings in a controlled-access and fenced compound that contains varying sizes of individual, compartmentalized, and controlled-access stalls or lockers for the storage of customer's goods or wares.

**Manufactured Housing Park:** A parcel or tract of land under the control of a person, group or firm upon which two (2) or more mobile homes are located on a continual non-recreational basis and which is offered to the public for that purpose regardless of compensation, including any building, structure, enclosure, street, drive, equipment or facility used or intended for use incidental to the occupancy. Mobile home parks are licensed and regulated by the Michigan Mobile Home Commission.

**Mobile Home or Manufactured Home Subdivision:** Individually owned lots subdivided according to the provisions of Act 288 of the Public Acts of Michigan of 1967 intended as a site for the placement for dwelling purposes of mobile or modular homes.

**Motel:** A series of attached, semidetached or detached rental units containing a bedroom, and sanitary facilities. Units shall provide for overnight lodging and are offered to the public for compensation, and shall cater primarily to the public traveling by motor vehicle.

**Non-Conforming Building or Structure:** A building or structure portion thereof lawfully existing at the effective date of this Ordinance, or amendments thereto, and that does not conform to the provisions of the Ordinance in the district in which it is located.

**Non-Conforming Lot:** A lot of record, lawfully in existence on the effective date of this Ordinance and any amendments thereto, which no longer meets the dimensional requirements of this Ordinance for the district in which it is located.

**Non-Conforming Site.** A development on a site which met Ordinance requirements for site design elements at the time the site was developed, such as the amount of parking, parking lot pavement or landscaping; but which does not meet the current site standards of the Township.

**Non-Conforming Use:** A use which lawfully occupied a building or land at the effective date of this Ordinance, or amendments thereto, and that does not conform to the use regulations of the district in which it is located.

**Nursery, Plant Materials:** A space, building or structure, or combination thereof, for the storage of live trees, shrubs or plants offered for retail sale on the premises including products used for gardening or landscaping. The definition of nursery within the meaning of this Ordinance does not include any space, building or structure used for the sale of fruit, vegetables or Christmas trees.

**Nuisance Factors:** An offensive, annoying, unpleasant or obnoxious thing or practice, a cause or source of annoyance, especially a continuing or repeating invasion of any physical characteristics of activity or use across a property line which can be perceived by or affects a human being, or the generation, of an excessive or concentrated movement of people or things, such as, but not limited to: (a) noise, (b) dust, (c) smoke, (d) odor, (e) glare, (f) fumes, (g) flashes, (h) vibration, (i) shock waves, (l) heat, (k) electronic or atomic radiation, (m) objectionable effluent, (n) noise of congregation of people, particularly at night, (o) passenger traffic, (p) invasion of non-abutting street frontage by traffic.

**Offset:** The distance between the centerlines of driveways or streets across the street from one another.

**Off-Street Parking Lot:** See "Parking Lot."

**Open Air Business:** Business and commercial uses conducted solely outside of any building unless otherwise specified herein. Examples of open air businesses include:

- a. Retail sales of garden supplies and equipment, including but not limited to, trees, shrubbery, plants, flowers, seed, topsoil, trellises, and lawn furniture;
- b. Roadside stands for the sale of agricultural products, including fruits, vegetables and Christmas trees.
- c. Various outdoor recreation uses, including but not limited to: tennis courts, archery courts, shuffleboard, horseshoe courts, miniature golf, golf driving ranges, and amusement parks.
- d. Outdoor display and sale of automobiles, recreational vehicles, garages, swimming pools, playground equipment, and similar goods.

**Open Space.** That part of a lot, which is open and unobstructed by any built features from its lowest level to the sky, and is accessible to all residents upon the site. This area is intended to provide light and air or is designed for environmentally, scenic, or recreational purposes. Open space may include, but is not limited to lawns, decorative plantings, walkways, active and passive recreation areas, playgrounds, fountains, swimming pools, living plant materials, wetlands and water courses. Open space shall not be deemed to include driveways, parking lots or other surfaces designed or intended for vehicular travel.

**Open Front Store:** A business establishment so developed that service to the patron may be extended beyond the walls of the structure, not requiring the patron to enter the structure. The term " Open Front Store" shall not include automobile repair or gasoline service stations.

**Outdoor storage:** The keeping, in an unroofed area, of any goods, junks, material, merchandise or vehicles in the same place for more than twenty four hours.

**Parking Lot:** A facility providing vehicular parking spaces along with driveways, aisles and other paved areas for vehicular maneuvering. For the purpose of determining setbacks, parking lots shall not include driveways providing access to a roadway or dedicated service drives providing cross-access to adjacent lots. (as amended 12/31/06)

**Parking Space:** An area of definite length and width, said area shall be exclusive of drives, aisles or entrances giving access thereto, and shall be fully accessible for the parking of permitted vehicles.

**Peak Hour:** A one hour period representing the highest hourly volume of traffic flow on the adjacent street system during the morning (a.m. peak hour), during the afternoon or evening (p.m. peak hour), or representing the hour of highest volume of traffic entering or exiting a site (peak hour of generator).

**Performance guarantee:** A financial guarantee to ensure that all improvements, facilities, or work required by this Ordinance will be completed in compliance with the ordinance, regulations and the approved plans and specifications of a development.

**Pergola:** A horizontal trellis or framework, supported on posts, that carries climbing plants and may form a covered walk. (as amended 12/17/10)

**Planned Unit Development:** An integrated and coordinated development of various residential land uses, and in some cases non-residential uses, comprehensively planned and approved as an entity via a unitary site plan which permits additional flexibility in building sitting, usable open spaces and preservation of natural features meeting the intent of the Planned Unit Development section of this Ordinance.

**Planning Commission:** The Genoa Township Planning Commission as established by the Genoa Township Board of Trustees under provisions of the Michigan Zoning Enabling Act (Public Act 110 of 2006).

**Pond.** A permanent water body that has definite banks, a bed, visible evidence of a continued occurrence of water, and a surface area of water that is less than ten (10) acres in size.

**Principal Building, Structure or Use:** The main building, structure or use to which the premises are devoted and the principal purpose for which the premises exist. In cases where there is more than one use, the use comprising the greatest floor area shall generally be considered the Principal Use, except in cases where a use comprising a secondary amount of floor area is considered to have greater impact in terms of traffic generated, noise levels, disruption of views and similar impacts.

**Public Utility:** A person, firm or corporation, municipal department, board or commission duly authorized to furnish and furnishing under federal, state or township regulations to the public through transmission lines: gas, steam, electricity, sewage disposal, communication, telegraph, transportation or water. Cellular communication facilities are not considered a public utility.

**Reception Antenna:** An exterior apparatus capable of receiving communications for radio or television purposes including satellite dishes and other satellite reception antennae but excluding facilities considered to be essential public services or those preempted from township regulation by applicable state, Federal Communication Commission (FCC), or federal laws or regulations.

**Recognizable and substantial benefit:** A clear benefit, both to the ultimate users of the property in question and to the community, which would reasonably be expected to accrue, taking into consideration the reasonably foreseeable detriments of the proposed development and uses(s). Such benefits may include: long-term protection or preservation of natural resources and natural features, historical features, or architectural features; and elimination of or reduction in the degree of nonconformity of a nonconforming use or structure.

**Recreational Vehicle or Unit:** Includes a tent or vehicular-type structure designed primarily as temporary living quarters for recreational, camping or travel use, which either has its own motive power or is mounted on or drawn by another vehicle which is self-powered. Recreational units of this type shall include, but shall not be limited to, the following: travel trailers, camping trailers, tent trailers, motor homes and truck campers. Recreational units shall also include, but shall not be limited to, the following: boats, boat trailers, snowmobiles, snowmobile trailers, all terrain vehicles, dune buggies, horse trailers and similar equipment.

**Recycling Center:** A facility in which used material, such as paper, glass, plastic or motor oil, is separated and processed prior to shipment to other locations for processing or manufacturing into new products. A recycling center is distinct from a junkyard or salvage yard.

**Residential Zoning District.** RR, LDR, SR, UR, LRR, MDR, HDR, AND MHP Districts.

**Restaurants:** An establishment serving foods and/or beverages to a customer in a ready-to-consume state. The method of operation may be characteristic of a carry-out, drive-in, drive-through, fast food, standard restaurant, or lounge/tavern, or combination thereof, as defined below:

- a. **Restaurants with Outdoor Seating.** A use that involves the sale or delivery of any prepared food or beverage for consumption in a defined area on premises but outside of the building in which it is prepared. Examples of defined areas include an external deck, patio, mall, garden, balcony or sidewalk. (as amended 12/31/06)
- b. **Carry-Out Restaurant.** A use that involves the sale of food, beverages, and/or desserts in disposable or edible containers or wrappers in a ready-to-consume state for consumption mainly off the premises. A carry out restaurant differs from a drive through restaurant in that a customer must park and walk up to the restaurant or an employee must exit the restaurant and deliver the food to a customer in a parked car.
- c. **Drive-In Restaurant.** A use that involves delivery of prepared food so as to allow its consumption within a motor vehicle while parked on the premise.
- d. **Drive-Through Restaurant.** A use that involves the delivery of prepared food to the customer within a vehicle, typically passing through a pass-through window, for consumption off of the premises.
- e. **Standard Restaurant.** A standard restaurant is a use that involves either of the following:
  1. The delivery of prepared food by waiters and waitresses to customers seated at tables within a completely enclosed building.
  2. The prepared food is acquired by customers at a cafeteria line and is subsequently consumed by the customers within a completely enclosed building.
- f. **Bar/Lounge/Tavern.** A bar, lounge or tavern is a type of restaurant that is operated primarily for the dispensing of alcoholic beverages. The preparation and sale of food or snacks to customers may be permitted.

**Road-Private:** (See Article 15.)

**Roof:** The impervious cover of a building or a portion of a building, permanently attached, but excluding chimneys, antennas, vents, mechanical equipment and other rooftop structures permitted as exceptions to building height. (as amended 12/31/06)

**Salvage Yard:** An area where waste, used or secondhand materials are bought and sold, exchanged, stored, baled, packed, disassembled, or handled including but not limited to: scrap iron and other metals, paper, rags, rubber tires and bottles. A "Salvage Yard" includes junk yards and similar facilities including automobile wrecking yards and any open area of more than two hundred (200) square feet for storage, keeping or abandonment of junk.



**Service drive:** An access drive which parallels the public right-of-way in front of or behind a building or buildings, or may be aligned perpendicular to the street between buildings, which provides shared access between two or more lots or uses.

**Setback, Required:** The minimum horizontal distance between the building line and a front, rear, or side lot line, a natural feature or a shoreline. Procedures for measuring setbacks for site condominium projects are listed under the definition of condominium setback. (required setbacks are distinct from actual yard, see definitions for yards, setbacks measurements are illustrated on Figure 25.13).

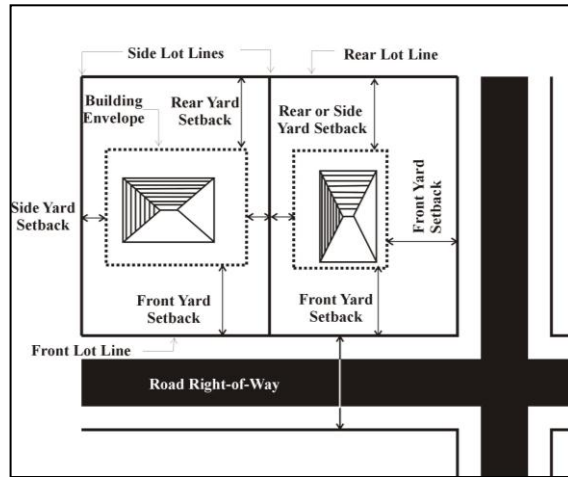


Figure 25.13 Setbacks

**Sanitary sewer, public:** A sanitary sewer system owned and operated by a municipal government or a utility authority consisting of multiple municipal governments used for the collection and transportation of sanitary sewage for treatment or disposal.

**Shelters and rehabilitation centers:** Centers operated by philanthropic or non-profit institutions that assist individuals with social needs. These centers may provide temporary housing, meals, counseling, health services, education, job placement assistance and leisure-time activities. Adult care facilities, community centers, hospitals, medical centers, medical/psychiatric offices, shelters for abused women, and children and county/state health/social services facilities are not regulated as “shelters and rehabilitation centers.” Churches or other places of worship that provide community outreach services are also not regulated under this definition, unless they also operated an onsite homeless shelter. (as amended 12/31/06)

**Shopping Center:** A grouping of two (2) or more business establishments developed in accordance to an overall plan and designed and built as an interrelated project. Buildings constructed on outlots shall not be considered part of the shopping center unless access and parking easements are provided.

**Shoreline:** The ordinary high water mark which is the line between upland and bottomland which persists through successive changes in water levels, below which the presence and action of the water is so common or recurrent that the character of the land is marked distinctly from the upland and is apparent in the soil, the configuration of the soil surface and the vegetation.

**Sign:** Definitions for signs are listed separately in Article 16, Sign Standards.

**Site plan:** A plan, prepared to scale, showing accurately and with complete dimensions, the boundaries of a site and the location of all buildings, structures, uses, and principal site development features proposed for a specific parcel of land, and conforming to the standards of this Ordinance.

**Special land use:** A use of land for an activity which, under usual circumstances, could be detrimental to other land uses permitted within the same district but which may be permitted because of circumstances unique to the location of the particular use and which use can be conditionally permitted without jeopardy to uses permitted within such district. Such uses are defined as "Special Land Uses" in the Michigan Zoning Enabling Act (Public Act 110 of 2006).

**Stable, Commercial:** A facility for the rearing and housing of horses, mules and ponies or for riding and training academies.

**Stable, Private:** A facility for the rearing and training of horses, ponies and mules which are owned by the occupant of the dwelling unit.

**Story:** That part of a building included between the surface of any floor and the surface of the floor, or roof, next above. When the distance from the average established grade to the ceiling of a story partly below such grade exceeds five (5) feet, then the basement or cellar constituting the story partially below grade shall be counted as a story (refer to Figure 25.14).

**Story, Half:** An uppermost story lying under a sloping roof having an area of at least two hundred (200) square feet with a clear height of seven feet six inches (7' - 6"). For the Purposes of this Ordinance, the usable floor area is only that area having at least four (4) feet clear height between floor and ceiling.

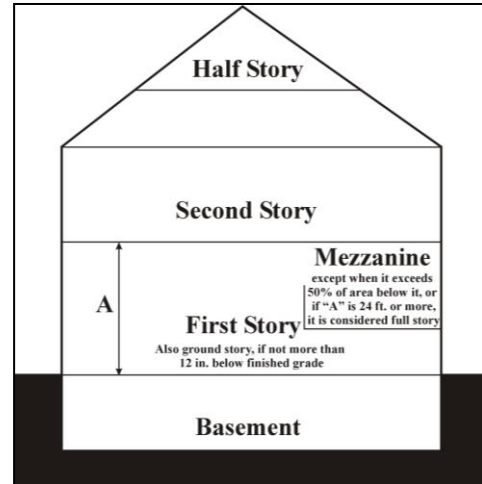


Figure 25.14 Story

**Street:** A dedicated public right-of-way, other than an alley which affords the principal means of access to abutting property. Various types of streets are defined below.

- a. **Arterial Street or Roadway:** A street or roadway which carries high volumes of traffic at relatively high speeds, and serves as an avenue for circulation of traffic onto, out of, or around the Genoa Township area. An arterial roadway may also be defined as a major thoroughfare, major arterial or minor arterial roadway. Since the primary function of the regional arterial roadway is to provide mobility, access to adjacent land uses may be controlled to optimize capacity along the roadway. Arterial roadways are listed in the Township Master Plan.
- b. **Collector Street:** A street or road whose principal function is to carry traffic between minor and local roads and arterial roadways but may also provide direct access to abutting properties. Collector streets are classified in the Township Master Plan.
- c. **Cul-de-Sac:** A street or road that terminates in a vehicular turnaround.
- d. **Expressway:** Limited access interregional arterial routes, including I-96, designed exclusively for unrestricted movement, have not private access, and intersect only with selected arterial roadways or major streets by means of interchanges engineered for free-flowing movement.
- e. **Highways:** Streets and roadways which are under the jurisdiction of the Michigan Department of Transportation. Highways may also be classified as expressways or arterial roadways.
- f. **Local or Minor Street:** A street or road whose principal function is to provide access to abutting properties and is designed to be used or is used to connect minor and local roads with collector or arterial roadways. Local streets are designed for low volumes and speeds of twenty-five (25) mph or less, with numerous curb cuts and on-street parking permitted.

- g. **Private Road:** Any road or thoroughfare for vehicular traffic which is to be privately owned and maintained and has not been accepted for maintenance by the City, Livingston County, the State of Michigan or the federal government, but which meets the requirements of this Ordinance or has been approved as a private road by the Township under any prior ordinance.
- h. **Public Street:** Any road or portion of a road which has been dedicated to and accepted for maintenance by a municipality, Livingston County, State of Michigan, or the federal government.

**Structure:** Anything constructed or erected, the use of which requires location on ground or attachment to something having location on the ground. Structures include, but are not limited to, principal and accessory buildings, radio, television and cellular phone towers, decks, fences, privacy screens, walls, antennae, swimming pools, signs, gas or liquid storage facility, mobile homes, street directional or street name sign and billboards.

**Substance abuse center or treatment facility:** A facility offering counseling, care and treatment for individuals addicted to drugs and alcohol licensed by the Michigan Department of Mental Health, Office of Substance Abuse Services. Such a facility may include or detoxification services. A generally recognized pharmacy or licensed hospital dispensing prescription medicines shall not be considered a substance abuse treatment facility.

**Swimming Pool:** Any artificially constructed portable or non-portable pool; capable of being used for swimming or bathing, having a depth of two (2) feet or more at any point and having a surface area of two hundred fifty (250) square feet or more.

**Tattoo Parlor:** An establishment whose principal business activity is the practice placing designs, letters, figures, symbols, or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin.

**Temporary Building or Structure.** A building or structure which is not permanently affixed to the property, and is permitted to exist for a specific reason for a specific period of time. An example of a temporary building is a trailer used on a construction site or a tent.

**Temporary outdoor sales and Temporary outdoor events:** Those accessory outdoor business activities which are intended to occur outside the primary structure on a developed lot and are established for a fixed period of time with the intent to discontinue such use upon the expiration of such time and which does not involve the construction or alteration of any permanent structure.

- a. **Temporary outdoor sales:** Those outdoor business activities which sell or offer for sale, barter or exchange any goods, wares, service, merchandise or food stuff of any kind on private and public property and include but are not limited to seasonal sale of merchandise related to holidays, sidewalk sales, or promotional events.
- b. **Temporary outdoor events:** Non-commercial, non-profit events which do not involve sales and can include but are not limited to motor vehicle shows, animal shows and other activities open to the general public.

**Temporary Use.** A use which is not permanent to the property and is permitted to exist for a specific reason for a specific period of time.

**Therapeutic Massage:** The application of various techniques to the muscular structure and soft tissues of the human body performed by a massage practitioner. A massage practitioner must satisfy two (2) or more of the following requirements:

- a. The person is a member of the current Professional Level in the American Massage Therapy Association (AMTA), Associated Bodywork and Massage Professionals (ABMP), International Myomassethics Federation (IMF) or other recognized massage association with equivalent professional membership standards consisting of at least five-hundred (500) hours of training including: theory, practice and techniques of massage (minimum three-hundred (300) hours); human anatomy and physiology (minimum one-hundred (100) hours); and professionalism (minimum one-hundred (100) hours). Instruction in this area shall include training in contraindications, benefits, ethics and legalities of massage, building and marketing a practice and other electives as appropriate.
- b. The person is a graduate of a school of massage licensed by the State of Michigan or holder of a current license from another state which requires, at a minimum, the training set forth in paragraph a. above.
- c. The person has completed a massage training program at a community college, college, university or technical school located in the United States, where such program requires at a minimum, the training set forth in a. above.
- d. The person has passed the National Certification Exam for Massage and Bodywork Practitioners.

**Townhouse:** See “Dwelling, Townhouse.

**Traffic Impact Study:** The analysis of the potential traffic impacts generated by a proposed project. This type of study and level of analysis will vary dependent upon the type and size of the project.

- a. **Rezoning Traffic Impact Study:** a traffic impact study which contrasts typical uses permitted under the current and requested zoning or land use classification. This study usually includes a trip generation analysis and a summary of potential impacts on the street system.
- b. **Traffic Impact Assessment:** a traffic impact study for smaller projects which are not expected to have a significant impact on the overall transportation system but will have traffic impacts near the site. This type of study focuses on the expected impacts of a development at site access points and adjacent driveways.
- c. **Traffic Impact Statement:** a traffic impact study which evaluates the expected impacts at site access points and intersections in the vicinity.

**Trip (i.e., directional trip):** A single or one-direction vehicle movement with either the origin or the destination (exiting or entering) inside a study site.

**Tree, Measurement of Height:** Where a minimum height is specified for a deciduous or evergreen tree, the height shall be measured from the top of the tree to the surrounding ground elevation or top of the ball (location where fabric containing root system meets the exposed trunk).

**Use:** The principal purpose for which land or a building is arranged, designed or intended, or for which land or a building is or may be occupied. Uses are classified under the following categories

- a. Residential, which includes single family, two family, multiple family, manufactured homes.
- b. Agriculture, which includes all farming and forestry.
- c. Commercial, which includes all retail trade uses, motor vehicle service, lodging accommodation, food services, other services, arts, and entertainment and recreational businesses.
- d. Office, which includes administrative offices and buildings, used for finance, insurance, legal, real estate, professional, scientific, technical, health care, and social assistance uses.
- e. Institutional, which includes all religious, civic, social, and similar organizations, educational services and public uses.
- f. Industrial, which includes all manufacturing, transportation, warehousing, utilities, waste disposal, construction and mining/mineral extraction uses. (as amended 3/5/10)

**Variance:** An authorization by the Board of Appeals permitting modification to the regulations and standards of this Ordinance in situations where the literal enforcement would result in a practical difficulty not present on other properties typical of the zoning district.

**Veterinary Clinic:** A facility providing diagnosis, treatment, surgery and similar veterinary care for small domestic animals.

**Veterinary Hospital:** A facility which provides diagnosis, treatment, surgery and other veterinary care for domestic animals, horses and livestock. A veterinary hospital may include outdoor boarding incidental to treatment.

**Wall:** A structure of definite height and location to serve as an opaque screen in carrying out the requirements of this Ordinance.

**Waste Receptacle (i.e. dumpster):** Any accessory exterior container used for the temporary storage of rubbish, pending collection, having a capacity of at least one (1) cubic yard. Recycling stations and exterior compactors shall be considered to be waste receptacles.

**Watercourse:** Any natural or manmade body of water including but not limited to a lake, pond, river, canal, channel, swamp, creek, marsh, or outcropping of water.

**Wetland:** Land characterized by the presence of water at a frequency and duration sufficient to support, and that under normal circumstances does support, wetland vegetation or aquatic life and is commonly referred to as a bog, swamp, or marsh, and which is any of the following:

- a. contiguous to an inland lake or pond, or a river or stream;
- b. not contiguous to an inland lake or pond, or a river or stream; and more than 5 acres in size;

- c. not contiguous to an inland lake or pond, or a river or stream; and five (5) acres or less in size if the Michigan Department of Natural Resources (MDNR) determines that the protection of the area is essential to the preservation of the natural resources of the state from pollution, impairment, or destruction and the MDNR has so notified the owner. (definition taken directly from the Goemaere-Anderson Wetland Protection Act, P.A. 203, 1979).

**Wetland, Contiguous:** Contiguous wetlands are wetlands connected to other wetlands or waterways as follows:

- a. A permanent surface water connection or other direct physical contact with any lake, pond, river or stream, including surface or ground water connections.
- b. A seasonal or intermittent direct surface water connection with any lake, pond, river or stream.
- c. Located within 500 feet of the ordinary high water mark of any lake, pond, river or stream.
- d. Separated only by man made barriers, such as dikes, roads, berms, or other similar features.

**Wireless Communication Facilities.** All structures and accessory facilities relating to the use of the radio frequency spectrum for the purpose of transmitting or receiving radio signals. This may include, but shall not be limited to, radio towers, television towers, telephone devices, personal communication transmission equipment and exchanges, microwave relay towers, telephone transmission equipment building and commercial mobile radio service facilities. This definition does not include “reception antenna” for an individual lot as otherwise defined and regulated in this Ordinance.

- a. **Attached Wireless Communication Facilities.** Wireless communication facilities affixed to existing structures, including but not limited to existing buildings, towers, water tanks, or utility poles.
- b. **Wireless Communication Support Structures.** Structures erected or modified to support wireless communication antennas. Support structures within this definition include, but shall not be limited to, monopoles, lattice towers, light poles, wood poles and guyed towers, or other structures which appear to be something other than a mere support structure.

**Yard:** The open spaces on the same lot with a main building unoccupied and unobstructed from the ground upward except as otherwise provided in this Ordinance. A yard may be equal to the setback, but may also be larger, such as where a building is farther from the street than the required setback. Yards are defined below and illustrated in Figure 25.15:

- a. **Front Yard:** An open space extending the full width of the lot, the depth being the minimum horizontal distance between the front lot line or public street right-of-way line/private road easement and the nearest point of building line. A front yard shall be maintained on each side of a corner lot or through lot. For lots along a shoreline of a lake, river, stream or channel the yard facing a public street or private road shall be considered the front yard for zoning purposes and the yard adjoining the shoreline shall be considered the waterfront yard, as defined below. (as amended 12/31/06)

- b. **Rear Yard:** An open space extending the full width of the lot, the depth being minimum horizontal distance between the rear lot line and the nearest point of the principal building line. In the case of a corner lot the rear yard may be opposite either street frontage and there shall only be one (1) rear yard.

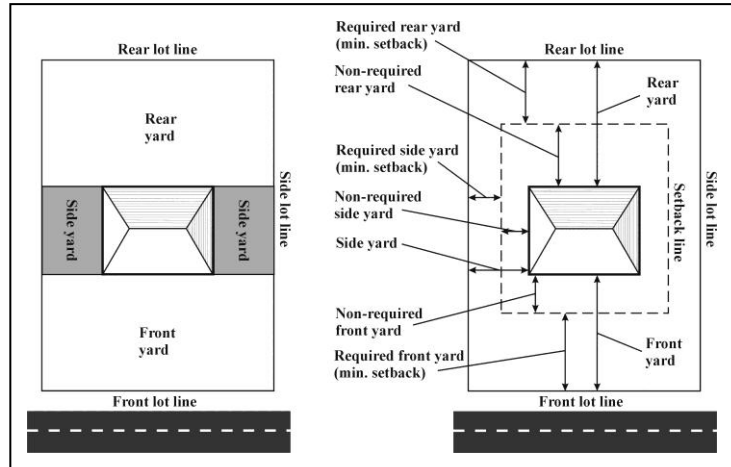


Figure 25.15 Yards

- c. **Side Yard:** A yard between the building line of the principal building or structure and the side lot line extending from front yard to the rear yard, or, in the absence of any clearly defined rear lot line, to the point on the lot farthest from the intersection of the lot line involved with the public street.
- d. **Waterfront Yard:** An open space extending the length of the shoreline of a lake, pond or stream, the depth being the minimum horizontal distance between the shoreline and the nearest point of the principal building line.
- e. **Required Yard:** The open space between the lot line and the minimum setback line. The required yard corresponds to the minimum setback requirement for the district. (as amended 12/31/06)
- f. **Non-required Yard:** The open space between the minimum setback line and the main building. The non-required yard is the additional yard area that the building is setback beyond the minimum setback requirement for the district. (as amended 12/31/06)

**Zero Lot Line:** The location of a building on a lot in such a manner that one or more of the buildings sides rests directly on a lot line, separated only by fire walls.

**Zoning Act:** The Michigan Zoning Enabling Act (Public Act 110 of 2006). (as amended 12/31/06)

**GENOA CHARTER TOWNSHIP,  
LIVINGSTON COUNTY, MICHIGAN  
NOTICE OF PUBLIC HEARING  
ON PROPOSED ZONING  
ORDINANCE TEXT AMENDMENTS  
APRIL 14, 2014**

**PLEASE TAKE NOTICE** that the Planning Commission of Genoa Charter Township will conduct a public hearing on Monday, April 14, 2014, commencing at 6:30 p.m. at the Genoa Charter Township Hall, 2911 Dorr Road, Brighton, Michigan, as required under the provisions of the Michigan Zoning Enabling Act (Public Act 110 of 2006).

**PLEASE TAKE FURTHER NOTICE** that the items to be considered at said public hearing include, in brief, the following:

1. **Consideration of Zoning Ordinance Text Amendments as follows:**
  - a. **Amendments to Article 7 of the Zoning Ordinance, entitled "Commercial and Service Districts", Section 7.02.02(v) is proposed to be amended to revise conditions and add standards related to "Temporary Outdoor Sales and Events".**
  - b. **Amendments to Article 25 of the Zoning Ordinance, entitled "Definitions" to add a definition for "Temporary Outdoor Sales and Events".**
2. **Such other and further matters as may properly come before the Planning Commission at the public hearing.**

The purpose of the public hearing is to explain the proposed changes to the Zoning Ordinance to the public and receive public comment on the proposed changes. All interested parties are welcome to attend and present their comments. If you are unable to attend, written comments may be submitted by writing to the Planning Commission at the Genoa Township Hall, 2911 Dorr Road, Brighton, MI 48116, up to the date of the hearing and may be further received by the Planning Commission at said hearing. The Zoning Ordinance text and a copy that illustrates all changes are available for public inspection at the Township Hall. The Township Hall is located at 2911 Dorr Road, Brighton, Michigan 48116 and is open Monday through Friday from 9:00a.m. to 5:00p.m.

Genoa Charter Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities at the meeting/hearing upon seven (7) days' notice to the Township. Individuals with disabilities requiring auxiliary aids or services should contact the Township in writing or by calling at (810) 227-5225.

SIGNED:  
KELLY VANMARTER  
ASSISTANT TOWNSHIP MANAGER/COMMUNITY  
DEVELOPMENT DIRECTOR

(03-28-2014 DAILY 187490)





GENOA CHARTER TOWNSHIP APPLICATION  
Sketch Plan Review

GENOA TOWNSHIP  
MAR 28 2014

TO THE GENOA TOWNSHIP PLANNING COMMISSION:

APPLICANT NAME & ADDRESS: Mr. Jim King, NorthRidge Church  
*If applicant is not the owner, a letter of Authorization from Property Owner is needed.*

OWNER'S NAME & ADDRESS: 49555 N. Territorial, Plymouth, Mi. 48170

SITE ADDRESS: 7555 Brighton Rd., Brighton, Mi PARCEL #(s): 11-25-300-037  
~~11-25-300-024~~

APPLICANT PHONE: (734) 414-7777 OWNER PHONE: ( ) Same

LOCATION AND BRIEF DESCRIPTION OF SITE: The site is an existing Church recently purchased by NorthRidge Church. It is located on Brighton Rd. across from the main entrance to Pine Creek Ridge.

BRIEF STATEMENT OF PROPOSED USE: The use will continue as a Church.

THE FOLLOWING IMPROVEMENTS ARE PROPOSED: Building renovation, construction of a new drop off area, demolition of a small parking lot, repaving of the existing parking lot, installation of a new sign.

I HEREBY CERTIFY THAT ALL INFORMATION AND DATA ATTACHED TO AND MADE PART OF THIS APPLICATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

BY: [Signature] CPO/Treas  
ADDRESS: 49555 N. Territorial Rd., Plymouth, Mi. 48170

**Contact Information** - Review Letters and Correspondence shall be forwarded to the following:  
1.) Brent LaVanway of Boss Engineering at brentl@bosseng.com  
Name Business Affiliation Email Address

**FEE EXCEEDANCE AGREEMENT**  
All sketch plans are allocated one (1) consultant review and one (1) Planning Commission meeting. If additional reviews or meetings are necessary, the applicant will be required to pay the actual incurred costs for the additional reviews. If applicable, additional review fee payment will be required concurrent with submittal for a Land Use Permit. By signing below, applicant indicates agreement and full understanding of this policy.  
SIGNATURE: [Signature] CPO/Treas DATE: 3/28/2014  
PRINT NAME: Jim King PHONE: 734.414.7777



**LSL Planning, Inc.**

Community Planning Consultants

April 9, 2014

Planning Commission  
Genoa Township  
2911 Dorr Road  
Brighton, Michigan 48116

<b>Attention:</b>	Kelly Van Marter, AICP Assistant Township Manager and Planning Director
<b>Subject:</b>	Northridge Church building and site improvements – Sketch Plan Review #1
<b>Location:</b>	7555 Brighton Road – north side of Brighton Road, east of Bauer Road
<b>Zoning:</b>	SR Suburban Residential District

Dear Commissioners:

As requested, we have reviewed the sketch plan proposing site and building improvements for the Northridge Church property (plan dated 3/28/14). The property is located on the north side of Brighton Road, east of Bauer Road, and is within the SR Suburban Residential zoning district.

The proposed project has been reviewed in accordance with the Genoa Township Zoning Ordinance.

**A. Summary**

1. The project is eligible for sketch plan review (as opposed to a full site plan) and is considered a minor amendment to an existing special land use; therefore, a new special land use is not required.
2. The proposed architectural changes could be viewed as incompatible with the generally residential character of Brighton Road. However, ultimately, building design, materials and colors are subject to review and approval by the Township.
3. Building material and color samples should be presented to the Planning Commission.
4. One parking lot drive aisle has a deficient width that must be corrected.
5. Parking lot striping is required to be double striped (often referred to as looped).
6. The Township may wish to require internal parking lot landscaping in place of excess parking spaces.
7. Additional details are needed for the proposed monument sign (area and setback must be confirmed).
8. The proposed wall sign is not permitted by Article 16.
9. Additional details are needed for the outdoor gathering space.

**B. Proposal/Process**

The applicant requests sketch plan approval for site and building improvements, including internal renovations, repaving/restriping of the existing parking lot, installation of a new monument sign, a new waste receptacle enclosure and building façade improvements.

Given the scope of the project, it is eligible for sketch plan review (as opposed to full site plan review) in accordance with Article 18 of the Township Zoning Ordinance.

Furthermore, although churches, temples and similar places of worship are special land uses in the SR District, the project constitutes a minor amendment to an existing special land use. As such, a new special land use review is not required.



*Aerial view of site and surroundings (looking north)*

### **C. Sketch Plan Review**

- 1. Dimensional Requirements.** The only apparent change to any of the SR dimensional requirements is a slight increase in impervious surface coverage. Section 3.04 establishes the maximum allowable coverage as 35%, while the proposed coverage is 14.7%.
- 2. Building Materials and Design.** The proposed elevations, including colors and materials, are subject to review and approval by the Planning Commission. The materials proposed include simulated stone panels and concrete brick units. Aside from material changes, the elevation drawings also call for removal of the existing steeple and addition of a covered entryway. The applicant should provide sample building materials and colors for the Commission's consideration.

It is worth noting that the Township's building design requirements (Section 12.01) include a compatibility standard. Specifically stating that materials and colors "shall relate well and be harmonious with the surrounding area" and "roof shape and materials shall be architecturally compatible with adjacent buildings and enhance the predominant streetscape."

While there are other institutional uses in the area (churches and schools), the portion of Brighton Road within the Township is predominantly a residential corridor. As such, the proposed building alterations could be viewed as a bit contemporary in relation to the general residential character of the area.

- 3. Parking.** Based upon the occupancy calculation provided by the applicant, the site requires 160 parking spaces. A note on Sheet 3 indicates that 172 will be provided as a result of the project, which represents a slight decrease from the current amount provided (181). Given the amount of parking provided, 6 barrier free spaces are required, while 11 are provided.

Parking space and drive aisle dimensions are in accordance with Section 14.06.04, with one exception: there is a 21.7-foot drive aisle shown in the northwest corner of the parking lot. Given there is an excess of 12 parking spaces, we suggest the two spaces immediately south of this drive be removed so a compliant drive aisle width (24 feet) can be provided. Lastly, Section 14.06.07 requires double (or looped) striping for parking spaces.

- 4. Pedestrian Circulation.** There is an existing asphalt pathway along Brighton Road, as well as internal sidewalks between the parking lot and main building entrances.

In our opinion, the site could benefit from an internal connection between the public pathway along Brighton Road and the pedestrian areas of the site. While this is not a requirement, the applicant may wish to consider including this as part of their overall project.

The project also includes replacement of existing wooden stairs with concrete stairs between the northerly parking lot and sidewalk leading to the entrance on that side of the building.

- 5. Vehicular Circulation.** The project includes a new drop-off area off of the main driveway, as well as a 4-foot widening of the main driveway along its west side. The existing curb cut along Brighton Road will not change, aside from this widening. As noted in their letter dated April 2, 2014, the Livingston County Road Commission will require a permit for the widening.

- 6. Landscaping.** The site contains a significant amount of mature vegetation, some of which is proposed to be removed to accommodate the proposed monument sign. The proposed landscape plan (Sheet 4) proposes 24 new shrubs in front of the building.

In terms of current landscaping requirements, the most obvious deficiency is a lack of internal parking lot islands/landscaping. Per current standards, 15 canopy trees and 1,433 square feet of landscaped area are required given the amount of parking proposed.

Given the excess number of parking spaces noted above, there are opportunities to improve this nonconforming condition. As such, the Township may wish to require internal parking lot landscaping improvements.

- 7. Waste Receptacle.** Details on Sheet 5 identify a new masonry enclosure and concrete base pad for a waste receptacle. The placement and design are consistent with the requirements of Section 12.04.
- 8. Exterior Lighting.** The submittal does not indicate that any new exterior site lighting is proposed. Sheet 5 includes a detail of existing lighting, noting 20-foot tall poles with downward directed and shielded fixtures, per current standards.
- 9. Signs.** The project includes two new signs: a wall sign on the front of the building and a monument sign on the west side of the driveway (the existing monument sign on the east side of the driveway will be removed).

Per Section 16.03.11, a ground sign is permitted with a maximum area of 25 square feet and a maximum height of 6 feet. Based upon the detail provided, the height is compliant, although the proposed sign area is unclear. Additionally, a 10-foot setback is required, which cannot be confirmed given the scale and print quality of the site plan provided.

Lastly, Table 16.1 does not permit wall signs in the SR District. Accordingly, the applicant must either remove this sign from the project or seek a variance from the Zoning Board of Appeals.

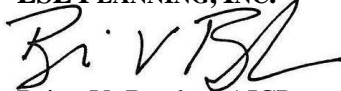
Any signage ultimately approved will require a permit from the Township in accordance with Article 16 of the Township Zoning Ordinance.

- 10. Additional Considerations.** The proposed project includes an outdoor gathering space, although it is not shown on the sketch plan, nor are any details provided. The applicant must provide the Township with an indication of the intended use of this area and details should be included on the sketch plan.

Should you have any questions concerning this matter, please do not hesitate to contact our office. I can be reached by phone at (248) 586-0505, or via e-mail at [borden@lslplanning.com](mailto:borden@lslplanning.com).

Sincerely,

**LSL PLANNING, INC.**

A handwritten signature in black ink, appearing to read "B. V. Borden". The signature is stylized and written over the printed name below it.

Brian V. Borden, AICP  
Senior Planner

## Kathryn Poppy

---

**From:** Markstrom, Gary <Gary.Markstrom@tetrattech.com>  
**Sent:** Wednesday, April 02, 2014 1:47 PM  
**To:** Kathryn Poppy  
**Subject:** RE: Review Needed - Northridge Church Facade Updates

Kathryn, the scope of the improvements appears to be mainly architectural with limited site changes. The resurfacing of the parking lot is acceptable as shown. They are eliminating a parking lot in the front of the building which reduces the impervious area of the site. This reduction offsets the drop off lane addition so the storm water management system is unchanged. The widening of the drive entrance will need approval from the LCRC for work within their right of way. From an engineering perspective the sketch plans as presented are acceptable. We will be at the upcoming planning commission meeting to address any questions they may have.

**Gary J. Markstrom, P.E. | Unit Vice President**  
Direct: 517.316.3932 | Cell: 810.499.6646 | Fax: 517.484.8140  
[Gary.markstrom@tetrattech.com](mailto:Gary.markstrom@tetrattech.com)

Tetra Tech | Engineering & Consulting Services  
401 South Washington Square Suite 100, Lansing, MI 48933 | [www.tetrattech.com](http://www.tetrattech.com)

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**From:** Kathryn Poppy [<mailto:Kathryn@genoa.org>]  
**Sent:** Monday, March 31, 2014 2:53 PM  
**To:** [borden@slplanning.com](mailto:borden@slplanning.com); Claudette Monroe ([monroe@brightonareafire.com](mailto:monroe@brightonareafire.com)); Markstrom, Gary; Michael O'Brian  
**Cc:** Kelly VanMarter  
**Subject:** Review Needed - Northridge Church Facade Updates

Dear Reviewers (Brian, Gary, Mike),

A **Sketch Plan** for façade updates for Northridge Church is now underway. Northridge has purchased the former Livingstone Church on Brighton Road. See transmittal and submittal attached. Your response is requested by April 9, 2014.

**Please confirm that the four pdf attachments were received.** And thanks for your help. If you are in need of a hard copy, please let me know and we will get one ready for you.

The Great Snow Melt of 2014 is almost done!

Best,  
Kathryn

Kathryn Poppy, M.A.  
Administrative Assistant  
Community Planning



Genoa Charter Township  
2911 Dorr Road, Brighton, Michigan 48116



# BRIGHTON AREA FIRE AUTHORITY

615 W. Grand River Ave.  
Brighton, MI 48116  
o: 810-229-6640 f: 810-229-1619

April 9, 2014

Kelly VanMarter  
Genoa Township  
2911 Dorr Road  
Brighton, MI 48116

RE: Northridge Church  
7555 Brighton Rd.  
Site Plan Review

Dear Kelly:

The Brighton Area Fire Department has reviewed the above mentioned site plan. The plans were received for review on April 4, 2014 and the drawings are dated March 28, 2014. The project is based on the renovation of an existing church building and site improvements. The plan review is based on the requirements of the International Fire Code (IFC) 2012 edition.

Proposed changes to the site or building will not impact any fire code requirements for this re-occupancy of an existing use. The following comments are recommended for a conditional approval.

1. Future project submittals shall include the address and street name of the project in the title block.  
**IFC 105.4.2**
2. The new Ansul kitchen hood fire suppression system noted on floor plan will need to be permitted prior to installation. The installing contractor shall submit plans to the fire authority for review.  
**IFC 901.2**
3. The building shall include the building address on the building. The address shall be a **minimum of 6"** high letters of contrasting colors and be clearly visible from the street. The location and size shall be verified prior to installation.  
**IFC 505.1**
4. The location of a key box (Knox Box) shall be indicated on future submittals. The Knox box will be located adjacent to the front door of the structure.  
**IFC 506.1**

Additional comments will be given during the building plan review process (specific to the building plans and occupancy). If you have any questions about the comments on this plan review please contact me at 810-229-6640.

Cordially,

A handwritten signature in black ink, appearing to read "Michael Evans".

Michael Evans, EFO, CFPS  
Deputy Fire Chief

## Livingston County Road Commission

3535 Grand Oaks Drive • Howell, Michigan 48843-8575  
Telephone: (517) 546-4250 • Facsimile: (517) 546-9628  
Internet Address: [www.livingstonroads.org](http://www.livingstonroads.org)

April 2, 2014

Mr. Brent LaVanway, P.E.  
Boss Engineering  
3121 E. Grand River  
Howell, MI 48843

Re: Commercial Driveway Waiver – NorthRidge Church  
7555 Brighton Road, Parcel #4714-25-400-037  
Genoa Township, Section 25

Dear Mr. LaVanway:

The parcel located at 7555 Brighton Road has an existing commercial driveway approach. The proposed improvements to both the building and parking lot are not a change in the use of the property nor does it increase the amount of traffic utilizing the driveway. Therefore, a permit from this office is not necessary at this time.

Any future additions to the existing building or changes in the use may require improvements to the driveway approaches. A permit to work within the county road right of way will be needed for the proposed 4 foot pavement widening at the approach.

If you have any further questions, please feel free to contact me.

Sincerely,



Kim Hiller, P.E.  
Utilities and Permits Engineer

Cc: File  
Kelly VanMarter, Genoa Township (via email)





GENOA TOWNSHIP

MAR 28 2014

EXTERIOR AERIAL

SCALE : NTS

2014.03.04

**HOBBS + BLACK** ARCHITECTS

NORTHRIDGE CHURCH - RENOVATION CONCEPT

| BRIGHTON, MICHIGAN

14-901

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FILE NAME: P:\2014\149011\Drawings\14-901\14-901-0304 - CONCEPT.rvt



**EXTERIOR SOUTH-WEST**

SCALE : NTS

2014.03.04



**EXTERIOR SOUTH**

SCALE : NTS

2014.03.04



**INTERIOR SOUTH**

SCALE : NTS

2014.03.04

**HOBBS + BLACK** ARCHITECTS

**NORTHRIDGE CHURCH - RENOVATION CONCEPT**

| BRIGHTON, MICHIGAN

**14-901**

© 2014 Hobbs + Black Associates, Inc. DATE PRINTED: 03/04/14 FILE NAME: P:\2014\14901\DWG\301\STILL\20140304 - CONCEPT.rvt

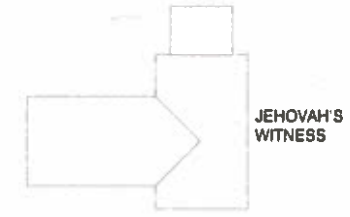


**INTERIOR WEST**

SCALE : NTS

2014.03.04

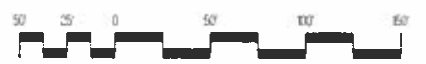
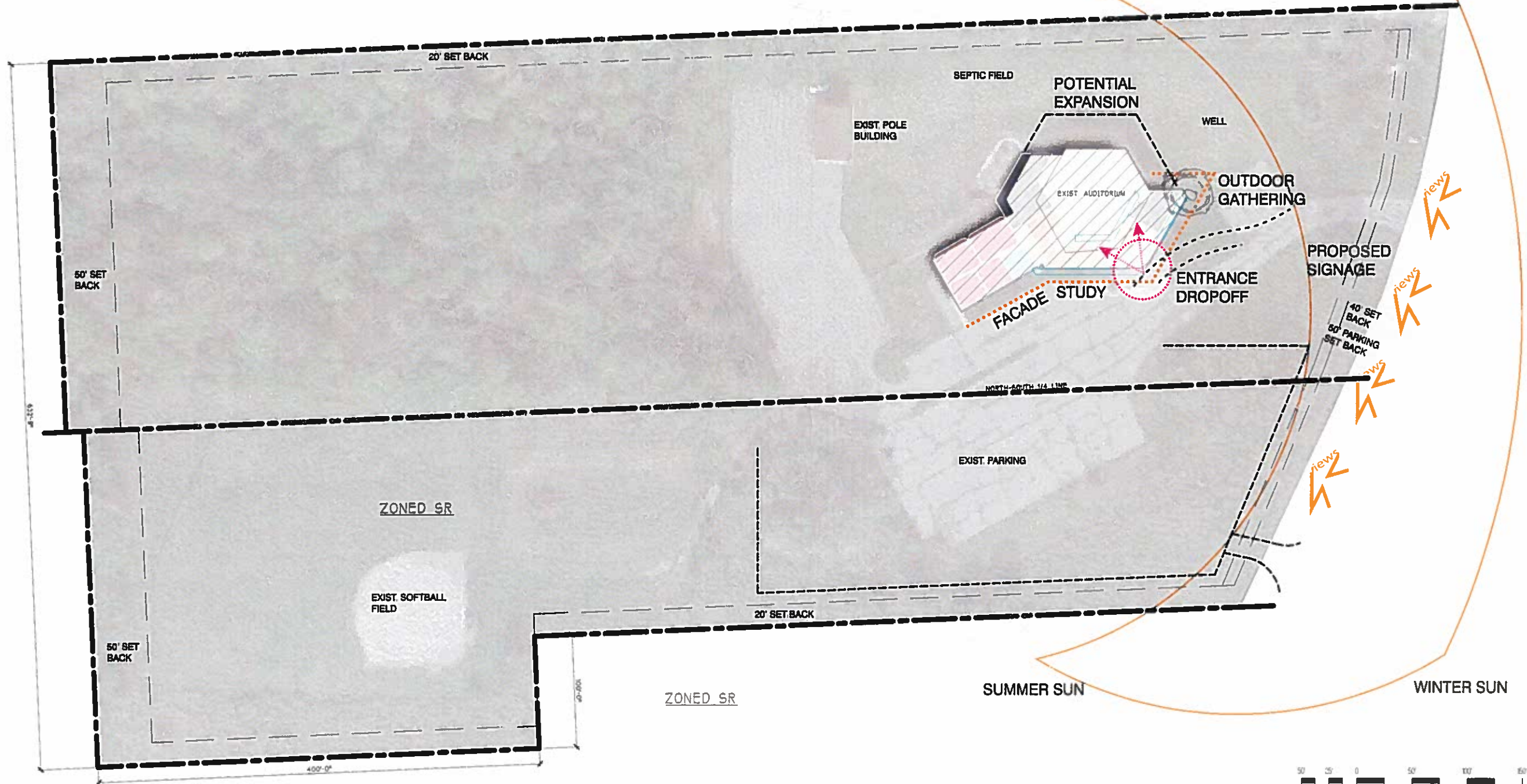
TO GRAND RIVER AVE  
(BRIGHTON CBD)



BRIGHTON ROAD

ZONED SR

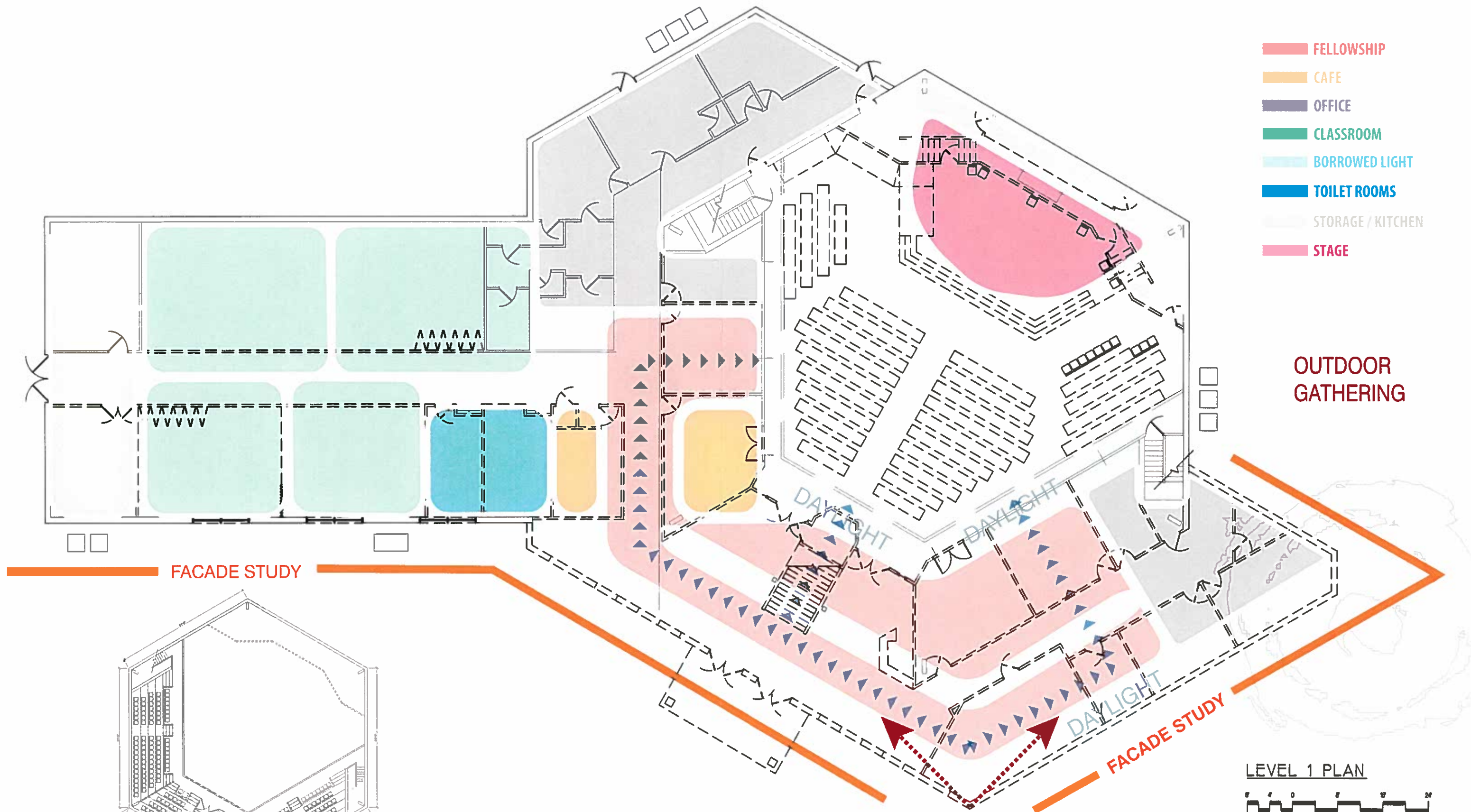
ZONED RPUD



SUMMER SUN

WINTER SUN

- FELLOWSHIP
- CAFE
- OFFICE
- CLASSROOM
- BORROWED LIGHT
- TOILET ROOMS
- STORAGE / KITCHEN
- STAGE

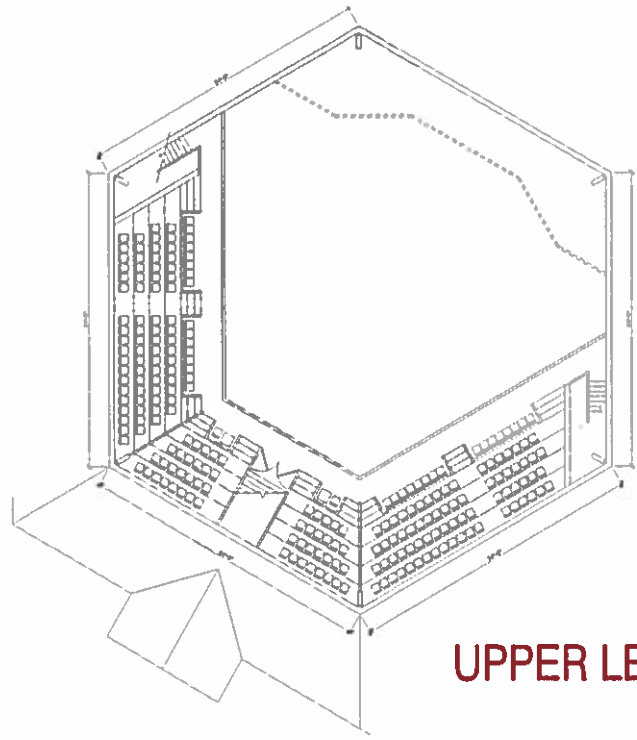


OUTDOOR  
GATHERING

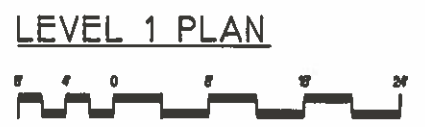
FACADE STUDY

FACADE STUDY

PROPOSED ENTRANCE DROPOFF

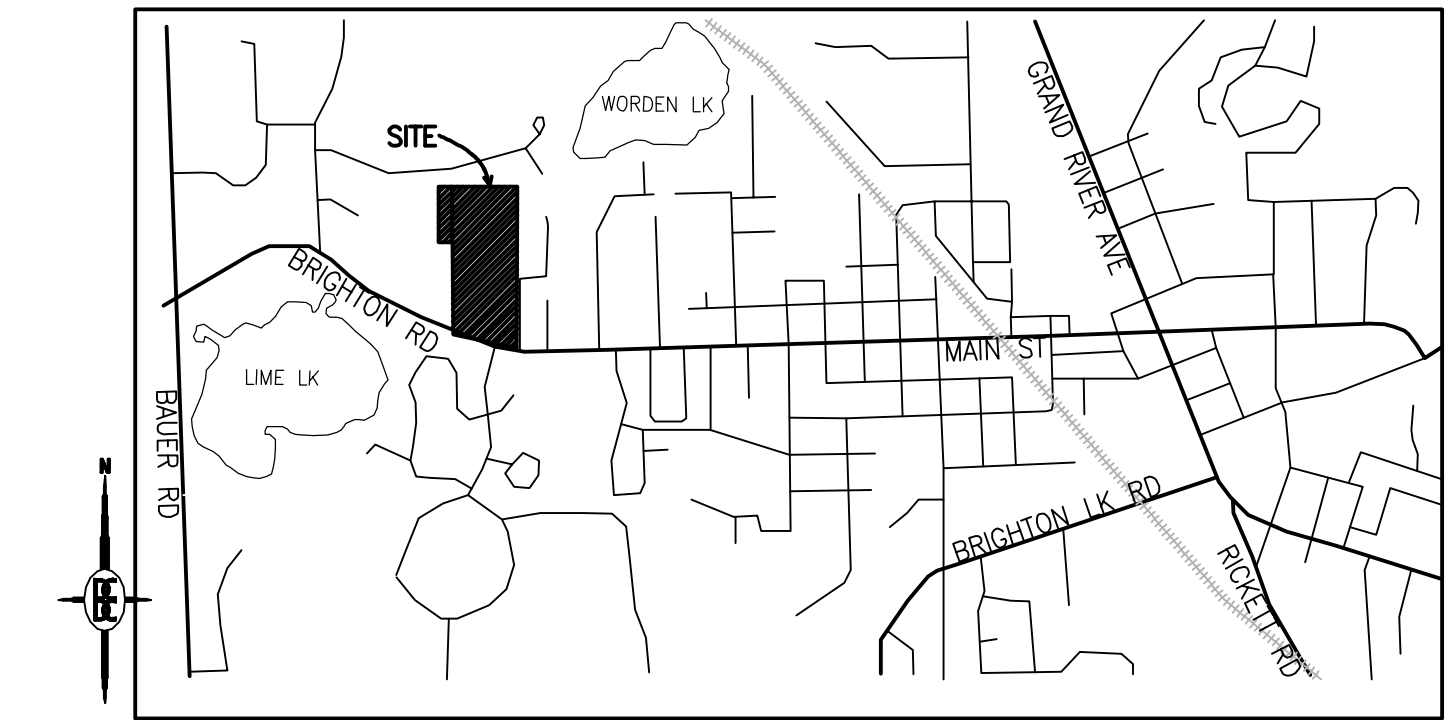


UPPER LEVEL



# SKETCH PLAN FOR NORTHRIDGE CHURCH

PART OF SE 1/4 & SW 1/4 SEC. 25, T.2N., R.5E.  
GENOA TOWNSHIP, LIVINGSTON COUNTY, MI



**LOCATION MAP**  
NO SCALE

**PROPERTY DESCRIPTION:**

**DESCRIPTION OF PARCEL #4714-25-400-037 (per Boss Engineering Survey, Job No. 89590, dated 10-31-89, as recorded in LIBER 1386, Page 217, Livingston County Records)**

A part of the Southeast 1/4 and the Southwest 1/4 of Section 25, T2N-R5E, Genoa Township, Livingston County, Michigan, described as follows: Commencing at the South 1/4 corner of said Section; thence N 01°02'58" W along the North-South 1/4 line of said Section (as monumented) 17.25 feet to the South 1/4 corner of said Section, as used in the plat of "Mt. Brighton Subdivision", as recorded in LIBER 12 of Plats on page 35 of the Livingston County Records; thence continuing along said North-South 1/4 line N 01°30'41" W, 166.85 feet to the Northerly Right-of-Way of Brighton Road (as relocated) to the Point of Beginning of the Parcel to be described; thence Northwestly along said Right-of-Way, 51.43 feet on the arc of a curve right, said curve has a central angle of 02°10'44", a radius of 1352.41 feet and a long chord bearing N 66°41'32" W, 51.42 feet; thence continuing along said Right-of-Way line, N 63°35'55" W, 170.43 feet; thence N 01°30'42" W, 661.98 feet; thence along a line parallel with the south line of "Mt. Brighton Subdivision No. 2" as recorded in LIBER 13 of Plats on pages 12-13 of the Livingston County Records S 88°57'00" W, 100.00 feet; thence N 01°30'42" W, 400.00 feet; thence along the South line of said "Mt. Brighton Subdivision No. 2" N 88°57'00" E, 300.00 feet; thence continuing along said South subdivision line N 89°03'20" E, 332.75 feet; thence along a previously surveyed and monumented line, S 01°27'28" E, 1250.69 feet; thence along the Northerly Right-of-Way line of Brighton Road (as relocated) Northwestly on the arc of a curve right, 346.56 feet; said curve has a central angle of 14°40'56", a radius of 1352.41 feet and a long chord which bears N 75°07'07" W, 343.61 feet to the Point of Beginning. Containing 15.25 acres, more or less, and subject to the rights of the public over Brighton Road. Also including a temporary access easement as recorded in LIBER 1309, pages 638 through 640, of the Livingston County Records.

**GENERAL SURVEY NOTES:**

1. BEARINGS WERE ESTABLISHED FROM A PREVIOUS SURVEY BY BOSS ENGINEERING, JOB NO. 89590, DATED 10-31-89, AS RECORDED IN LIBER 1386, PAGE 217, LIVINGSTON COUNTY RECORDS.
2. SUBSURFACE UTILITIES NOT LOCATED FOR THIS SURVEY MAY EXIST. IT IS THE RESPONSIBILITY OF THE OWNER OF THE RESPECTIVE UTILITY TO ACCURATELY LOCATE SUCH UTILITIES.
3. EASEMENTS OR RESTRICTIONS OF RECORD NOT DEPICTED ON THIS DRAWING MAY EXIST.
4. ELEVATIONS WERE ESTABLISHED FROM BENCHMARK INFORMATION AS SHOWN ON BOSS ENGINEERING AS-BUILT PLANS FOR WARDEN LAKE WOODS UNDER JOB NO. 98011, AS-BUILT DATE OF 4-6-2000 AND A MORE RECENT SURVEY BY BOSS ENGINEERING, JOB NO. 13-100, DATED 5-14-13. (NGVD29 DATUM)
5. CONTOURS ARE SHOWN AT 1 FOOT INTERVALS.
6. ALL ELEVATIONS ARE SHOWN TO THE NEAREST 0.01 FOOT; HOWEVER SOFT-SURFACE ELEVATIONS CAN ONLY BE PRESUMED ACCURATE TO THE NEAREST 0.1 FOOT.
7. ALL WORK SHALL BE IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE MUNICIPALITY, THE COUNTY, AND THE STATE OF MICHIGAN.
8. ALLOW THREE WORKING DAYS BEFORE YOU DIG, CALL MISS DIG TOLL FREE 1-800-482-7171.



**OVERALL SITE MAP**  
NO SCALE

<b>SHEET INDEX</b>	
SHEET NO.	DESCRIPTION
1	COVER SHEET
2	EXISTING CONDITIONS & DEMOLITION PLAN
3	SITE & DRAINAGE PLAN
4	LANDSCAPE PLAN
5	CONSTRUCTION DETAILS
A1	FLOOR PLAN
A2	ELEVATION VIEWS

## NORTHRIDGE CHURCH

PREPARED FOR:

**HOBBS+BLACK ARCHITECTS**  
100 NORTH STATE STREET  
ANN ARBOR, MI 48104  
CONTACT: MR. BRIAN BAGNICK  
PHONE: (734) 663-4189

PREPARED BY:

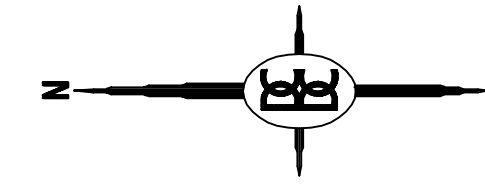
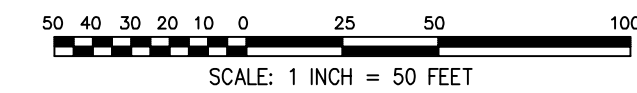
**B BOSS ENGINEERING**  
**ENGINEERS • SURVEYORS • PLANNERS**  
**LANDSCAPE ARCHITECTS**  
(E-MAIL: [bo@bosseng.com](mailto:bo@bosseng.com))  
3121 E. GRAND RIVER AVE.  
HOWELL, MI 48843  
(800) 246-6735 FAX (517) 548-1670

**INDEMNIFICATION STATEMENT**

THE CONTRACTOR SHALL HOLD HARMLESS THE DESIGN PROFESSIONAL, MUNICIPALITY, COUNTY, STATE AND ALL OF ITS SUB CONSULTANTS, PUBLIC AND PRIVATE UTILITY COMPANIES, AND LANDOWNERS FOR DAMAGES TO INDIVIDUALS AND PROPERTY, REAL OR OTHERWISE, DUE TO THE OPERATIONS OF THE CONTRACTOR AND/OR THEIR SUBCONTRACTORS.

											<b>1</b>
1	ST	BL	SKETCH PLAN	03-28-14	ISSUE DATE:	03/28/14					
	NO	BY	CK	REVISION	DATE					JOB NO.	14-054





**IMPERVIOUS AREAS:**  
 EXISTING IMPERVIOUS = 2.48 AC.  
 PROPOSED IMPERVIOUS = 2.50 AC.  
 TOTAL SITE ACREAGE = 16.96 AC.  
 PROP. % IMPERVIOUS = 14.7% IMPERVIOUS



LET THE USER USE THE PLAN OF DESIGN OR INFORMATION UTILITIES & SHOWING ON THESE DRAWINGS ARE ONLY APPROXIMATE. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY OF THE INFORMATION PROVIDED HEREON. THE USER SHALL BE RESPONSIBLE FOR DETERMINING THE EXACT LOCATION AND ELEVATION OF EXISTING UTILITIES AND CONSTRUCTION SHALL NOTIFY THE ENGINEER IF ANY CONDITIONS ARE APPARENT OR IF THE LOCATION OR DEPTH DIFFERS SIGNIFICANTLY FROM THE PLANS.

**BEFORE YOU DIG  
CALL MISS DIG**  
 1-800-485-3333  
 www.missdig.com

**BOSS ENGINEERING**  
 ENGINEERS SURVEYORS PLANNERS  
 LANDSCAPE ARCHITECTS  
 (E-MAIL: BOSS@BOSS-ENR.COM)  
 3121 E. GRAND RIVER AVE.  
 HOWELL, MI 48843  
 (800) 246-6735 FAX (517) 946-1670

PROJECT: **NORTHRIDGE CHURCH**  
 PREPARED FOR: **HOBBS+BLACK ARCHITECTS**  
 100 NORTH STATE STREET  
 ANN ARBOR, MI 48104  
 (734) 663-4189

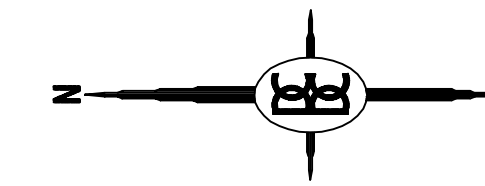
TITLE: **EX. CONDITIONS & DEMOLITION PLAN**

NO	BY	SKETCH PLAN	REVISION PER	DATE
1	ST			03-28-14

DESIGNED BY: ST  
 DRAWN BY: ST  
 CHECKED BY:  
 SCALE: 1" = 50'  
 JOB NO. 14-054  
 DATE: 03/28/14  
 SHEET NO. 2



50 40 30 20 10 0 25 50 100  
SCALE: 1 INCH = 50 FEET



**PARKING CALCULATIONS:**  
 480 OCCUPANTS — REQUIRED 1SPACE/3 SEATS  
 EXISTING = 181  
 REQUIRED = 160  
 SURPLUS = 21  
 REMOVED = 9  
 REMAINING = 172  
 REMAINING SURPLUS = 12  
 REQUIRED BARRIER FREE = 9  
 EXISTING BARRIER FREE = 11

THE DESIGN AND LOCATION OF UTILITIES, UNDERGROUND UTILITIES & OTHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY OF THESE DRAWINGS ARE ONLY APPROXIMATE. NO GUARANTEE IS MADE BY THE ENGINEER AS TO THE COMPLETENESS OR ACCURACY OF THESE DRAWINGS. THE ENGINEER'S RESPONSIBILITY IS LIMITED TO DETERMINING THE EXACT LOCATION AND ELEVATION OF EXISTING UTILITIES, AND THE LOCATION AND ELEVATION OF PROPOSED UTILITIES. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ANY UTILITIES SHOWN ON THE PLANS OR IF THE LOCATION OR DEPTH DIFFERS SIGNIFICANTLY FROM THE PLANS.  
 A WARNING SIGN BEFORE YOU DIG  
 CALL MISS DIG  
 1-800-485-5111

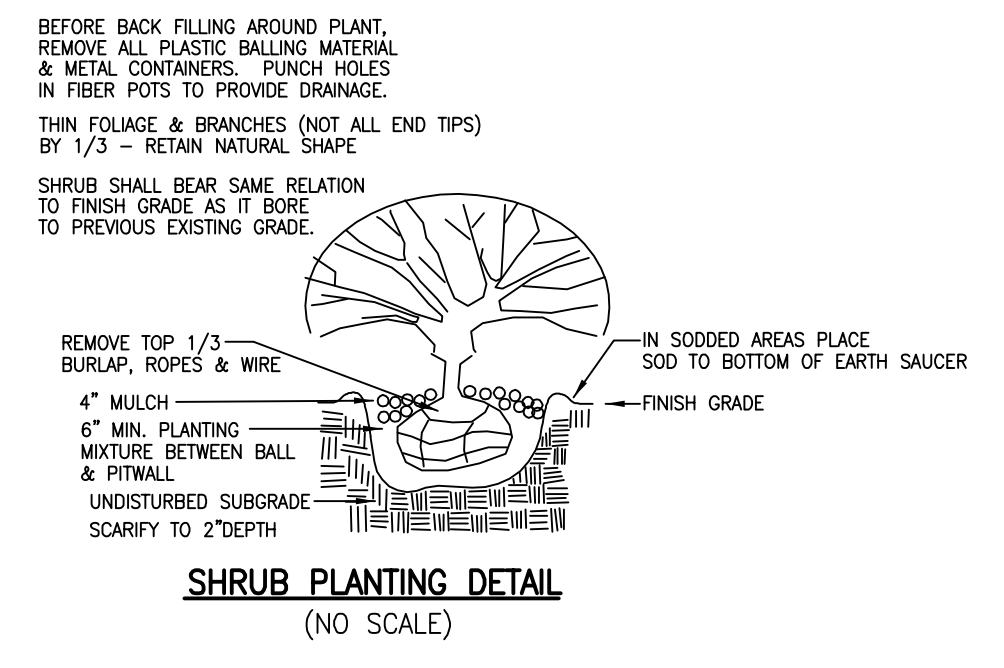
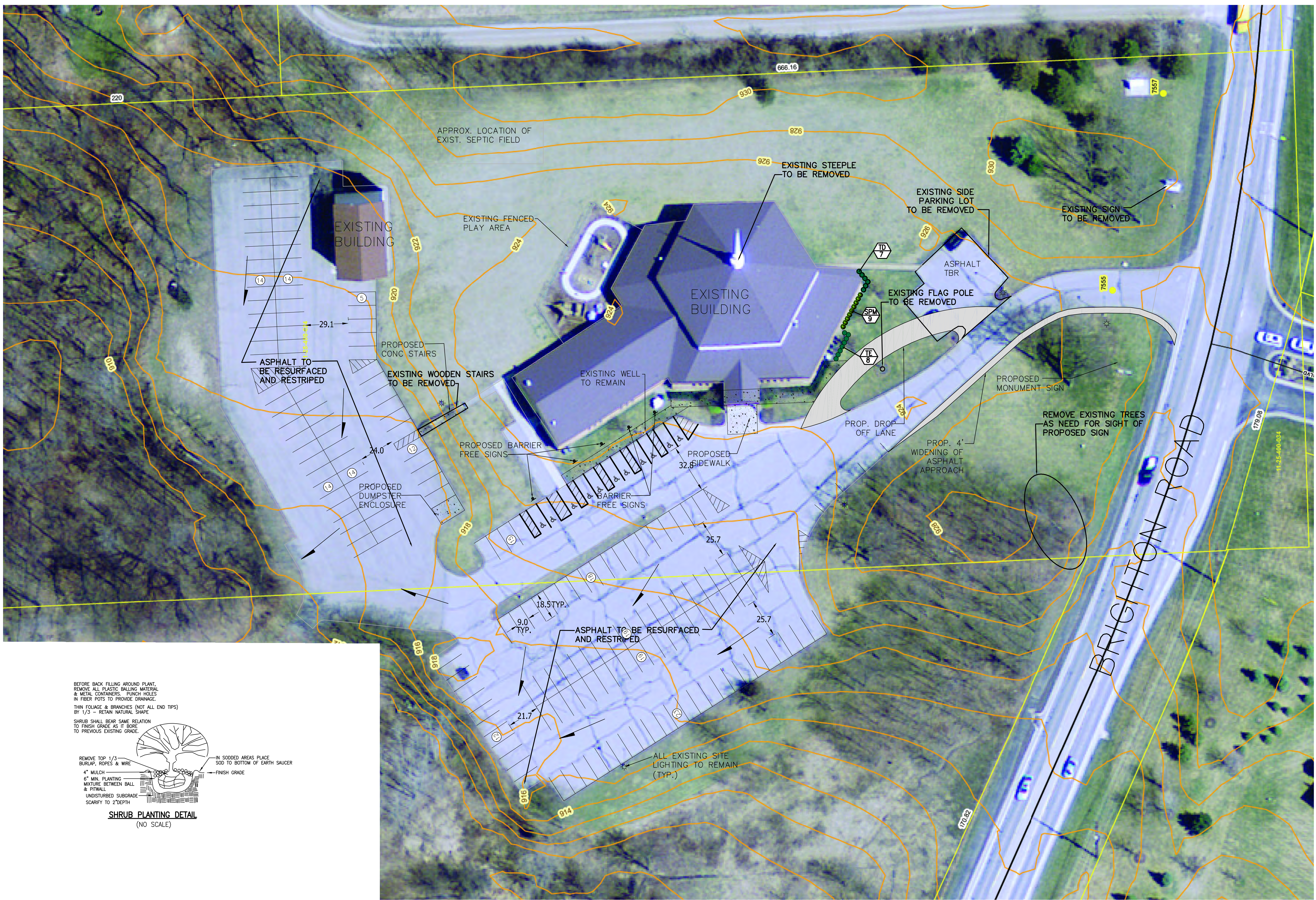
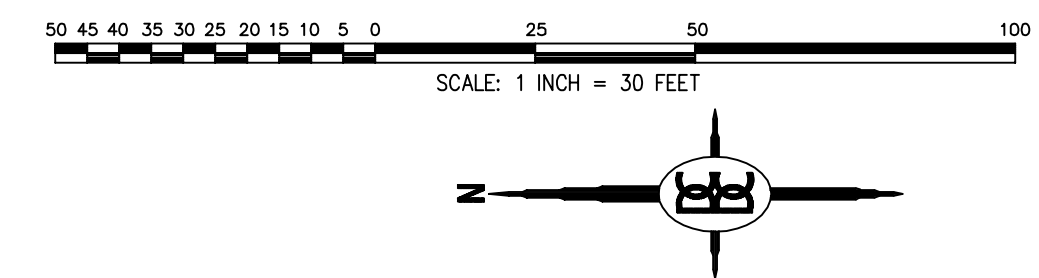
**BOSS ENGINEERING**  
 ENGINEERS SURVEYORS PLANNERS  
 LANDSCAPE ARCHITECTS  
 (E-MAIL: BOSS@BOSS-ENR.COM)  
 3121 E. GRAND RIVER AVE.  
 HOWELL, MI, 48843-1670  
 (800) 246-6735 FAX (517) 946-1670

PROJECT: **NORTHTRIDGE CHURCH**  
 PREPARED FOR: **HOBBS+BLACK ARCHITECTS**  
 100 NORTH STATE STREET  
 ANN ARBOR, MI 48104  
 (734) 663-4189  
 TITLE: **SITE & DRAINAGE PLAN**

NO	BY	SKETCH PLAN	REVISION PER	DATE
1	ST			03-28-14

DESIGNED BY: ST  
 DRAWN BY: ST  
 CHECKED BY:  
 SCALE: 1" = 50'  
 JOB NO. 14-054  
 DATE: 03/28/14  
 SHEET NO. **3**

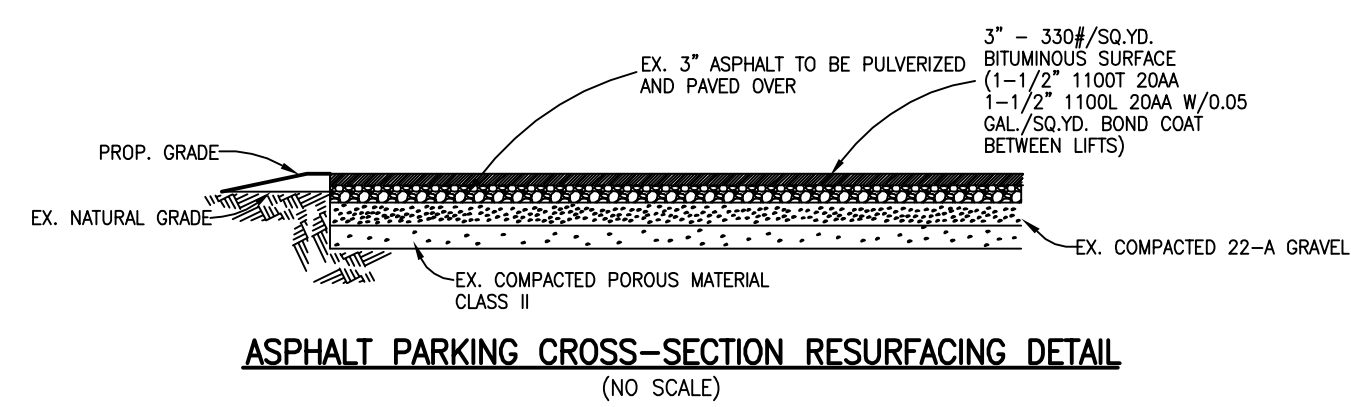
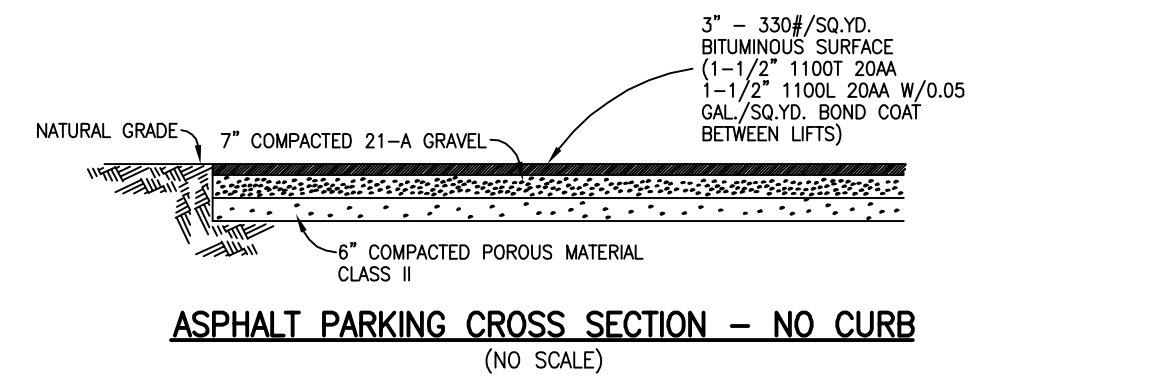
PLANT LIST					
KEY	QUAN.	BOTANICAL NAME	COMMON NAME	SIZE	REMARK
SHRUBS					
SPM	9	<i>Syringa patula</i> 'Miss Kim'	Miss Kim Dwarf Lilac	24"-36" ht.	B-B
TD	7	<i>Toxus x media</i> 'densiformis'	Dense Yew	24"-32" sprd.	B-B
TE	8	<i>Thuja occidentalis</i> 'Emerald'	Emerald Arborvitae	24"-36" ht.	B-B



**BOSS ENGINEERING**  
ENGINEERS SURVEYORS PLANNERS  
**LANDSCAPE ARCHITECTS**  
(E-MAIL: BOSS@BOSS-ENR.COM)  
3121 E. GRAND RIVER AVE.  
HOWELL, MI, 48843  
(800) 246-6735 FAX (517) 948-1670

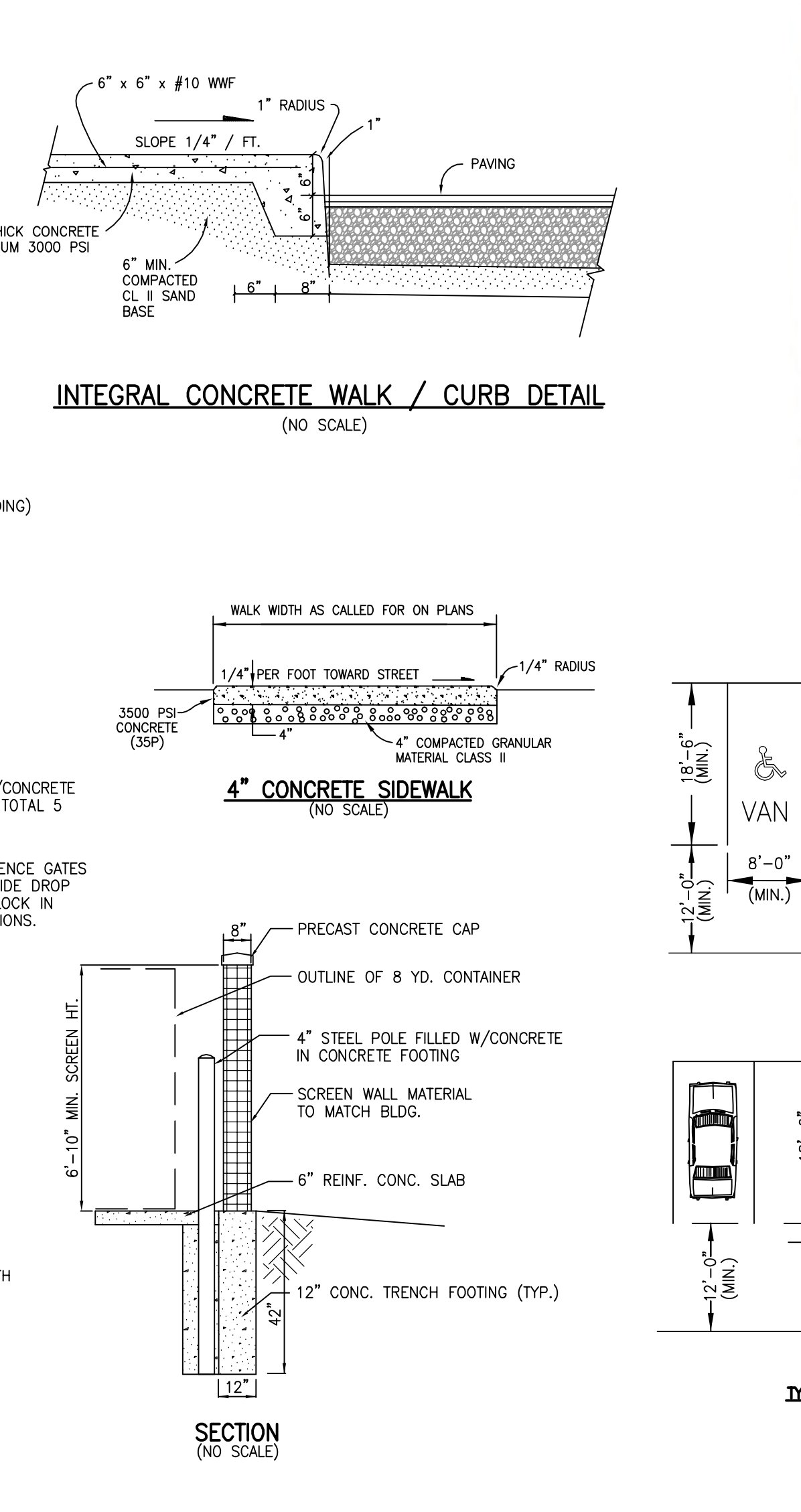
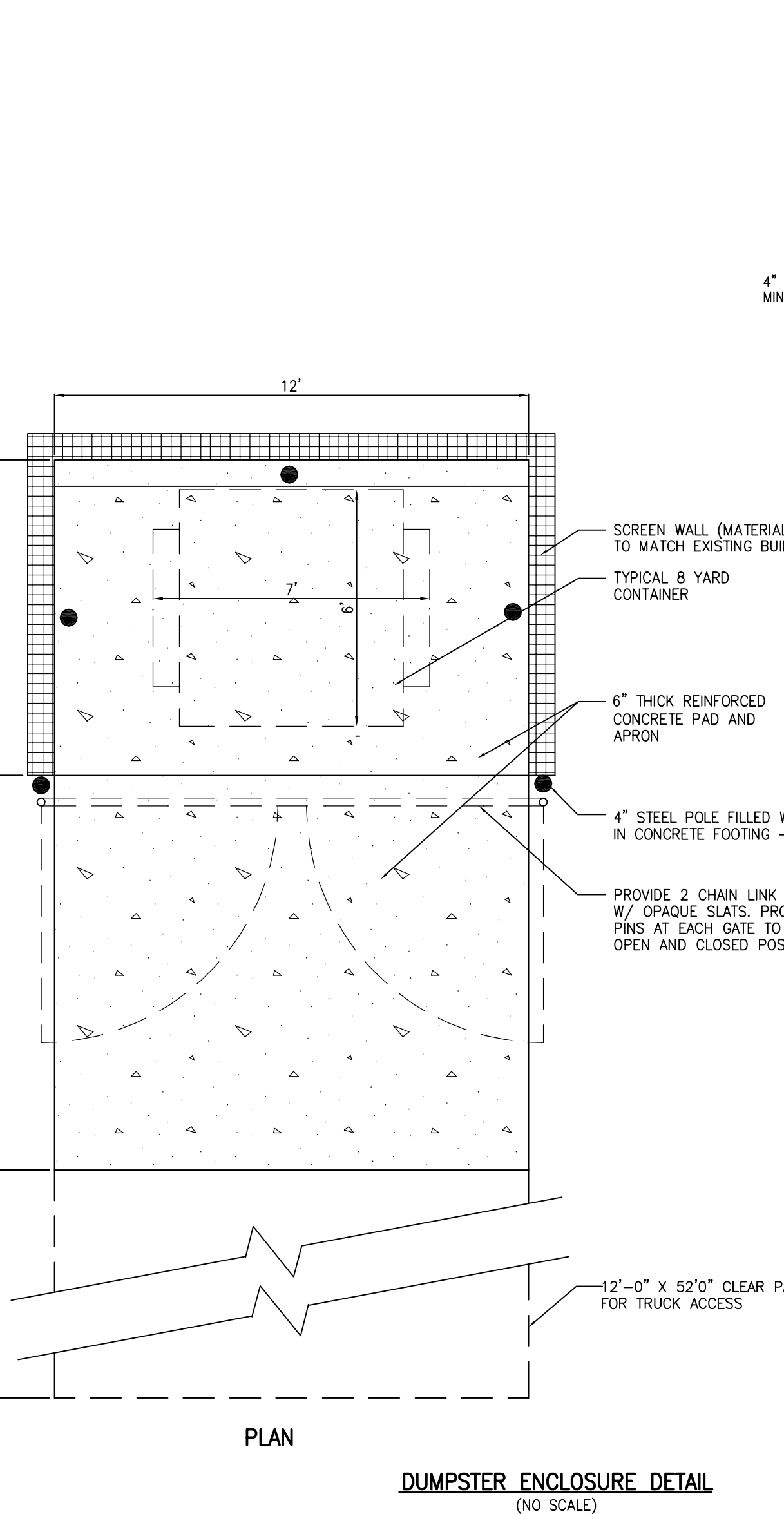
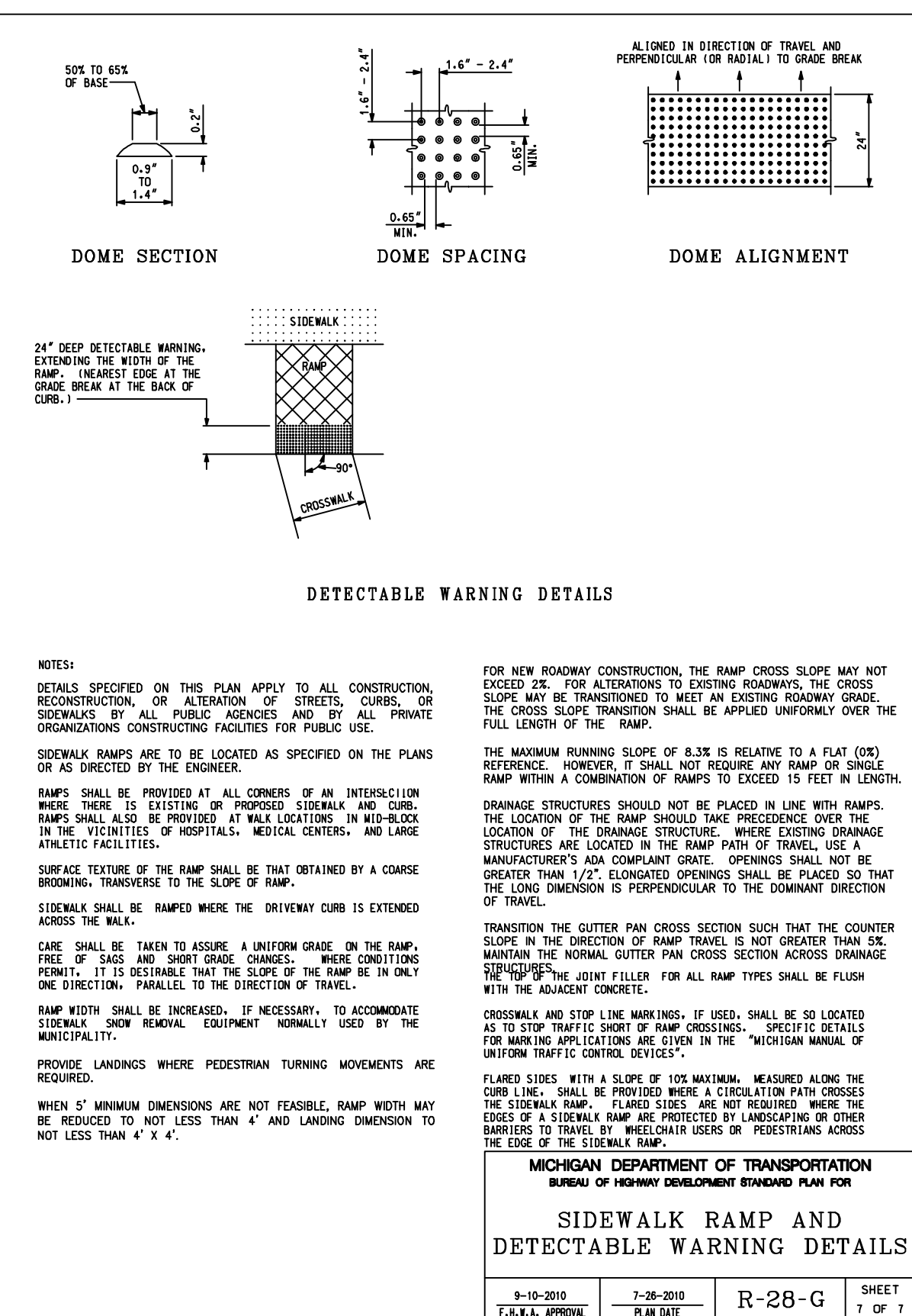
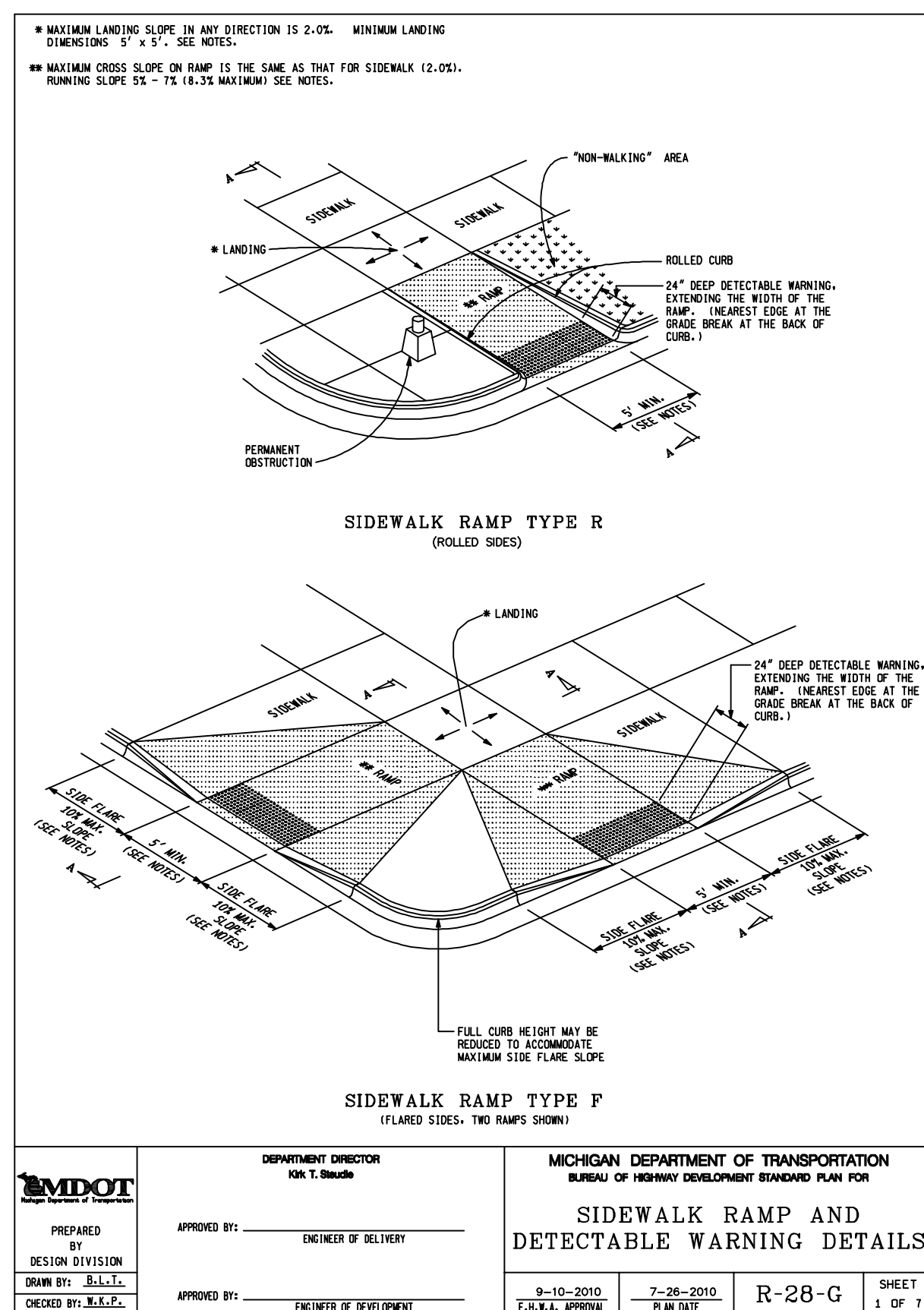
PROJECT: **NORTHTRIDGE CHURCH**  
PREPARED FOR: **HOBBS+BLACK ARCHITECTS**  
100 NORTH STATE STREET  
ANN ARBOR, MI 48104  
(734) 663-4189  
TITLE: **LANDSCAPE PLAN**

NO.	BY	REVISION PER	DATE
DESIGNED BY:	TD		
DRAWN BY:	TD		
CHECKED BY:			
SCALE:	1" = 30'		
JOB NO.	14-054		
DATE:	03/28/14		
SHEET NO.	4		

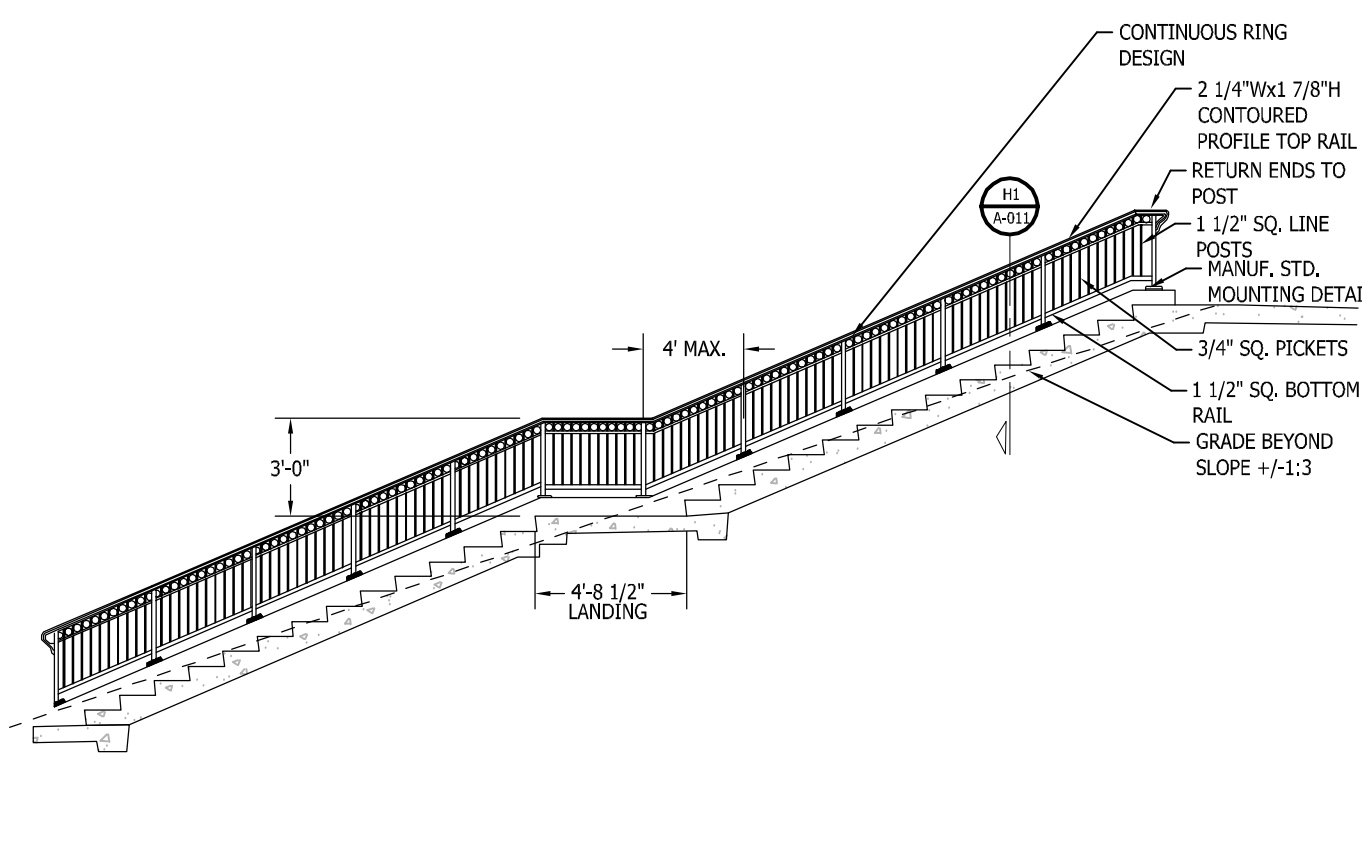
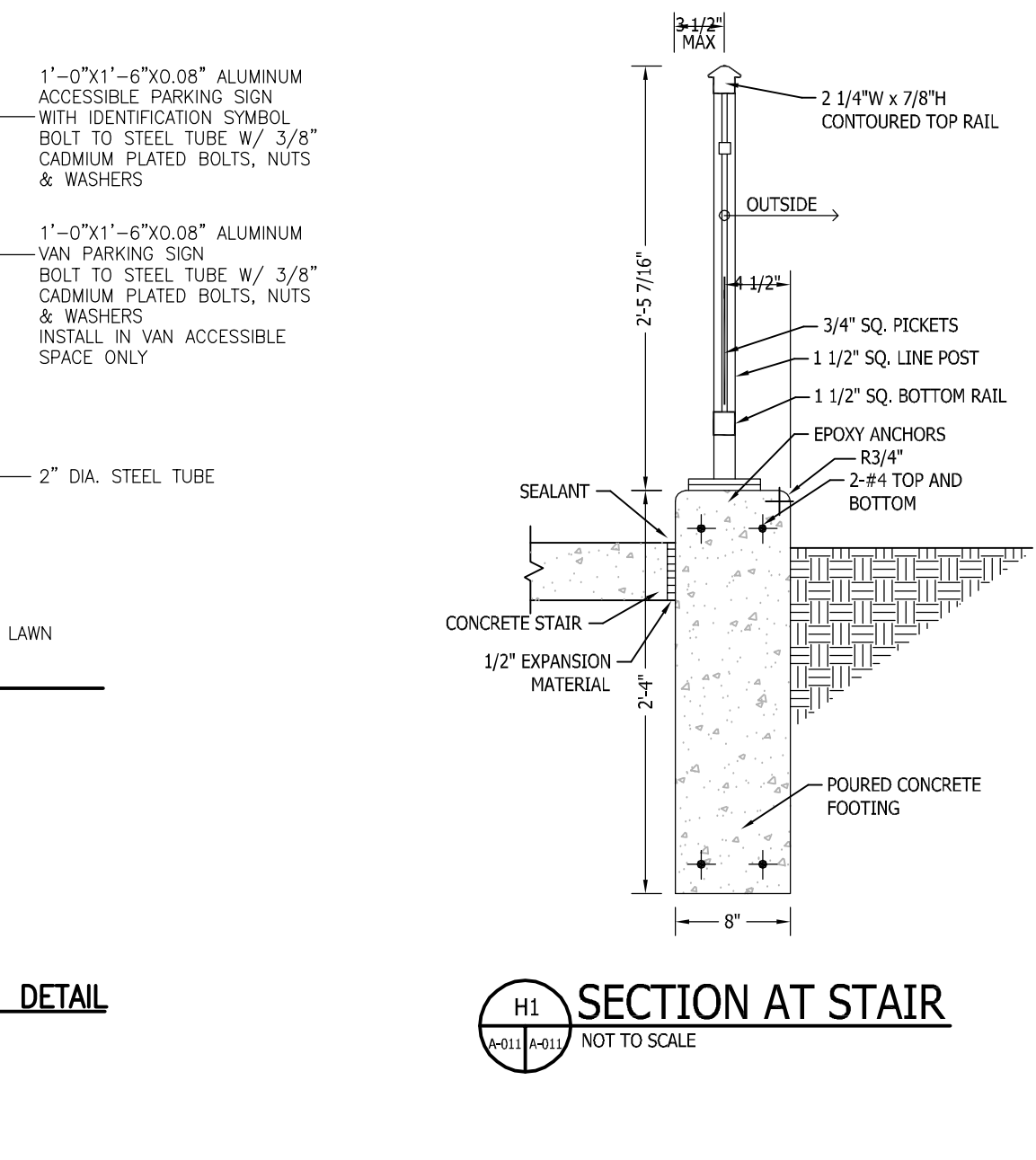
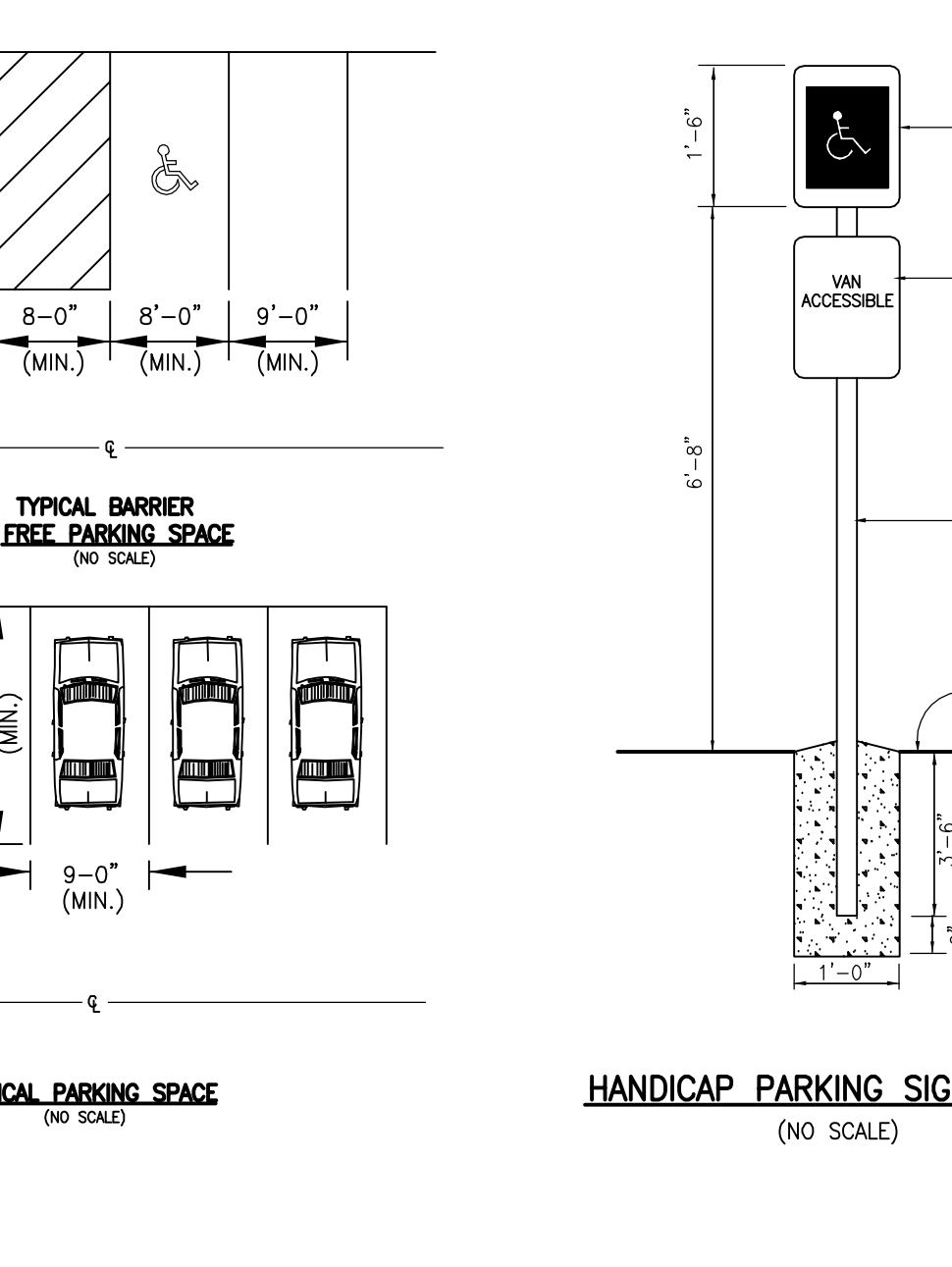


**GENERAL LANDSCAPE NOTES:**

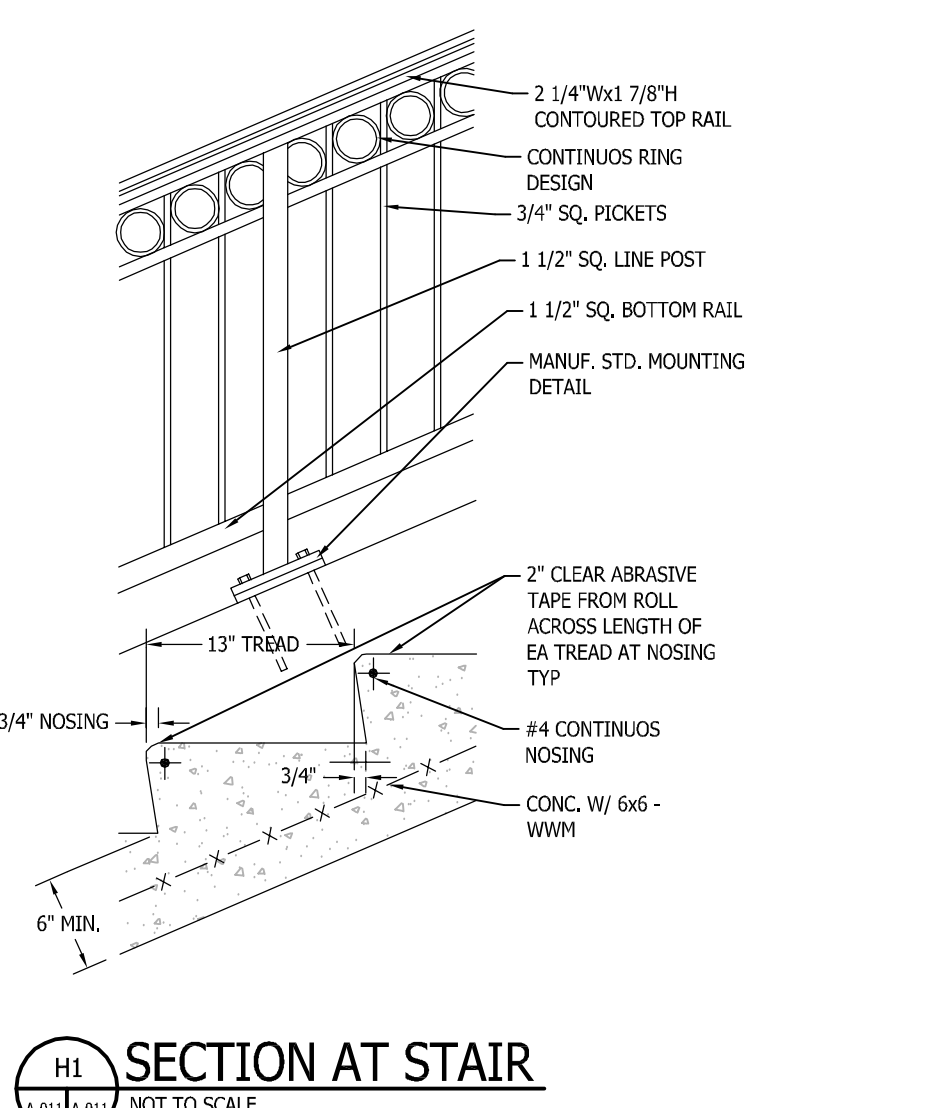
- ALL PLANT MATERIAL SHALL CONFORM TO THE REQUIREMENTS AND SPECIFICATIONS OF THE GOVERNING MUNICIPALITY AND SHALL BE NURSERY GROWN. ALL SIZES AND MEASUREMENTS SHALL CONFORM TO THE AMERICAN ASSOCIATION OF NURSERMEN STANDARDS. ALL PLANT MATERIAL SHALL BE OF SELECTED SPECIMEN QUALITY AND HAVE A NORMAL HABIT OF GROWTH. ALL PLANT MATERIAL IS SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT.
- ALL PLANT MATERIALS SHALL BE BALLED AND BURLAPPED STOCK OR CONTAINER STOCK. NO BARE ROOT STOCK IS PERMITTED. ALL PLANT BALLS SHALL BE FIRM, INTACT AND SECURELY WRAPPED AND BOUND.
- ALL PLANT BEDS SHALL BE EXCAVATED OF ALL BUILDING MATERIALS AND OTHER EXTRANEOUS OBJECTS AND POOR SOILS TO A MINIMUM DEPTH OF 12 INCHES AND BACKFILLED TO GRADE WITH PLANTING MIX (SEE BELOW).
- PLANTING MIXTURE SHALL CONSIST OF 4 PARTS TOPSOIL FROM ON SITE, 1 PART PEAT, AND 5 POUNDS OF SUPERPHOSPHATE PER CUBIC YARD OF MIX. INGREDIENTS SHALL BE THOROUGHLY BLENDED TO A UNIFORM CONSISTENCY.
- ALL PLANT BEDS AND INDIVIDUAL PLANTS SHALL BE MULCHED WITH A 4 INCH LAYER OF SHREDDED BARK MULCH.
- ALL PLANTS AND PLANT BEDS SHALL BE THOROUGHLY WATERED UPON COMPLETION OF PLANTING AND STAKING OPERATIONS.
- THE CONTRACTOR SHALL GUARANTEE ALL PLANT MATERIALS FOR A PERIOD OF 1 YEAR FROM THE DATE THE WORK IS ACCEPTED, IN WRITING, BY THE LANDSCAPE ARCHITECT. THE CONTRACTOR SHALL REPLACE, WITHOUT COST TO THE OWNER, WITHIN A SPECIFIED PERIOD TIME, ALL DEAD PLANTS, AND ALL PLANTS NOT IN A VIGOROUS, THRIVING CONDITION, AS DETERMINED BY THE LANDSCAPE ARCHITECT DURING AND AT THE END OF THE GUARANTEE PERIOD. REPLACEMENT STOCK SHALL CONFORM TO THE ORIGINAL REQUIREMENTS.
- EDGING, WHERE NOTED ON THE PLANS, SHALL BE BLACK ALUMINUM EDGING, 3/16" X 4". INSTALL PER MANUFACTURER'S INSTRUCTIONS. ALL EDGING SHALL BE INSTALLED IN STRAIGHT LINES OR SMOOTH CURVES WITHOUT IRREGULARITIES.
- SOD SHALL BE DENSE, WELL ROOTED TURF, FREE OF WEEDS. IT SHALL BE COMPRISED OF A BLEND OF AT LEAST TWO KENTUCKY BLUEGRASSES AND ONE FESCUE. IT SHALL HAVE A UNIFORM THICKNESS OF 3/4 INCH, AND CUT IN UNIFORM STRIPS NOT LESS THAN 10 INCHES BY 18 INCHES. SOD SHALL BE KEPT MOIST AND LAID WITHIN 36 HOURS AFTER CUTTING.  
IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ESTABLISH A DENSE LAWN OF PERMANENT GRASSES, FREE OF LUMPS AND DEPRESSIONS. ALL SODDED AREAS THAT BROWN OUT OR HAVE NOT FIRMLY KNITTED TO THE SOIL BASE WITHIN A PERIOD OF ONE MONTH SHALL BE REPLACED BY THE CONTRACTOR, AT NO COST TO THE OWNER.
- ALL AREAS OF THE SITE THAT BECOME DISTURBED DURING CONSTRUCTION AND ARE NOT TO BE PAVED, STONED, LANDSCAPED, OR SODDED SHALL BE SEEDED AND MULCHED.  
SEED MIXTURE SHALL BE AS FOLLOWS:  
KENTUCKY BLUEGRASS (CHOOSE 3 VARIETIES:  
ADELPHI, RUGBY, GLADE OR PARADE) 30%  
RUBY RED OR DAWSON RED FINE FESCUE 30%  
ATLANTA RED FESCUE 20%  
PENNFINE PERENNIAL RYE 20%  
THE ABOVE SEED MIXTURE SHALL BE SOWN AT A RATE OF 250 POUNDS PER ACRE. PRIOR TO SEEDING, THE TOPSOIL LAYER SHALL BE FERTILIZED WITH A COMMERCIAL FERTILIZER WITH A 10-20-10 ANALYSIS:  
10% NITROGEN: A MINIMUM OF 25% FROM A UREA-FORMALDEHYDE SOURCE  
20% PHOSPHATE  
10% POTASH: SOURCE TO BE POTASSIUM SULFATE OR POTASSIUM NITRATE.  
THE FIRST FERTILIZER APPLICATION SHALL BE AT A RATE OF 10 POUNDS OF BULK FERTILIZER PER 1000 SQUARE FEET.  
IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ESTABLISH A DENSE LAWN OF PERMANENT GRASSES, FREE OF LUMPS AND DEPRESSIONS. ANY PART OF THE AREA THAT FAILS TO SHOW A UNIFORM GERMINATION SHALL BE RESEEDED AND SUCH RESEEDING SHALL CONTINUE UNTIL A DENSE LAWN IS ESTABLISHED. DAMAGE TO SEEDED AREAS RESULTING FROM EROSION SHALL BE REPAIRED BY THE CONTRACTOR.
- ALL AREAS OF THE SITE SCHEDULED FOR SEEDING OR SODDING SHALL FIRST RECEIVE A 4 INCH LAYER OF CLEAN, FRIABLE TOPSOIL. THIS SOIL SHALL BE DISCED AND SHALL BE GRADED IN CONFORMANCE WITH THE GRADING PLAN.
- IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE LOCATION OF ALL UTILITIES AND TO INFORM THE LANDSCAPE ARCHITECT OF ANY CONFLICTS PRIOR TO COMMENCING LANDSCAPING.
- ALL PLANT MATERIALS SHALL BE FREE OF WEEDS, INSECTS AND DISEASE.



EXISTING SITE LIGHTING (NO SCALE)  
\*NOTE: ALL EXISTING SITE LIGHTING IS TO REMAIN



D3 STAIR SECTION (NO SCALE)



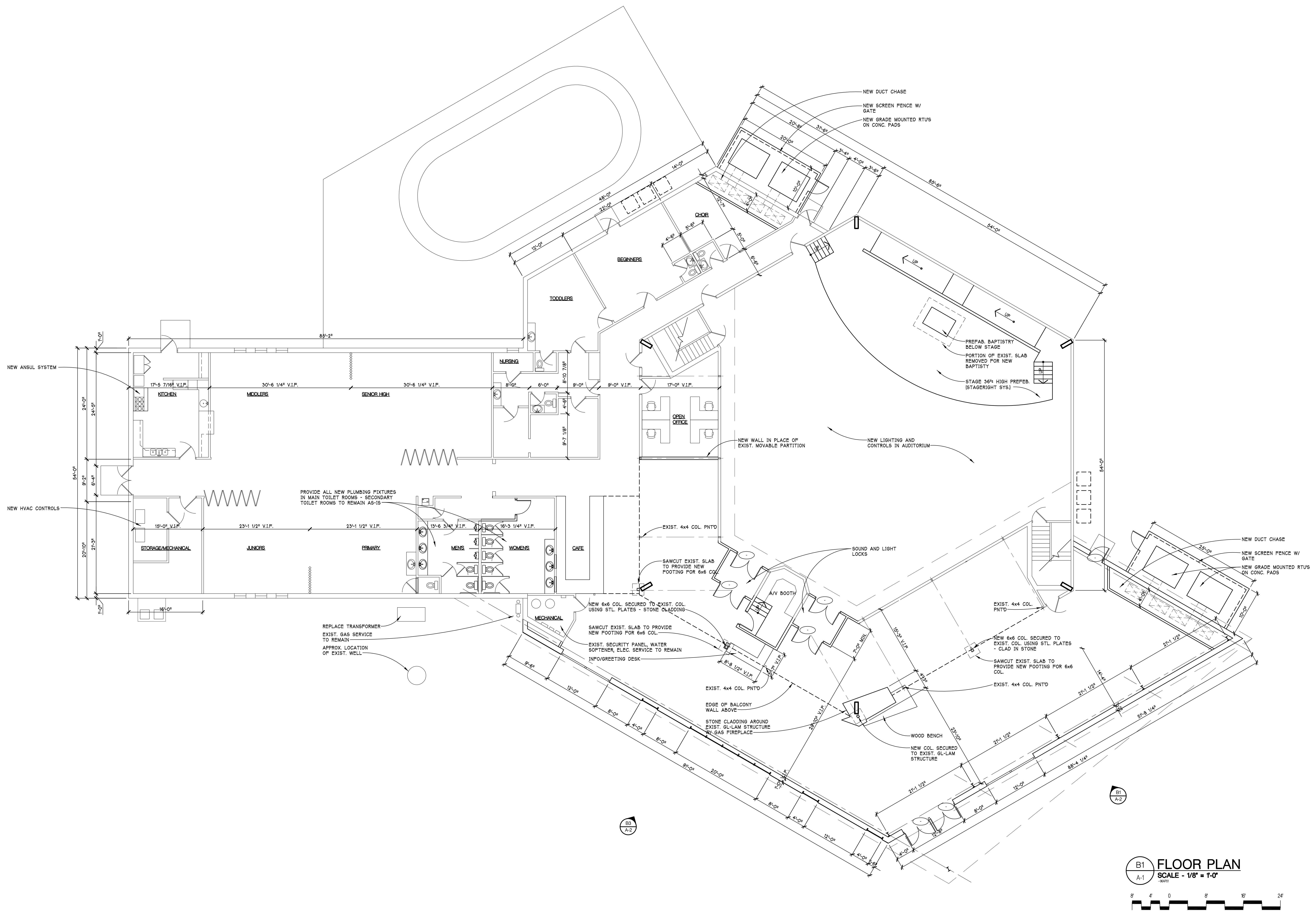
H1 SECTION AT STAIR (NO SCALE)

**BOSS ENGINEERING**  
ENGINEERS SURVEYORS PLANNERS  
LANDSCAPE ARCHITECTS  
(E-MAIL: BOSS@BOSS-ENG.COM)  
3121 E. GRAND RIVER AVE.  
HOWELL, MI 48843-6815  
(800) 246-6735 FAX (517) 946-1670

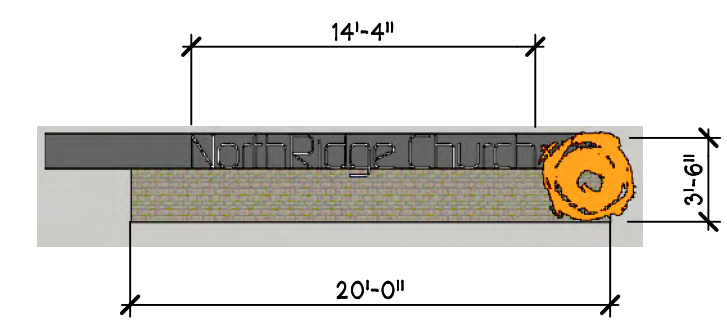
**NORTHTRIDGE CHURCH**  
**HOBBS+BLACK ARCHITECTS**  
100 NORTH STATE STREET  
ANN ARBOR, MI 48104  
(734) 663-4189

NO.	BY	REVISION PER	DATE
1	ST		03-28-14

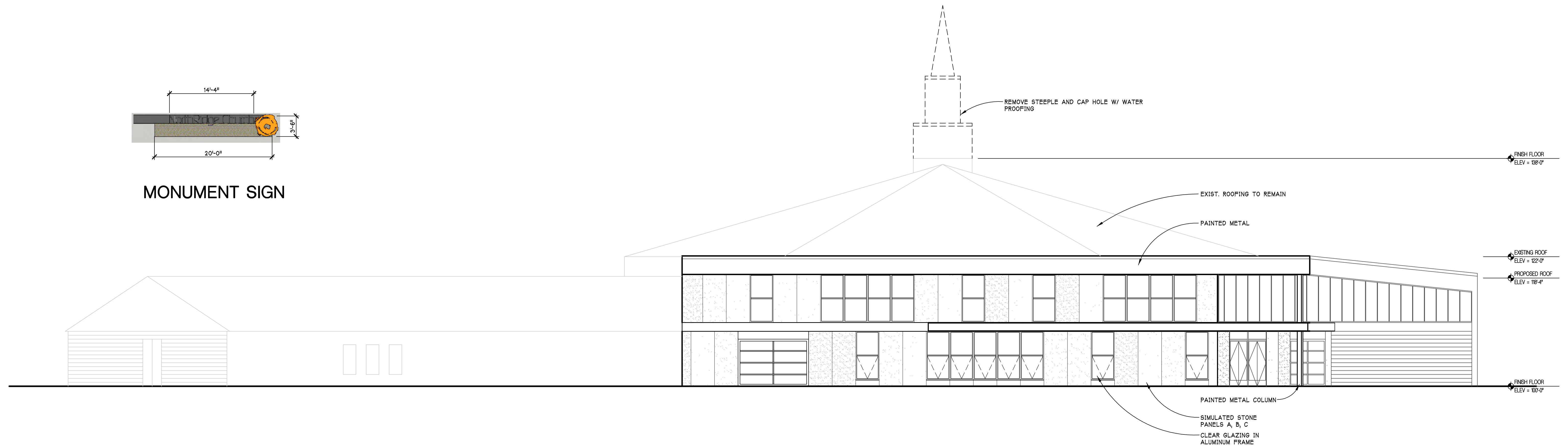
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CHECKED BY:  
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JOB NO. 14-054  
DATE: 03/28/14  
SHEET NO. 5



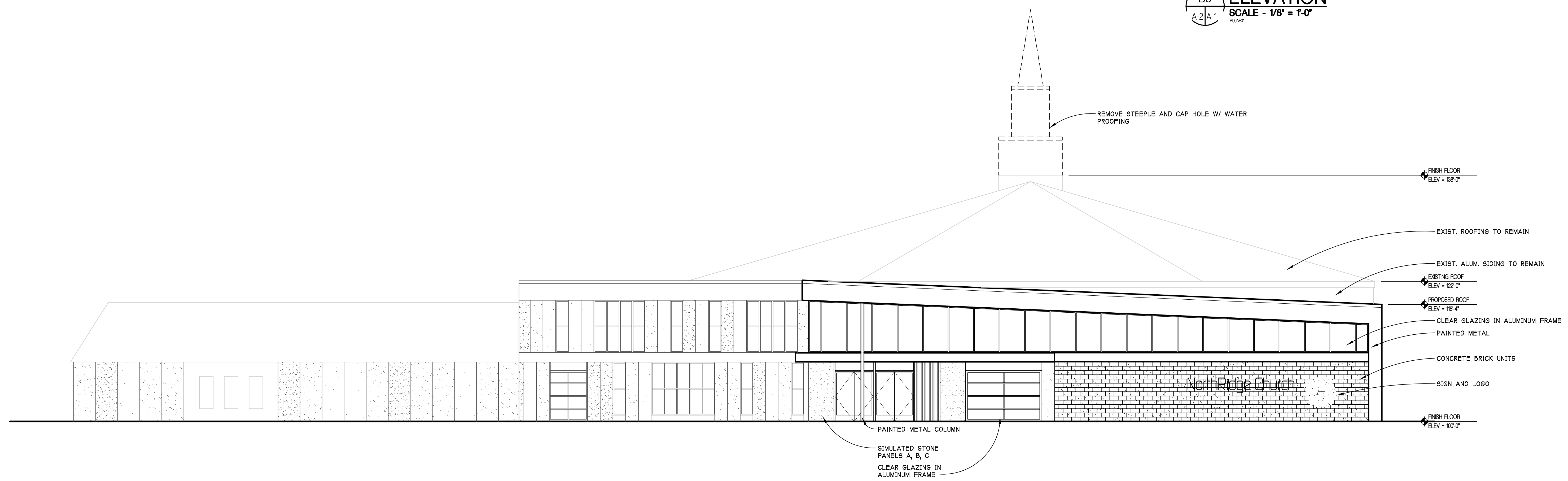
**B1 FLOOR PLAN**  
SCALE - 1/8" = 1'-0"  
-8488P  
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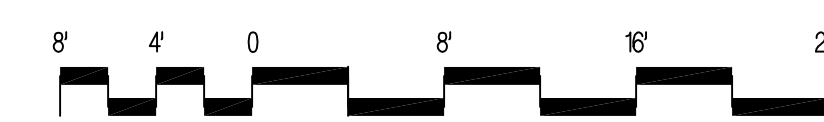
MONUMENT SIGN



B3 ELEVATION SCALE - 1/8" = 1'-0"



B1 ELEVATION SCALE - 1/8" = 1'-0"



**GENOA CHARTER TOWNSHIP  
PLANNING COMMISSION  
PUBLIC HEARING  
MARCH 10, 2014  
6:30 P.M.  
MINUTES**

CALL TO ORDER: The meeting of the Genoa Charter Township Planning Commission was called to order at 6:30 p.m. Present were Barbara Figurski, Eric Rauch, Dean Tengel, James Mortensen, Chairman Doug Brown, and John McManus. Also present were Kelly VanMarter, Township Manager, Brian Borden and Kathleen Duffy of LSL Planning and Gary Markstrom from Tetra Tech.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

APPROVAL OF AGENDA: **Motion** by Barbara Figurski to approve the agenda as submitted. The motion was supported by John McManus. **Motion carried unanimously.**

ELECTION OF OFFICERS: Kelly VanMarter asked for a motion to nominate officers. James Mortensen made a motion to continue the existing slate of officers in their current positions for an additional year. That slate is: Doug Brown as Chairman; Dean Tengel as Vice Chairman; and Barbara Figurski as Secretary. Support by Eric Rauch. **Motion carried unanimously.**

CALL TO THE PUBLIC: Chairman Brown made a call to the public at 6:35 p.m. with no response.

**OPEN PUBLIC HEARING #1... Review of a rezoning application, PUD agreement, impact assessment, and conceptual PUD plan for approximately 14.57 acres in Section 09, located at 1201 S. Latson Road (former Latson Road Elementary School), Howell, #4711-09-100-036. The requested rezoning is from Rural Residential (RR) to Non-Residential Planned Unit Development (NR-PUD), and is petitioned by Howell Public Schools and Genoa Charter Township.**

Chairman Brown provided some background history and overview of this parcel.

Brian Borden made a presentation as it relates to the process ahead regarding this parcel. There are four components before the Planning Commission for recommendation this evening. A public hearing is required. Notification has been provided by Ms. VanMarter. Since there is re-zoning involved, that portion must go through Livingston County. The Board will have final approval authority and can execute the PUD agreement.

The site is approximately 14.5 acres and still contains the school building. It is currently zoned RR. The master plan adopted by the Board in 2013 identifies this site as regional commercial. This is consistent with the property nearby. It is proposed that the zoning become NR-PUD. The specific details will be detailed in the PUD agreement.

The conceptual PUD plan includes: commercial, office and multi-story retail/office buildings. The concept is flexible for larger-scale retail or hotel/conference center. The plan includes an interchange design guideline developed for Latson subarea in the master plan for both the site and buildings. It would provide buffering and non-motorized connections for adjacent multi-family development.

Under the ordinance, the following items must be considered: whether the site qualifies as a PUD and whether it meets the standards for a conceptual PUD plan. A list of the deviations sought was discussed by Brian Borden. In his opinion, the biggest deviation is signage.

Gary Markstrom did not have any additional information to provide. He worked with LSL and he had no concerns to address at this time. Chairman Brown asked if the Grand River sewer line was at capacity. Gary Markstrom indicated that is not correct. Kelly VanMarter indicated that was in the real property benefit paperwork. Gary Markstrom indicated that was the case at that point in time, but it is no longer the case. The real property benefit agreement does not need to be updated according to Kelly VanMarter.

James Mortensen asked about whether one gas station or two gas stations will be permitted. Brian Borden indicated that the language is "up to two." Kelly VanMarter indicated she would review the paperwork for consistency.

James Mortensen asked about a reference to Crooked Lake Road in computer page 55 of the packet. Kelly VanMarter indicated that was a draft and should not have been included in the packet.

References to the Drain Commissioner should be redacted to reflect Drain Commission.

Section 9.6 was reviewed. The first sentence needs to be corrected to become a full sentence. The second sentence should be corrected to reflect the applicant superimpose - not the site.

The timing of the sidewalk installation was discussed. The ordinance does not have a requirement for a timeline. Kelly VanMarter indicated she is comfortable with it as written.

Kelly VanMarter indicated a letter from the Road Commission was included in the packet as computer page nine. Chairman Brown asked about the definition of spring lines. Mr. Markstrom indicated that it's the point where a curve ends.



There is no date on the environmental impact assessment plan. It was received on 2/14/14 per Kelly VanMarter. Chairman Brown asked whether any provisions were made with Howell Schools as to tap fees. Ms. VanMarter indicated that there was an agreement regarding tap fees. The environmental impact assessment should be redacted to reflect that.

Chairman Brown asked about the traffic impact study. It should reference the benefits agreement. Kelly VanMarter agreed.

Chairman Brown asked if the Township would be at risk if there was an accident such as a gas line explosion during the demolition of the school. Kelly VanMarter indicated the Township would not be at risk.

Chairman Brown made a call to the public at 7:23 p.m. No one wished to address the Board and the call to the public was closed.

**Planning Commission disposition of petition**

- A. Recommendation regarding Rezoning from RR to NR-PUD
- B. Recommendation regarding PUD Agreement (02-14-14)
- C. Recommendation regarding Environmental Impact Assessment (02-14-14)
- D. Recommendation regarding Conceptual PUD Plan (Exhibit B, 02-13-14)

**Motion** by James Mortensen to recommend to the Township Board that the parcel be re-zoned from RR to NR-PUD. This recommendation is made because the Planning Commission finds it meets the standards of section 10.02 of the Township Ordinance, is consistent with the master plan and is consistent with the zoning immediately to the west. Support by Barbara Figurski. **Motion carried unanimously.**

**Motion** by James Mortensen to recommend to the Township Board approval of the PUD Agreement dated 2/14/14. Support by John McManus. **Motion carried unanimously.**

**Motion** by Barbara Figurski to recommend to the Township Board approval of the Environmental Impact Assessment dated 2/14/14, subject to the changes discussed to sections six and nine. Support by James Mortensen. **Motion carried unanimously.**

**Motion** by James Mortensen to recommend to the Township Board approval of the Conceptual PUD Plan dated 2/13/14. This recommendation is made because it meets the standards of section 10.02 of the Township Ordinance, is consistent with the master plan and is consistent with the zoning immediately west. Support by Barbara Figurski. **Motion carried unanimously**

**Administrative Business:**

- *Staff report. Kelly VanMarter indicated that a meeting will be held in April. She gave a quick update to several projects that are ongoing.*

03-10-14 Unapproved Minutes

- *Approval of November 25, 2013 Planning Commission meeting minutes. **Motion** by Barbara Figurski to approve the minutes of the November 25, 2013 Planning Commission meeting. Support by John McManus. **Motion carried unanimously.***
- *Member discussion*
- *Adjournment. **Motion** by Barbara Figurski to adjourn the meeting at 7:43 p.m. Support by Dean Tengel. **Motion carried unanimously.***