

GENOA CHARTER TOWNSHIP BOARD
Special Meeting
January 30, 2017
6:00 p.m.

AGENDA

Call to Order

Pledge of Allegiance

Call to the Public (Public comment will be limited to two minutes per person)*

- 1. Request to approve a 50% cost sharing allocation with MHOG/GO for the proposal from Network Services Group for the Single Server Solution for the purchase of a new Township server where the Township's contribution shall not exceed \$35,000.00.**
- 2. Request to approve a 50% cost sharing allocation with MHOG/GO for the proposal from ESRI for the purchase of the ArcGIS for Server Enterprise where the Township's contribution shall not exceed \$7,000.00.**

Member Discussion

Adjournment

GENOA CHARTER TOWNSHIP BOARD
Joint Meeting with Planning Commission and Zoning Board of Appeals
January 30, 2017
6:30 p.m.

AGENDA

Call to Order

Pledge of Allegiance

Call to the Public (Public comment will be limited to two minutes per person)*

Call for items not already on the agenda

- 1. Zoning Ordinance Amendments – Special Topics Worksession**

Member Discussion

Adjournment

*Citizen's Comments- In addition to providing the public with an opportunity to address the Township Board at the beginning of the meeting, opportunity to comment on individual agenda items may be offered by the Chairman as they are presented.

GENOA CHARTER TOWNSHIP BOARD
Special Meeting
January 30, 2017
6:00 p.m.

AGENDA

Call to Order

Pledge of Allegiance

Call to the Public (Public comment will be limited to two minutes per person)*

- 1. Request to approve a 50% cost sharing allocation with MHOG/GO for the proposal from Network Services Group for the Single Server Solution for the purchase of a new Township server for an amount not to exceed \$35,000.00**
- 2. Request to approve a 50% cost sharing allocation with MHOG/GO for the proposal from ESRI for the purchase of the ArcGIS for Server Enterprise for an amount not to exceed \$7,000.00**

Member Discussion

Adjournment

GENOA CHARTER TOWNSHIP BOARD
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*Citizen's Comments- In addition to providing the public with an opportunity to address the Township Board at the beginning of the meeting, opportunity to comment on individual agenda items may be offered by the Chairman as they are presented.



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

MEMORANDUM

TO: Honorable Board of Trustees

FROM: Adam VanTassell

DATE: January 30, 2017

RE: Proposed Township Server and ArcGIS Software Upgrades

Manager's Review: _____

The Township Server currently oversees the administration between all the devices (computers, tablets, etc.) located in the Township Hall as well as the devices located at the GO Wastewater Plant and MHOG Water Plant. The Township server provides the power and storage for all of the technology needs for Township and Utility employees and it is no understatement that it is the most critical piece of the Township Information systems.

The current Township server was purchased in 2008. Other than upgrading the server to a virtual environment in 2014, the Township server operates just as it did back in 2008. Eight years is a long time in the lifespan of technology and over that time we have expanded many of the services that the Township offers that require the Township server including expanded GIS mapping capabilities and real-time updating of Assessing and Tax data. These expansions have placed an increasingly heavier burden on the Township Server and future expansions are simply not possible without making some substantive changes. The Township Server currently runs on a 2008 version of Windows which Microsoft will end support for in 2020 and the Email server runs on a 2007 version which Microsoft will no longer support after April of this year.

Before you is a proposal from Network Services Group which will address both the current workload as well as greatly open up future expansion of services for the Township and the Utility Department. In addition, this new server network will provide off-site backups of the Township server to the servers located at the MHOG and the GO utility buildings in addition to onsite backups for optimal data recovery. Staff is recommending the Single Server Solution.

In addition, before you is a proposal to upgrade to the current ArcGIS server. The ArcGIS Server provides access to GIS maps and data for all staff members at the

SUPERVISOR

Bill Rogers

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

TRUSTEES

Jean W. Ledford

H. James Mortensen

Terry Croft

Diana Lowe

MANAGER

Michael C. Archinal

Township and MHOG/GO. By upgrading the ArcGIS server, we will expand our GIS mapping capabilities to include online maps. In addition, we will be reducing the need for our current eight licenses so that the total yearly maintenance will be reduced from \$5,600.00 to \$5,000.00

The MHOG and GO Boards have reviewed these proposals and have given their support to funding half of this new system and ArcGIS server upgrade, so the Township is being asked to approve a 50% cost sharing allocation for the remaining amounts.

Recommended Motion

Moved by _____, Supported by _____ to approve the proposal from Network Services Group for the Single Server Solution for the purchase of a new Township server where the Township's contribution shall not exceed \$35,000.00

Moved by _____, Supported by _____ to approve the proposal from ESRI for the purchase of the ArcGIS for Server Enterprise where the Township's contribution shall not exceed \$7,000.00



Network Services Group, LLC

P.O. Box 7646 • Ann Arbor, MI 48107 • Voice/Fax (877) 815-6974 • Web <http://www.nsgroupllc.com>

Proposal Prepared Exclusively For
Genoa Township
Thursday, January 12, 2017

Project Overview

This proposal provides pricing for a new server (with option for a redundant server) to replace your existing servers, and add the capacity to accommodate the requirements of your new Lucy and GIS software.

- Rackmount server with dual Xeon CPU processors (fast! – improved performance)
- 128GB of RAM
- Large storage array with 8x1.2TB 10K Enterprise HDD and SSD Cache module
- Microsoft software licenses for the datacenter version of Windows Server, 1 Exchange Server, and 3 SQL Server license, each with 100 Client Licenses.
- 5 Year server warranty with 24x7x4 response
- NAS Backup storage for the Township, MHOG, and GO

This new server will replace your existing servers and also provide additional virtual machines to host your Lucy software.

You have the option to purchase a single server solution, or a solution with two servers that provides hardware redundancy:

Summary Sheet

Single Server Solution

Desc	Unit
Microsoft Software Licenses	\$ 35,854.00
Non Microsoft Software Licenses	\$ -
Server and Hardware	\$ 22,674.00
Installation Services	\$ 11,160.00
Total	\$ 69,688.00

Option for Redundant Server:

Option for Redundant Server (hardware/software/service)	\$ 28,939.00
Total with redundant server	\$ 98,627.00

[] **Single Server Solution: \$69,688.00**

[] **Redundant Server Solution: \$98,627.00**

Order Acknowledgement:

Name (Print)	Company	Title
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Signature	Date
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By signing above I authorize Network Services Group to proceed with the project described within this proposal and to order any required parts and materials that are required to do so. I also agree to provide a non-refundable deposit before work begins with the balance due upon completion. NSG will put forth a good faith effort to honor the pricing contained in this proposal for as long as possible, but cannot be held responsible for availability constraints or pricing increases by the manufacturer or distributor. If there is a discrepancy in the pricing at the time the order is placed you will be notified and may proceed or cancel the order at your option. All pricing and availability information is current as of the date on the proposal. Prices do not include sales tax. Invoice amounts over 30 days past due will accrue interest at the rate of 7% per annum. You will be responsible for all costs involved in collecting past due amounts, including interest, fees, and actual attorney fees.



Network Services Group, LLC

P.O. Box 7646 • Ann Arbor, MI 48107 • Voice/Fax (877) 815-6974 • Web <http://www.nsgroupllc.com>

Server Specs

Lenovo x3650 M5 Rack Mount Server
 Dual Intel Xeon 2660 v4 CPU
 128GB DDR4 RAM
 (8) 1.2TB Enterprise 10K SAS HDD
 (2) 240GB SSD
 400GB SSD Cache for RAID
 Hot Swap Drive Bays
 Server RAID M5200
 IMM Advanced Management Module
 Dual Gigabit Ethernet
 900W Platinum Hot Swap Power Supply
 5 Year Onsite 24x7 warranty with 4 hour response

Single Server Solution:

Windows Server licensing is now licensed per processor core. Each license covers two cores and two VM's. Your server will have 28 cores (across two CPU's) and up to 10 virtual machines.

Microsoft Software Licenses

Qty	Desc	Unit	Ext
	Windows Server Data Center 2016 Per Core		
14		\$ 581.00	\$ 8,134.00
100	Windows Server CALS	\$ 27.50	\$ 2,750.00
3	SQL Server 2016	\$ 680.00	\$ 2,040.00
100	SQL CALS	\$ 158.00	\$ 15,800.00
1	Exchange Server 2016	\$ 530.00	\$ 530.00
100	Exchange Server CALS	\$ 66.00	\$ 6,600.00
Total			\$ 35,854.00

Hardware

Qty	Desc	Unit	Ext
1	APC Smart-UPS SMT1500RM2U 1440 1000W	\$ 699.00	\$ 699.00
2	Synology 2x8TB NAS	\$ 949.00	\$ 1,898.00
1	Synology 4x8TB NAS	\$ 1,899.00	\$ 1,899.00
1	SSL Secure Certificate - 2 Years	\$ 180.00	\$ 180.00
1	iStar USA 22U Rack Mount Server Cabinet	\$ 999.00	\$ 999.00
1	Lenovo X3650 Dual Xeon Server, 128GB, 10x1.2TB 10K, 2x240GB SSD, RAID, 24x7x4 5 Year Warranty	\$ 16,999.00	\$ 16,999.00
Total			\$ 22,674.00

Service

Hours	Desc	Unit	Ext
12	Initial Server Config (Base OS/Software install)	\$ 90.00	\$ 1,080.00
12	Exchange Server Installation / Configuration	\$ 90.00	\$ 1,080.00
8	Configure shares, domain controllers, data transfer	\$ 90.00	\$ 720.00
16	Exchange migration	\$ 90.00	\$ 1,440.00
8	SQL Database Configuration	\$ 90.00	\$ 720.00
4	Configure backups / antivirus	\$ 90.00	\$ 360.00
32	Configure workstations	\$ 90.00	\$ 2,880.00
16	Assistance with installing / configuring applications	\$ 90.00	\$ 1,440.00
16	Follow up / Misc	\$ 90.00	\$ 1,440.00
Total			\$ 11,160.00



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Optional Hardware Redundancy Redundancy Option / 2nd Server with shared storage

This option provides redundancy via a 2nd server with shared network storage. If the primary server hardware fails the 2nd server can be brought online.

This solution provides:

- Redundant Lenovo Rackmount x3650 Server
- Lenovo Storage S2200 (shared storage) with iSCSI
- Upgrade to VMware Essentials Plus Kit (includes vMotion)
- An additional Acronis for VMware license.

2nd Server with iSCSI Storage

1 APC Smart-UPS SMT1500RM2U 1440 1000W	\$ 699.00	\$ 699.00
1 Lenovo Redundant Server plus Enterprise NAS Storage unit	\$ 18,958.00	\$ 18,958.00
1 Acronis VMProtect	\$ 1,099.00	\$ 1,099.00
24 Service - Redundant server and NAS prep	\$ 90.00	\$ 2,160.00
1 Vmware Essentials Upgrade to Essentials Plus	\$ 5,524.00	\$ 5,524.00
1 Netgear Gigabit Network Switch and additional NICS	\$ 499.00	\$ 499.00
Total		\$ 28,939.00

Order Acknowledgement:

Name (Print)	Company	Title
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Signature	Date
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By signing above I authorize Network Services Group to proceed with the project described within this proposal and to order any required parts and materials that are required to do so. I also agree to provide a non-refundable deposit before work begins with the balance due upon completion. NSG will put forth a good faith effort to honor the pricing contained in this proposal for as long as possible, but cannot be held responsible for availability constraints or pricing increases by the manufacturer or distributor. If there is a discrepancy in the pricing at the time the order is placed you will be notified and may proceed or cancel the order at your option. All pricing and availability information is current as of the date on the proposal. Prices do not include sales tax. Invoice amounts over 30 days past due will accrue interest at the rate of 7% per annum. You will be responsible for all costs involved in collecting past due amounts, including interest, fees, and actual attorney fees.



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P.O. Box 7646 • Ann Arbor, MI 48107 • Voice/Fax (877) 815-6974 • Web <http://www.nsgroupllc.com>

Description of Services:

- Install new server rack
- Install servers and UPS in rack
- Install VMware operating system software
- Provision up to 10 virtual machines and install base operating system software (Windows Server) with updates. Join to domain. Install SQL server software on up to 3 server instances.
- Configure new domain controller (join domain, promote, transfer FSMO roles)
- Configure new file server (setup shared folders, transfer data)
- Configure new Exchange server (install Exchange, add to existing organization, configure incoming and outgoing mail, configure remote web mail and active sync, transfer mailboxes to new server)
- Provide up to 16 hours of assistance for installing and configuring 3rd party application software (e.g. BS&A and Lucity)

Assumptions:

- Adequate network and power is available in all required locations.
- All existing computer and network equipment is in good working order
- Support for software applications is available



Quotation # 20500096

Date: January 5, 2017

ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC.
380 New York St
Redlands, CA 92373-8100
Phone: (909) 793-2853 Fax: (909) 307-3025
DUNS Number: 06-313-4175 CAGE Code: 0AMS3

Customer # 292612 Contract # 2011MPA7115

Township of Genoa
Planning Dept
2911 Dorr Rd
Brighton, MI 48116

ATTENTION: R. Michael Cousins
PHONE: 734-466-4461
FAX:

To expedite your order, please attach a copy of this quotation to your purchase order.
Quote is valid from: 01/05/2017 To: 04/05/2017

Material	Qty	Description	Unit Price	Total
109640	1	ArcGIS for Server Enterprise Standard (Windows) Up to Four Cores Upgrade from Workgroup Basic Up to Four Cores	13,500.00	13,500.00
			Item Total:	13,500.00
			Subtotal:	13,500.00
			Sales Tax:	0.00
			Estimated Shipping & Handling(2 Day Delivery) :	0.00
			Contract Pricing Adjust:	0.00
			Total:	\$13,500.00

This quote is subject to the terms and conditions of the State of Michigan contract# 071B1300270. Please reference the contract on your purchase order; no other terms shall apply.

Esri may charge a fee to cover expenses related to any customer requirement to use a proprietary vendor management, procurement, or invoice program.

For questions contact: Michelle DeBoves **Email:** mdeboves@esri.com **Phone:** (909) 793-2853 x2679

The items on this quotation are subject to the terms set forth herein and the terms of your signed agreement with Esri, if any, or, where applicable, Esri's standard terms and conditions at www.esri.com/legal, which are incorporated by reference. Federal government entities and government prime contractors authorized under FAR 51.1 may purchase under the terms of Esri's GSA Federal Supply Schedule. Acceptance is limited to the terms of this quotation. Esri objects to and expressly rejects any different or additional terms contained in any purchase order, offer, or confirmation sent to or to be sent by buyer. All terms of this quotation will be incorporated into and become part of any additional agreement regarding Esri's products and services.

If sending remittance, please address to: Esri, File No. 54630, Los Angeles, Ca 90074-4630



ESRI QUOTATION TERMS AND CONDITIONS

Esri, 380 New York St., Redlands, CA 92373-8100 USA • TEL 909-793-2853 • FAX 909-793-5953

All quotations are valid for ninety (90) days unless otherwise stated on the quotation form. These prices and terms are valid only for items purchased for use and delivery within the United States.

This quotation information is proprietary and may not be copied or released other than for the express purpose of the current system selection and purchase. This information may not be given to outside parties or used for any other purpose without written consent from Environmental Systems Research Institute, Inc. (Esri).

To expedite your order, please reference the quotation number on your purchase order.

ORDER PROCESS

The order process is initiated when Esri receives an original purchase order or some form of advance payment. Several additional documents (e.g., Master License Agreement, credit application, Tax Exemption Certificate) may be required to complete the order process. Generally, the need for these documents varies by the type of software, data, web-enabled services, subscriptions, professional services, or other products ordered, which is determined upon receipt of the purchase order (or advance payment). If delivery must be expedited, please contact your marketing representative for assistance.

IMPORTANT! Collectively, these documents contain the authorizations and information necessary to ship proper versions of the software or data on the correct media or to initiate web-enabled services, subscriptions, or professional services. Please return them promptly to avoid unnecessary delays in shipping or delivery. Please return all documents to Esri Customer Service, or as otherwise directed.

Please show the following remittance address on your purchase order:

Esri, File No. 54630, Los Angeles, CA 90074-4630

ESRI LICENSE AGREEMENTS

All Esri software, data, web-enabled services, and subscriptions offered in this quotation are commercial off-the-shelf items developed at private expense and subject to Esri commercial license terms. You may have a signed license agreement on file that covers this order. If so, please reference the license agreement number on your purchase order. Unless a signed license is on file with Esri, Esri software, data, web-enabled services, and subscriptions are subject to the Esri License Agreement included with the deliverable item as an online or click-through agreement. A copy is enclosed. Certain software or data requires a Master License Agreement signed by both parties. Professional services agreements may also include license terms.

Some Esri software is copy protected with a software keycode or hardware key, and some software, data, web-enabled services, or subscriptions require registration or a password. You will be given instructions to access the keycode, register, or obtain a password through the Esri website or by other means.

MAINTENANCE

After expiration of any complimentary period of maintenance that may apply to the licensed software, Esri will quote maintenance payable annually in advance. A reinstatement fee applies when maintenance has lapsed.

DATA AND ONLINE SERVICES DISCLAIMER

Data and Online Services may contain some nonconformities, defects, errors, or omissions. **THE DATA AND ONLINE SERVICES ARE PROVIDED "AS-IS" WITHOUT WARRANTY OF ANY KIND.** Without limiting the generality of the preceding sentence, Esri and its licensors do not warrant that the data and Online Services will meet Licensee's needs or expectations, that the use of the data or Online Services will be uninterrupted, or that all nonconformities can or will be corrected. Esri and its licensors are not inviting reliance on this data or Online Services, and Licensee should always verify actual data or Online Services.

DELIVERY

FOB Redlands, CA, USA

Software: Allow five (5) days from Esri's receipt of purchase order, signed Software License Agreement(s), and other documents, as required.

Hardware: Manufacturer's terms apply. Lead times depend on make/models purchased.

Note: Standard delivery method is ground or two (2)-day air for software and surface carrier for hardware. Actual delivery method may vary depending on weight. Other services are available for an additional fee (e.g., overnight delivery).

PAYMENT TERMS

Net thirty (30) days, on approved credit. Orders less than eight hundred dollars (\$800) require prepayment by check or credit card unless your organization is a government agency, university, college, or Fortune 500 company.

TAXES

This quote includes applicable sales or use taxes for the prices quoted as required by law. The tax amount may change depending on the time lapse between this quote and your order to us. Esri will include applicable sales or use taxes on your invoice unless you provide proof with your order that your organization or use of the product is tax exempt.



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

MEMORANDUM

TO: Genoa Township Officials, Trustees, Zoning Board and Commission members

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

DATE: January 26, 2017

RE: Joint Meeting – Zoning Ordinance Amendments

Manager's Review: _____

Township staff has been working on a project to complete a major update and reorganization for the Zoning Ordinance. It has been 12 years since the current Ordinance was adopted and 7 years since the last significant update. Township staff perpetually monitors the Ordinance and trends throughout the state and we believe the community will benefit greatly from not only a comprehensive update but also from the creation of a user-friendly graphic, interactive layout. The new interactive Ordinance will be added to the website making it easier for the public to navigate and understand the Ordinance while also decreasing staff time spent helping customers find answers to Ordinance questions.

Since approved, the project has experienced some delays but we've recently taken advantage of opportunities which have allowed us to make good progress on the updates. As part of this progress we have reached a stage where we believe it is appropriate to seek input on a few of the major components of the new Ordinance. Attached hereto you will find memorandums prepared on each of the following topics:

1. Reduction of front yard setbacks in the Lakeshore Resort Residential (LRR) zoning district. This amendment is precipitated on variances granted by the Zoning Board of Appeals.
2. Provision to allow 6' tall privacy fences where appropriate. This is the single most requested revision to the Ordinance from our residents.
3. Amendments to the Sign Regulations to comply with recent case law and to allow temporary signage. The ability to have temporary signs such as sandwich board signs is the most requested amendment from our commercial business owners.

SUPERVISOR

Bill Rogers

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

TRUSTEES

Jean W. Ledford

H. James Mortensen

Terry Croft

Diana Lowe

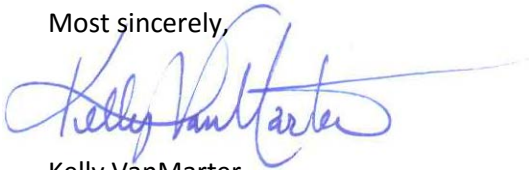
MANAGER

Michael C. Archinal

4. Provide regulations to allow for accessory dwellings such as mother-in-law suites in single family residential. This is frequently requested by property owners and trends suggest they should be used to accommodate the elderly, in-laws, au-pairs, empty nesters or young people who are moving back home after college so they can get their arms around college debt.
5. Add regulations to address Solar Energy Collectors. These systems are becoming more popular and the existing Ordinance does not address them.
6. Consider revisions to the Town Center Overlay district. Staff struggles with applicability of the overlay for existing development and there have been detractors from the east end of the district. Staff would like consideration for some amendments to the size and applicability of the district.
7. Create new zoning districts for the S. Latson interchange area. The 2013 Master Plan provided a framework for two new zoning districts to address development in the area south of the new Latson Road interchange. This includes Interchange Campus and Interchange Commercial. The attached memo suggests using Planned Unit Development zoning as a tool to accomplish our goals.
8. Make a determination regarding the allowance or prohibition of Medical Marijuana facilities in accordance with new legislation.

Our consultants and I look forward to discussing these topics with you on Monday. We are hoping to get basic feedback regarding your general thoughts on these issues so we know where to focus our efforts. As we continue to create the Ordinance there will be additional opportunities for specific feedback and detailed analysis. If you have any questions or comments you are encouraged to contact me at the 810-588-6900 (office), 517-861-7917 (cell) or email at kelly@genoa.org.

Most sincerely,



Kelly VanMarter

Assistant Township Manager/Community Development Director

MEMORANDUM

To: Kelly VanMarter, AICP, Brian Borden, AICP
Date: January 26, 2017
From: David M. Jirousek, AICP
RE: **Special Topic Memo- LRR Front Setbacks**

Overview

An annual review of variance requests commonly indicates areas of the Zoning Ordinance that should be reassessed. A common variance request that is typically approved is a front yard setback reduction in the LRR Zoning District.

In LRR, lots meeting the minimum width of 80 feet in width would need to be 272 feet deep to meet the minimum lot area requirement (with sewer). It would be unlikely for the development or redevelopment of a conforming lot to necessitate a variance, unless there was a unique topographic feature of the land.

However, our understanding is that many of the LRR lots are nonconforming as they do not meet minimum lot width and area requirements. It is common for lots to only be as wide as 40-50 feet and much shallower than conforming lots. Understanding the intent of the code is to move toward wider LRR lots, lot depth in this district can be physically constrained by streets and water. Therefore, while the 80 foot width is not suggested to be changed, it would be reasonable to reduce the front setback to accommodate development based on depth constraints. This would address the restrictive smaller building envelopes that are the result of shallower lots and irregular waterfronts.

Recommendation

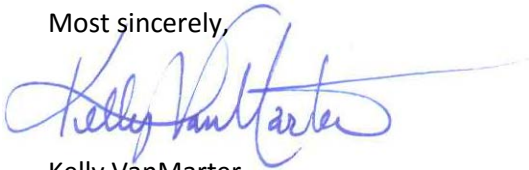
Decreasing the front setback from 35 feet to 25 feet would reduce the number of variance requests but would allow enough depth to ensure that new buildings and additions remain relatively uniform to existing conforming structures (distance from the right-of-way).

Please do not hesitate to contact me with questions or concerns at 616-988-3525 or by email at jirousek@williams-works.com.

4. Provide regulations to allow for accessory dwellings such as mother-in-law suites in single family residential. This is frequently requested by property owners and trends suggest they should be used to accommodate the elderly, in-laws, au-pairs, empty nesters or young people who are moving back home after college so they can get their arms around college debt.
5. Add regulations to address Solar Energy Collectors. These systems are becoming more popular and the existing Ordinance does not address them.
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8. Make a determination regarding the allowance or prohibition of Medical Marijuana facilities in accordance with new legislation.

Our consultants and I look forward to discussing these topics with you on Monday. We are hoping to get basic feedback regarding your general thoughts on these issues so we know where to focus our efforts. As we continue to create the Ordinance there will be additional opportunities for specific feedback and detailed analysis. If you have any questions or comments you are encouraged to contact me at the 810-588-6900 (office), 517-861-7917 (cell) or email at kelly@genoa.org.

Most sincerely,



Kelly VanMarter

Assistant Township Manager/Community Development Director

williams&works

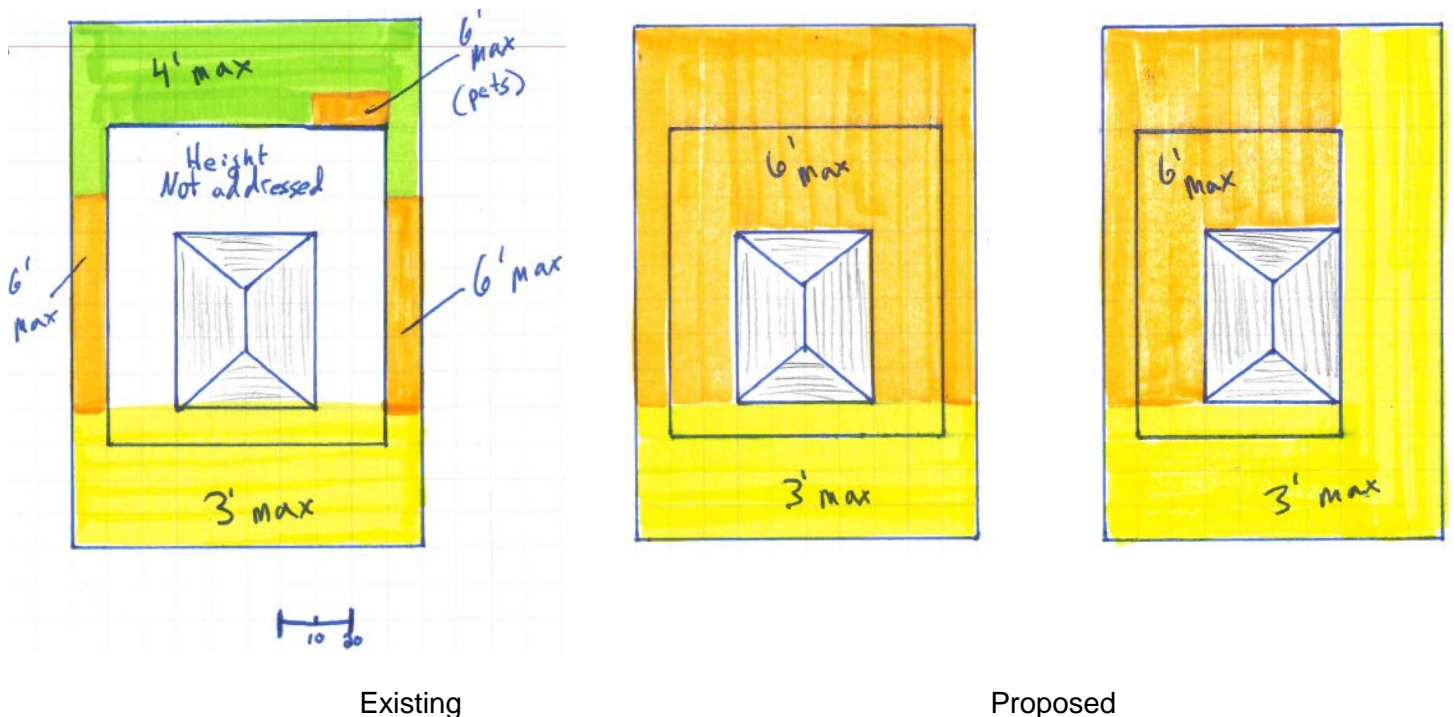
engineers | surveyors | planners

MEMORANDUM

To: Kelly VanMarter, AICP, Brian Borden, AICP
Date: January 26, 2017
From: David M. Jirousek, AICP
RE: Special Topic Memo- Fences

Overview

Section 11.04.04 is unclear could be simplified. At present, it limits front yard fence height to three (3) feet and four (4) feet in required side and rear yards. Height maximum is not addressed in non-required side and rear yards. However, six (6) foot fences can be placed in required side yards but no more than 10 feet beyond the plane of the rear exterior wall. Also, a 200 square foot provision is included for pet enclosures. A simplified treatment would be to allow six (6) foot fences in any portion of a property aside from front yards. However, through and waterfront lots may need special considerations.



Township staff indicates that the prohibition on privacy fences in the required rear yard is the single most requested change to the Zoning Ordinance by Township residents. It should be noted that subdivision covenants and restrictions will supersede Township height maximums, if stricter.

Please do not hesitate to contact me with questions or concerns at 616-988-3525 or by email at jjrousek@williams-works.com.

MEMORANDUM

To: Kelly VanMarter, AICP, Brian Borden, AICP
Date: January 26, 2017
From: David M. Jirousek, AICP
RE: **Special Topic Memo- Sign Content Regulation**

Overview

This memo includes an initial review of Article 16, Sign Standards, as it relates to a 2015 U.S. Supreme Court case. The 2015 U.S. Supreme Court decision of *Reed v. the Town of Gilbert* affects many sign ordinances across the nation, specifically as they make distinctions between signs related to content. The Supreme Court requires that content-based regulation of non-commercial signs must meet a “strict scrutiny” test, meaning that local governments must show that the regulation is designed to serve a compelling governmental interest and is narrowly tailored to achieve that interest. In *Reed*, Justice Thomas:

“found that the [temporary sign] distinctions were plainly content-based and thus subject to strict scrutiny. The distinctions—between Political Signs, Temporary Directional Signs, and Ideological Signs—“depend[ed] entirely on the communicative content of the sign”

“Regulation targeted at specific subject matter is content based even if it does not discriminate among viewpoints with that subject matter.”

Without delving too deeply into the details of the decision, the key point is that content-based regulation of speech is determined to be unconstitutional, especially for non-commercial signs. In general, the decision embraced content-neutral ordinances, which limit sign articles to reasonably regulate time, place, and manner of signs, including but not limited to: size, number, building materials, illumination, spacing, electronic displays, moving parts, and portability. Distinctions between temporary non-commercial signs are subject to the greatest potential for legal challenge based on the *Reed* case.

Although complete content neutrality may be difficult to achieve, local ordinances should strive to meet the intent of the *Reed* decision. In some cases, content regulation of non-commercial signs can be upheld if the regulation meets the strict scrutiny legal test. For example, restricting profane and offensive content would serve a compelling governmental interest and would be more likely to be upheld in the courts.

On the following page, we present several questions and recommendations concerning content neutrality.

Review

Sec. 16.02 DEFINITIONS

The following definitions should be revised or deleted as they include content-based regulation:

- Canopy sign.
- Construction sign.
- Directional sign.
- Menu board.
- Off-premise sign.
- On-premise sign.
- Political sign.
- Portable sign (references to signs that are regulated by content).
- Real estate sign.
- Regulatory sign (however, this should meet the strict scrutiny test).
- Temporary grand opening sign.

Sec. 16.03 APPLICATION OF STANDARDS: EXEMPT SIGNS

- Several signs types should be combined as “temporary yard signs” and regulations should be updated to allow a base number at any one (1) time, plus extra signs during specific situations or time periods if desirable.
 - Temporary yard sign(s) at any one (1) time:
 - Number.
 - Height.
 - Setback.
 - Size.
 - In addition to the base number of yard signs allowable, how many extra signs or “seasonal” temporary yard signs are appropriate?
 - An additional temporary yard sign is permitted when a property is for sale? (list date to close date)
 - An additional temporary yard sign is permitted [] days before and [] days after an election?
 - An additional temporary yard sign is permitted [] days before and [] days after an open house?
 - An additional temporary yard sign is permitted during the construction of a structure? (permit date to CO date)
 - However, in no case shall more than [] yard signs be permitted at any one (1) time.

Please do not hesitate to contact me with questions or concerns at 616-988-3525 or by email at jjrousek@williams-works.com.

MEMORANDUM

To: Kelly VanMarter, AICP, Brian Borden, AICP
Date: January 26, 2017
From: David M. Jirousek, AICP
RE: **Special Topic Memo- Accessory Dwelling Units**

Overview

Many communities allow for accessory dwelling units, or mother in law suites, to accommodate family members, out of town guests, or to allow an extra revenue stream. However, it is important to remain consistent with the intent of zoning district, specifically, to prevent single-family dwellings from becoming two-family (duplex) structures. To accommodate accessory dwelling units while maintaining single-family character, the following framework has been developed for consideration.

Proposed Framework

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

(o) Accessory dwelling units shall comply with the following requirements:

- (1) Accessory dwelling units are limited to single family dwellings.
- (2) No detached accessory building or structure shall be used for dwelling purposes.
- (3) Only one (1) accessory dwelling unit shall be permitted per principal structure and per lot or parcel.
- (4) Design.
 - a. An accessory dwelling unit shall be integrated within or attached to the principal dwelling. Any accessory dwelling unit shall comply with all setback requirements applicable to the principal dwelling.
 - b. The accessory dwelling may be designed as an independent housekeeping unit that can be isolated from the principal dwelling space, however, an internal connection to the principal dwelling must be maintained and the primary entrance to the home shall be shared.

- c. The accessory dwelling shall retain a residential appearance consistent with the design and materials of the principal dwelling portion of the building.
 - d. Accessory dwelling square footage shall not exceed 50 percent of the principal dwelling square footage.
- (5) The accessory dwelling shall not have a separate meter for public utilities, such as electric and gas service, or a separate mailing address.

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MEMORANDUM

To: Kelly VanMarter, AICP, Brian Borden, AICP
Date: January 26, 2017
From: David M. Jirousek, AICP
RE: **Special Topic Memo- Solar Energy Collectors**

Overview

As discussed during our project kickoff meeting, solar energy collectors are not addressed in the Zoning Ordinance. Solar energy collectors can be mounted on buildings or directly to the ground and can have residential or commercial application. The proposed framework regulates both types of solar energy collectors as well as commercial solar farms.

Proposed Framework

The following is a proposed regulatory framework. Language or figures in [brackets] serve as placeholders.

Definitions

1. **Solar Energy Collector:** A panel or panels and/or other devices or equipment, or any combination thereof, that collect, store, distribute and/or transform solar, radiant energy into electrical, thermal or chemical energy for the purpose of generating electric power or other form of generated energy for use in or associated with a principal land use on the parcel of land on which the solar energy collector is located and, if permitted, for the sale and distribution of excess available electricity to an authorized public utility for distribution to other lands.
2. **Building-Mounted Solar Energy Collector:** A solar energy collector attached to the roof or wall of a building, or which serves as the roof, wall or window or other element, in whole or in part, of a building.
3. **Ground-Mounted Solar Energy Collector:** A solar energy collector that is not attached to and is separate from any building on the parcel of land on which the solar energy collector is located.
4. **Commercial Solar Energy System:** A utility-scale facility of solar energy collectors with the primary purpose of wholesale or retail sales of generated electricity. Also known as a solar farm.

Land Use Regulation

- Building-Mounted- Permitted accessory use in [all districts].
- Ground-Mounted- Accessory SLU in [all districts].
- Commercial Solar Energy System. Principal accessory use in the [IND and AG Districts].

11.07 SOLAR ENERGY COLLECTORS AND COMMERCIAL SOLAR ENERGY SYSTEMS

11.07.01 General Requirements:

- a. Glare and reflection. The exterior surfaces of solar energy collectors shall be generally neutral in color and substantially non-reflective of light. A unit may not be installed or located so that sunlight or glare is reflected into neighboring residences or onto adjacent streets.
- b. Solar energy equipment shall be located in the least visibly obtrusive location where panels would remain functional.
- c. Installation.
 - i. A solar energy collector shall be permanently and safely attached to the building or structure, or to the ground. Solar energy collectors, and the installation and use thereof, shall comply with the Township construction code, the electrical code and other applicable Township, county, state and federal requirements.
 - ii. Solar energy collectors shall be installed, maintained and used only in accordance with the manufacturer's directions. Upon request, a copy shall be submitted to the Township building official prior to installation. The building official may inspect the completed installation to verify compliance.
- d. Permitting.
 - i. Building-mounted units are subject to administrative review. Expansions of [10 percent] or less from the original size are exempt from review and permitting.
 - ii. Ground-mounted equipment is subject to special land use review.
- e. Applications. In addition to all other required application contents, equipment and unit renderings or plans shall be submitted.

11.07.02 Building-Mounted Solar Energy Collectors:

- a. A building mounted unit shall be only of such weight as can safely be supported by the structure. Proof thereof, in the form of certification by a professional engineer or other qualified person, shall be submitted to the Township building official prior to installation.
- b. Location. Wall-mounted units shall not be located on the front wall of a building.
- c. Height.
 - i. Wall-mounted unit shall not exceed the height of the building wall to which they are attached.

- ii. A roof-mounted unit shall not project more than [three (3) feet] above the highest point of the roof and may exceed the maximum building height limitation for the zone district by no more than [three (3) feet]. OR
- iii. Shall not project more than five feet above the peak of the roof, but in any case, shall not exceed the maximum building height for the zone district in which it is located.
- d. Extension.
 - iv. A solar energy collector that is wall-mounted shall not extend further than [five (5) feet] from the building wall, may not extend into a required yard and may not exceed the height of the building wall to which it is attached. OR
 - v. Shall not project beyond the eave of the roof.

11.07.03 **Ground-Mounted- Accessory Structure:**

- a. Location.
 - i. The unit may be located in the rear yard and/or the side yard, but not in the required rear yard or in the required side yard.
 - ii. The unit may be located in the front yard only if permitted by the Planning Commission in its approval of the special land use provided that the unit is no less than [150 feet] from the front lot line.
- b. Number. [One (1)] per whole acre.
- c. Size. [1,500 square feet] maximum.
- d. Spacing. [15 feet] minimum.
- e. Height. [16 feet] maximum, measured from the natural grade below the unit to the highest point.
- f. Minimum Acreage. [Three (3)] acres.
- g. Lot Coverage. The total area of ground-mounted solar energy collectors shall be included in the calculation of maximum permitted lot coverage.
- h. Screening. Screening may be required in cases where ground-mounted units impact views from adjacent residential properties.

11.07.04 **Commercial Solar Energy System:**

- a. Setbacks. [100 feet] minimum.
- b. Height. Height. [16 feet] maximum, measured from the natural grade below the unit to the highest point.
- c. Minimum Acreage. [Five (5)] acres.
- d. Lot Coverage. The total area of ground-mounted solar energy collectors shall be included in the calculation of maximum permitted lot coverage.
- e. Screening. Screening may be required in cases where ground-mounted units impact views from adjacent residential properties.

Please do not hesitate to contact me with questions or concerns at 616-988-3525 or by email at jirousek@williams-works.com.

MEMORANDUM

To: Kelly VanMarter, AICP, Brian Borden, AICP
Date: January 26, 2017
From: David M. Jirousek, AICP
RE: **Special Topic Memo- Town Center**

Overview

The Zoning Ordinance update project provides an opportunity to reassess the Genoa Town Center Overlay District. While it is important to maintain the spirit and direction of the master plan, the existing overlay regulations and boundaries may be burdensome when considering present-day market realities. For instance, the application of the overlay to existing built parcels may prevent simple site plan revisions, such as addition to buildings or variations to parking areas, because sites must be brought into compliance with Town Center requirements.

Questions

While the intent of the Genoa Town Center plan should be maintained, we offer the following questions for consideration:

1. Should the boundaries of the overlay be constricted?
2. Should the overlay apply to both built and undeveloped property? Or just to vacant land to ensure that new development meets the intent of the plan?
3. Should the regulations be scaled back in intensity while maintaining minimum standards for architecture, building materials, and general site design?
4. Should incentives be offered for compliance instead of mandatory compliance? (for redevelopment projects)

Please do not hesitate to contact me with questions or concerns at 616-988-3525 or by email at jjirousek@williams-works.com.

MEMORANDUM

To: Kelly VanMarter, AICP, Brian Borden, AICP
Date: January 26, 2017
From: David M. Jirousek, AICP
RE: **Special Topic Memo- Interchange PUD**

Overview

To best implement the I-96/Latson Road Subarea Plan, the development and adoption of two distinct PUD districts would allow for the greatest level of flexibility to achieve the goals of the plan. A much more detailed subarea plan would be necessary to draft a specific traditional or form-based district and the results would be highly prescriptive. Because the subarea plan is conceptual in nature, the PUD review process is ideal as it allows for a collaborative site planning process that considers the subarea as a whole and the relationship of development proposals to neighboring property. Further, it allows the flexibility for a developer to adapt their desired development to the intent of the subarea plan, instead of following prescriptive rules that may not be supported by the market.

Proposed Framework

Sec. 10.03 TYPES OF PUD ZONING DESIGNATION

District Name	Type of District	Permitted Uses	Special Land Uses	Additional Provisions
Interchange Commercial PUD (ICO-PUD)	Separate Zoning District	Uses permitted in the Regional Commercial District OR specifically list in 10.03.06 b	Special land uses of the General Commercial District OR specifically list in 10.03.06 b	Sec. 10.03.06
Interchange Campus PUD (ICA-PUD)	Separate Zoning District	A mixture of office, commercial, residential, and public uses	Special land uses of the zoning districts applicable to each PUD component	Sec. 10.03.07

10.03.06 **INTERCHANGE COMMERCIAL PUD (ICO-PUD)**

- (a) Intent. The intent of the ICO-PUD is to promote comprehensive and long-term planning of appropriate land uses, innovative architectural design, high quality building materials, and a walkable environment for visitors and travelers.
- (b) Master Plan and Subarea Plan. All ICO-PUD proposals shall demonstrate conformance to the land use, site design, and access management strategies and recommendations of the Genoa Township Master Plan and Subarea Plans.
- (c) Land Use. Permitted land uses include restaurants (fast food, sit-down, and take out), services stations, retail, entertainment (movie theatres, indoor commercial recreation, etc.).
- (d) Site Design. Parking areas shall be generally located to the side or rear of buildings, or significantly limited between buildings and public right-of-way.
- (e) Buildings and Signs.
 - 1. Primary building materials shall be of high quality brick, stone, glass, or similar material.
 - 2. Entrances shall be well defined and easily accessible by pedestrians.
 - 3. Sign packages shall consider a consistent overall theme and look for the ICA-PUD.
- (f) Streetscape.
 - 1. Ornamental street lighting shall be included along South Latson and within the new development itself to contribute toward the site's unified design.
 - 2. South Latson shall be well landscaped, not only in the median, but along the frontage, with street trees and knee walls or hedgerows screening parking.
 - 3. Gateway and wayfinding signs shall be installed at the interchange welcoming visitors to the Township and directing them to major landmarks. This signage shall be consistent with that proposed along Grand River and for the Town Center. Elements of a gateway entrance sign shall include lighting, landscaping, and masonry material.
- (g) Pathways & Sidewalks. Sites shall be designed to include pathways and sidewalks for non-motorized transportation. All roads shall have sidewalks on both sides.
- (h) Access Management and Connectivity.
 - 1. No access points other than Beck Road are permitted along South Latson Road between the interchange and the rail line.
 - 2. Developments shall incorporate shared access points to limit the number of driveways along Beck Road and shall comply with Sec. 15.06, Access Management.
 - 3. Acceptable road levels of service (LOS) shall be maintained by careful access management strategies and road improvements.
 - 4. Sites shall be designed to incorporate cross-access easements and connectivity for vehicular, bicycle, and foot traffic.

10.03.07 **Interchange Campus PUD (ICA-PUD)**

- (a) Intent. The intent of the ICA-PUD is to accommodate large-scale institutional and business campuses within easy access to I-96. This area can be served by utility extensions and is intended to be a well-planned, campus setting.
- (b) Master Plan and Subarea Plan. All ICA-PUD proposals shall demonstrate conformance to the land use, site design, and access management strategies and recommendations of the Genoa Township Master Plan and Subarea Plans.
- (c) Land Use. Permitted land uses include medical and dental offices, hospitals, professional offices, colleges, universities, specialized training, research and development, and indoor commercial recreation. Accessory uses, such as restaurants and professional services are permitted but must be ancillary to a principal use.
- (d) Site Design
 1. Parking areas shall be generally located behind buildings, or significantly limited between buildings and public right-of-way.
 2. Parking shall be buffered with landscaping or decorative fencing.
 3. Stormwater shall be consolidated and treated through low-impact design and retention ponds that contribute to the existing natural character of the site. Building orientation shall be sensitive to wetlands and existing natural features and be situated to maximize the sight lines and pedestrian access to enjoy them.
 4. Site lighting shall consist of decorative fixtures, such as goose neck fixtures, and be architecturally integrated with the building style, materials and color. Pole fixtures shall be located within landscaped islands or behind the curb or sidewalk.
- (e) Buildings and Signs.
 1. Building height deviations shall consider the context of the PUD plan as a whole and the visual impact to adjacent residential areas.
 2. Buildings along South Latson shall be closer to the street and lesser in height than buildings internal to the PUD development.
 3. Buildings shall orient toward South Latson where possible with parking given a less dominant presence along the corridor.
 4. Primary building materials shall be of high quality brick, stone, glass, or similar material.
 5. Entrances shall be well defined and easily accessible by pedestrians.
 6. Sign packages shall consider a consistent overall theme and look for the ICA-PUD.
- (f) Streetscape.
 1. Ornamental street lighting shall be included along South Latson and within the new development itself to contribute toward the site's unified design.
 2. South Latson shall be well landscaped, not only in the median, but along the frontage, with street trees and knee walls or hedgerows screening parking.
- (g) Pathways & Sidewalks. Sites shall be designed to include pathways and sidewalks for non-motorized transportation. All roads shall have sidewalks on both sides.

(h) Access Management and Connectivity.

1. The primary access to the area west of South Latson Road, south of the railroad, shall be aligned with Sweet Road.
2. Secondary access points shall be limited and/or restricted. Restricted driveways shall be designed to be intuitive with minimal signage. All access points shall be aligned with access points across the road and shall be separated from other intersections and access points on the same side of the road by at least 500 feet.
3. Sites shall be designed to incorporate frontage roads, service roads, and cross-access easements to allow connectivity for vehicular, bicycle, and foot traffic.

(i) Future Transition Area. Appropriately timed incremental southward expansion of the ICA-PUD is anticipated. Evaluation factors for expansion include the following considerations:

1. Amount and capacity of undeveloped land remaining within the growth framework areas, which shall be used to satisfy the demand for development prior to expanding boundaries.
2. Projected population growth within the Township and demand for additional land areas for commercial or industrial development.
3. Present and planned sewer capacity.
4. The capacity and condition of the road system.
5. The ability of the Township, County and other public agencies to provide necessary services to the new growth areas and the additional resulting population.
6. Community surveys and input.
7. Impact on public health, safety and welfare.
8. Changes to conditions considered at the time of the subarea plan.
9. Environmental constraints and sensitivity.
10. Adverse impact to adjacent or nearby property.
11. Sensitive transitions to residential and agricultural land can be achieved.
12. Any other relevant criteria.

Please do not hesitate to contact me with questions or concerns at 616-988-3525 or by email at jjrousek@williams-works.com.

MEMORANDUM

To: Kelly VanMarter, AICP, Brian Borden, AICP
Date: January 26, 2017
From: David M. Jirousek, AICP
RE: **Special Topic Memo- Medical Marihuana Facilities**

Overview

The intent of this memo is to provide background information concerning state medical marihuana laws and local authority over primary caregivers and other newly designated marihuana facilities. Because of recent changes to state laws, local governments should assess their position on the future of local regulation of the industry. If the Township is open to allowing medical marihuana facilities, a framework for regulation has been provided.

Michigan Medical Marihuana Act

In November 2008, Michigan voters approved the Michigan Medical Marihuana Act (“MMMA”). The purpose of the MMMA was to permit qualifying patients to legally use and possess marihuana for pain relief, nausea, or other medical conditions and to allow an authorized caregiver-patient relationship. The MMMA also protects patient and caregiver confidentiality and provides for the security marihuana plants. The MMMA was not approved or designed to encourage entrepreneurial opportunities or promote economic development. Two important cases clarified the MMMA after 2008:

- The Michigan Supreme Court clarified in *State v McQueen* that dispensaries and cooperatives were not permitted by the MMMA.
- The Michigan Supreme Court ruled in *Ter Beek v the City of Wyoming* that prohibition of medical marihuana is preempted by the MMMA, however, local ordinances can regulate it (the extent of appropriate regulations is likely debatable).

Recent Enacted Laws

Three recently approved laws changed the regulation in Michigan. The most significant change under PA 281 is that dispensaries and other marihuana facilities that were not permitted under the MMMA are now authorized by new state regulations. Summaries of the three Acts are as follows:

- Medical Marihuana Facilities Licensing Act (PA 281 of 2016)- the “MMFLA”
 - Defines different types of marihuana facilities: growers, processors, safety compliance facilities, provisioning centers, and secure transporters.

- Creates a Licensing Board.
- Requires compliance and licensing.
- Imposes taxes and fees. Of a 3% tax on gross receipts, 25% is allocated to municipalities proportionately to their number of permitted facilities. Local annual license fees of up to \$5,000 are permitted.
- Marihuana Tracking Act (PA 282 of 2016)
 - Monitors and verifies registry cards.
 - Tracks sales.
 - Monitors amount sold to each qualified patient.
- Michigan Medical Marihuana Act Amendment (PA 283 of 2016)
 - Allows useable marihuana equivalents, including infused products.
 - Verifies registration ID cards.

Local Authority

MMFLA

Per the 2016 MMFLA, the local governments may prohibit medical marihuana facilities, may allow all types of facilities, or may allow certain types. Additionally, local governments may limit the number of facilities within their boundaries or place other special requirements on them (such as separation and setbacks).

It is also important to note that the state will not issue licenses for marihuana facilities if not permitted at the local level. Further, the MMFLA states that growers can only locate in agricultural or industrial zoning districts (Section 501 7). This is likely because of the increased number of plants that may be grown and harvested by a single grower (up to 1,500 plants versus 60 plants per the MMMA).

MMMA

Although local governments have a high level of regulatory authority over marihuana facilities under the MMFLA, they cannot prohibit growing by primary caregivers or qualified patients, or enact any restrictions that are incompatible with state law.

Questions

Genoa Township officials should consider the following questions as a starting point for assessing the local position on the newly-termed medical marihuana facilities authorized by the MMFLA. Under the MMFLA, the state will not allow applications to be submitted until December of 2017.

1. Should marihuana facilities be permitted?
2. What type of facilities should be permitted?
3. How many facilities should be permitted?
4. Where should facilities be permitted? (zoning districts)
5. What type of separation should be required between facilities or from churches, schools, or other sensitive land uses?

6. Should there be an annual fee and license? (up to \$5,000).

Proposed Framework

Language or figures in [brackets] serve as placeholders. There are no recommendations included in this memo, only a recommended regulatory framework for consideration if the Township decides to allow medical marijuana facilities.

Definitions

1. **Medical Marijuana Grower:** A commercial entity that cultivates, dries, trims, or cures and packages marijuana for sale to a processor or provisioning center, in accordance with the MMFLA.
 - a. Class A – 500 marijuana plants.
 - b. Class B – 1,000 marijuana plants.
 - c. Class C – 1,500 marijuana plants.
2. **Medical Marijuana Facilities Licensing Act (MMFLA):** Act 281 of 2016, to license and regulate medical marijuana growers, processors, provisioning centers, secure transporters, and safety compliance facilities; to provide for the powers and duties of certain state and local governmental officers and entities; to create a medical marijuana licensing board; to provide for interaction with the statewide monitoring system for commercial marijuana transactions; to create an advisory panel; to provide immunity from prosecution for marijuana-related offenses for persons engaging in marijuana-related activities in compliance with this act; to prescribe civil fines and sanctions and provide remedies; to provide for forfeiture of contraband; to provide for taxes, fees, and assessments; and to require the promulgation of rules.
3. **Medical Marijuana Processor:** A commercial entity that purchases marijuana from a grower and that extracts resin from the marijuana or creates a marijuana-infused product for sale and transfer in packaged form to a provisioning center, in accordance with the MMFLA.
4. **Medical Marijuana Provisioning Center:** A commercial entity that purchases marijuana from a grower or processor and sells, supplies, or provides marijuana to registered qualifying patients, directly or through the patients' registered primary caregivers, in accordance with the MMFLA. This definition includes any commercial property where marijuana is sold at retail to registered qualifying patients or registered primary caregivers. A noncommercial location used by a primary caregiver to assist a qualifying patient connected to the caregiver through the department's marijuana registration process in accordance with the MMMA not a provisioning center.
5. **Medical Marijuana Safety Compliance Facility:** A commercial entity that receives marijuana from a marijuana facility or registered primary caregiver, tests it for contaminants and for tetrahydrocannabinol and other cannabinoids, returns the test results, and may return the marijuana to the marijuana facility, in accordance with the MMFLA.
6. **Medical Marijuana Secure Transporter:** A commercial entity that stores marijuana and transports marijuana between marijuana facilities for a fee, in accordance with the MMFLA.

7. **Michigan Medical Marihuana Act:** The Michigan Medical Marihuana Act (MMMA), 2008 IL 1, MCL 333.26421 to 333.26430.

Land Use Regulation

Use	AG	OSD	NSD	GCD	RCD	IND	Req.
Grower ¹	[P/S]					[P/S]	
Processor						[P/S]	
Provisioning Center		[P/S]	[P/S]	[P/S]	[P/S]		
Safety Compliance Facility						[P/S]	
Secure Transporter						[P/S]	

¹The MMFLA limits growers to agricultural and industrial districts.

11.06 MEDICAL MARIHUANA FACILITIES

11.06.01 **Applicability:** This section applies to medical marihuana facilities authorized by the Medical Marihuana Facilities Licensing Act (PA 281 of 2016). This section does not apply to operations and activities authorized in conformance with the Michigan Medical Marihuana Act (Act 1 of 2008).

11.06.02 **General Requirements:**

- a. Application. An application for a medical marihuana facility must be submitted on a form provided by the Township.
- b. Fee. An annual, nonrefundable fee of [\$5,000.00] is required per medical marihuana facility.
- c. Validity. Permits shall be valid for [one (1) year] after [Special Land Use] approval by the Township Planning Commission. Permit renewal is an [administrative] authority and is required [annually]. A permit lapse could result in noncompliance with the separation requirements of this section if another facility is permitted during the lapse. Permits associated with facilities that are unable to meet requirements after a lapse shall not be renewed.
- d. Special Land Use Approval. Applications for medical marihuana facilities shall be processed in accordance with [Article 19]. One approved, permitting and fee requirements are processed administratively. Only major changes in accordance with Section 19.06 will require additional Planning Commission review.

11.06.03 **Air Filtration and Odor Control:** Facilities for growing or storing marihuana shall be equipped with appropriately sized exhaust systems with carbon filters, or other comparable air quality and odor control treatment systems. Systems shall treat air quality to prevent detection of odors from adjacent property and public right-of-way. Sizing of treatment systems shall consider the size of the room and the amount of air necessary to evacuate and filter. The applicant shall demonstrate proposed measures to prevent noticeable outdoor odors.

11.06.04 **Facility Requirements:** Medical marihuana facilities are subject to the following requirements:

Type	Minimum Acreage	Number	Setbacks (all sides)	Separation-Other Medical Marihuana Facilities ¹	Separation-From Schools, Churches, Day Care ¹
Grower Class A	[5]	[X]	[100 ft.]	[500 ft.]	[1,000 ft.]
Grower Class B	[10]	[X]	[100 ft.]	[1,000 ft.]	
Grower Class C	[15]	[X]	[100 ft.]	[1,500 ft.]	
Processor	-	[X]	[See district requirements]	[1,000 ft.]	
Provisioning Center	-	[X]	[See district requirements]	[2,640 ft.]	
Safety Compliance Facility	-	[X]	[See district requirements]	[500 ft.]	
Secure Transporter	-	[X]	[See district requirements]	[500 ft.]	

¹ Separation shall be measured between the shortest distance between the exterior walls of buildings dedicated to the referenced uses.

Please do not hesitate to contact me with questions or concerns at 616-988-3525 or by email at jjrousek@williams-works.com.