

GENOA CHARTER TOWNSHIP BOARD
Regular Meeting
August 5, 2019
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)*:

Approval of Consent Agenda:

1. Payment of Bills.
2. Request to Approve Minutes: July 15, 2019

Approval of Regular Agenda:

3. Request for approval to combine Precincts 12 and 7. This combination will allow the Pinckney Schools, Brighton Area Schools and the Brighton District Library elections to coordinate and save expense for both schools and library district in the future. This action was recommended by the Genoa Township Election Commission on April 11, 2019.
4. Request for approval of participation in the Edinburgh Drive micro-surfacing project at 25% of the project cost.
5. Conduct second reading and consider for adoption ordinance number Z-19-03 regarding Zoning Ordinance Text Amendments involving changes to Article 7 entitled "Commercial and Service Districts" and Article 25 entitled "Definitions" to modify existing and add new uses and related definitions.
 - A. Call to the public
 - B. Request for approval or Ordinance Z-19-03 (ROLL CALL)

Correspondence
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.

CHECK REGISTERS FOR TOWNSHIP BOARD MEETING

DATE: August 5, 2019

TOWNSHIP GENERAL EXPENSES: Thru August 5, 2019	\$138,770.37
July 26, 2019 Bi Weekly Payroll	\$95,850.38
OPERATING EXPENSES: Thru August 5, 2019	\$226,137.07
TOTAL:	<u>\$460,757.82</u>

Check Date	Check	Vendor Name	Amount
Bank FNBCK CHECKING ACCOUNT			
7/10/2019	35389	AMERICAN AQUA	71.25
7/10/2019	35390	BRANDON VANMARTER	401.23
7/10/2019	35391	GORDON FOOD SERVICE	521.69
7/15/2019	35392	BLUE CROSS & BLUE SHIELD OF MI	38,464.73
7/15/2019	35393	CONSUMERS ENERGY	92.64
7/15/2019	35394	COOPER'S TURF MANAGEMENT LLC	935.00
7/15/2019	35395	SHARON STONE	16.39
7/17/2019	35396	ADVANCE AUTO PARTS	44.97
7/17/2019	35397	COMCAST	707.11
7/17/2019	35398	EHIM, INC	25,246.78
7/17/2019	35399	ETNA SUPPLY COMPANY	16,823.44
7/17/2019	35400	NEOPOST USA INC	140.00
7/17/2019	35401	NETWORK SERVICES GROUP, L.L.C.	50.00
7/17/2019	35402	TETRA TECH INC	2,697.70
7/17/2019	35403	US BANK EQUIPMENT FINANCE	2,129.36
7/17/2019	35404	VERIZON WIRELESS	457.53
7/17/2019	35405	WELLNESS IQ	164.00
7/29/2019	35406	MICA CRAFTERS, INC	3,223.00
7/29/2019	35407	MICA CRAFTERS, INC	300.00
7/30/2019	35408	ALLSTAR ALARM LLC	345.00
7/30/2019	35409	AMERICAN GENERAL LIFE INSURANC	296.50
7/30/2019	35410	MICHAEL ARCHINAL	500.00
7/30/2019	35411	CHASE CARD SERVICES	1,630.61
7/30/2019	35412	COMCAST	247.81
7/30/2019	35413	DEBOTTIS DEVELOP&ASPHALT SEAL COATI	14,940.42
7/30/2019	35414	DELTA DENTAL	3,804.22
7/30/2019	35415	DYKEMA GOSSETT, PLLC	9,239.50
7/30/2019	35416	LIVINGSTON PRESS & ARGUS	977.00
7/30/2019	35417	GUARDIAN	2,667.25
7/30/2019	35418	HURON RIVER WATERSHED COUNCIL	1,094.36
7/30/2019	35419	MARY KRENCICKI	17.98
7/30/2019	35420	LIVINGSTON COUNTY REGISTER OF DEEDS	120.00
7/30/2019	35421	MASTER MEDIA SUPPLY	317.86
7/30/2019	35422	MICHIGAN OFFICE SOLUTIONS	149.34
7/30/2019	35423	NEOFUNDS	2,500.00
7/30/2019	35424	NEOPOST USA INC	702.02
7/30/2019	35425	NETWORK SERVICES GROUP, L.L.C.	350.00
7/30/2019	35426	SAFEBUILT STUDIO	4,522.41
7/30/2019	35427	SEWARD HENDERSON PLLC	1,152.00
7/30/2019	35428	SPIRIT OF LIVINGSTON	80.80
7/30/2019	35429	TERRY CROFT	55.68
7/30/2019	35430	TETRA TECH INC	512.00
7/30/2019	35431	WALMART COMMUNITY	60.79

FNBCK TOTALS:

Total of 43 Checks:	138,770.37
Less 0 Void Checks:	0.00
Total of 43 Disbursements:	<u>138,770.37</u>

Check Register Report For Genoa Charter Township
For Check Dates 07/26/2019 to 07/26/2019

Check Date	Bank	Check Number	Name	Check Gross	Physical Check Amount	Direct Deposit	Status
07/26/2019	FNBCK	12995	MATKIN, RONALD	75.00	69.26	0.00	Open
07/26/2019	FNBCK	EFT360	FLEX SPENDING (TASC)	1,032.12	1,032.12	0.00	Cleared
07/26/2019	FNBCK	EFT361	INTERNAL REVENUE SERVICE	22,398.52	22,398.52	0.00	Cleared
07/26/2019	FNBCK	EFT362	PRINCIPAL FINANCIAL	3,186.00	3,186.00	0.00	Cleared
07/26/2019	FNBCK	EFT363	PRINCIPAL FINANCIAL	2,181.07	2,181.07	0.00	Cleared

Totals: Number of Checks: 005
28,872.71
28,866.97
0.00
Total Physical Checks: 1 Dir. Dep.
Total Check Stubs: 4 66,983.41

\$ 95,850.38

Check Date	Check	Vendor Name	Amount
Bank 503FN DPW-UTILITIES #503			
07/10/2019	4698	AK SERVICE DRIVER TESTING	150.00
07/10/2019	4699	MARK IGNATOWSKI	18.32
07/10/2019	4700	TYLER CASTRO	18.32
07/15/2019	4701	CHASE CARD SERVICES	2,437.80
07/15/2019	4702	POSTMASTER	1,418.76
07/15/2019	4703	STAPLES CREDIT PLAN	22.38
07/15/2019	4704	WEX BANK	3,915.38
07/16/2019	4705	ADVANCE AUTO PARTS	137.57
07/16/2019	4706	AUTO-LAB OF LIVINGSTON	637.50
07/16/2019	4707	GIFFELS WEBSTER	1,320.00
07/16/2019	4708	JACK DOHENY COMPANIES, INC	440.82
07/16/2019	4709	RED WING BUSINESS ADVANTAGE ACCOUNT	199.74
07/16/2019	4710	TETRA TECH INC	6,545.00
07/16/2019	4711	VERIZON WIRELESS	768.13
07/16/2019	4712	MASTERY ADVANTAGE	1,631.40
07/16/2019	4713	MWEA	75.00
07/23/2019	4714	HOME DEPOT CREDIT SERVICES	1,699.86
07/29/2019	4715	GREG TATARA	700.00
07/29/2019	4716	PORT CITY COMMUNICATIONS, INC.	440.84

503FN TOTALS:

Total of 19 Checks:	22,576.82
Less 0 Void Checks:	0.00
Total of 19 Disbursements:	<u>22,576.82</u>

Check Date	Check	Vendor Name	Amount
Bank 592FN OAK POINTE OPERATING FUND #592			
07/15/2019	4626	BRIGHTON ANALYTICAL , L.L.C.	185.00
07/15/2019	4627	GENOA TOWNSHIP G/O NEW USER FUND	15,900.00
07/16/2019	4628	AT&T	160.12
07/16/2019	4629	COOPER'S TURF MANAGEMENT LLC	468.00
07/16/2019	4630	DEBOTTIS DEVELOP&ASPHALT SEAL COATI	528.00
07/16/2019	4631	DETROIT PUMP & MFG. CO.	2,809.03
07/16/2019	4632	DUBOIS-COOPER	190.00
07/16/2019	4633	FASTENAL COMPANY	367.87
07/16/2019	4634	GENOA TOWNSHIP D.P.W. FUND	41,786.17
07/16/2019	4635	MICHIGAN CAT	1,160.00
07/16/2019	4636	SIGN WORKS	167.48
07/16/2019	4637	UIS SCADA	9,413.68
07/29/2019	4638	AT&T LONG DISTANCE	41.58
07/29/2019	4639	BRIGHTON ANALYTICAL , L.L.C.	185.00
07/29/2019	4640	CONSUMERS ENERGY	92.64
07/29/2019	4641	MHOG UTILITIES	38,808.99

592FN TOTALS:

Total of 16 Checks:	112,263.56
Less 0 Void Checks:	0.00
Total of 16 Disbursements:	<u>112,263.56</u>

Check Date	Check	Vendor Name	Amount
Bank 593FN LAKE EDGEWOOD OPERATING FUND #593			
07/10/2019	3616	CITY OF BRIGHTON	30,951.48
07/16/2019	3617	CONSUMERS ENERGY	99.72
07/16/2019	3618	COOPER'S TURF MANAGEMENT LLC	577.00
07/16/2019	3619	FASTENAL COMPANY	88.55
07/16/2019	3620	FERGUSON WATERWORKS #3386	2,378.00
07/16/2019	3621	GENOA OCEOLA SWR & WTR AUTHORI	99.44
07/16/2019	3622	GENOA TOWNSHIP DPW FUND	11,384.25
07/16/2019	3623	PVS NOLWOOD CHEMICALS, INC.	959.00
07/16/2019	3624	Void Reason: PRINTED ON CHECKS BY MISTAKE	0.00 V
07/16/2019	3625	Void Reason: PRINTED ON CHECKS BY MISTAKE	0.00 V
07/29/2019	3626	BRIGHTON ANALYTICAL , L.L.C.	455.50
07/29/2019	3627	MHOG UTILITIES	24.52
593FN TOTALS:			
Total of 12 Checks:			47,017.46
Less 2 Void Checks:			0.00
Total of 10 Disbursements:			<u>47,017.46</u>

Check Date	Check	Vendor Name	Amount
Bank 595FN PINE CREEK OPERATING FUND #595			
07/10/2019	2214	CITY OF BRIGHTON	44,279.23
595FN TOTALS:			
Total of 1 Checks:			44,279.23
Less 0 Void Checks:			0.00
Total of 1 Disbursements:			<u>44,279.23</u>

GENOA CHARTER TOWNSHIP BOARD

Regular Meeting

July 15, 2008

MINUTES

Supervisor Rogers called the regular meeting of the Genoa Charter Township Board to order at 6:30 p.m. The Pledge of Allegiance was then said. The following persons were present constituting a quorum for the transaction of business: Bill Rogers, Robin Hunt, Jean Ledford, Terry Croft and Jim Mortensen. Also present were Township Manager Michael Archinal and one person in the audience.

Call to the Public

A call to the public was made with no response.

Approval of Consent Agenda:

Moved by Ledford, supported by Mortensen to approve the Consent Agenda. The motion carried unanimously.

1. Payment of Bills.

2. Approval of Minutes of July 1, 2019.

Approval of Regular Agenda:

Moved by Hunt, supported by Ledford, to approve for action all items listed under the Regular Agenda. The motion carried unanimously.

3. Introduction of proposed Zoning Ordinance Text Amendment (ordinance Z-19-03) and to set the date for a second reading and consideration for adoption for Monday, August 5th, 2019. The proposed Zoning Text Amendment (Z-19-03) involves changes to the ordinance in regard to Article 7 entitled "Commercial and Service Districts" and Article 25 entitled "Definitions" to modify existing and add new uses and related definitions.

Manager Archinal noted that these changes are intended to broaden the uses permitted in our commercial zoning districts.

Moved by Hunt, supported by Croft, to approve the first reading of Ordinance (Z-19-03) and to set the date for second reading and public hearing for Monday, August 5th, 2019. The motion carried unanimously.

4. Consider approval of a proposal from Tetra Tech in the amount of \$26,200 for design services related to Dillon Street with a 50 percent cost sharing with the Livingston County Road Commission.

There was general discussion regarding the need for this project. Manager Archinal indicated that Supervisor Rogers and he had met with the Livingston County Drain Commission and the Livingston County Road Commission. The most appropriate course of action is to pursue an improvement under P.A. 188. LCRC agreed to cover half of the design costs.

Moved by Mortensen, supported by Hunt to approve the design services contract with Tetra Tech as presented with the Township covering \$13,100 of the \$26,200 total cost. The motion carried unanimously.

Correspondence:

An Issuer Comment from Moody's was discussed. The Township has a very good credit position and it's rating is maintaining at Aa2.

A letter from the Utility Director Greg Tatara to Grand Oaks Ice Arena regarding unpaid utility bills was included.

Minutes from the Cromaine District Library were included.

Drafts of the transfer agreements between Genoa Charter Township and the Brighton Area Fire Authority were discussed. The Township Attorney and the BAFA Attorney are finalizing the documents.

A Township project status report was included.

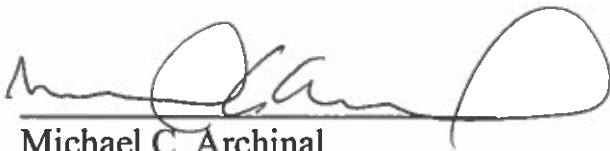
Member Discussion:

Supervisor Rogers noted that Brighton High School had won first place in the world robotics championships.

Manager Archinal noted that the Eagle Scout project for benches by the park soccer fields had been completed and they looked great. The Scout will be at the August 5, 2019 meeting for a project wrap up.

Moved by Mortensen, supported by Ledford to Adjourn the meeting at 6:53 PM.

Respectfully Submitted:

A handwritten signature in black ink, appearing to read "Michael C. Archinal", written over a horizontal line.

Michael C. Archinal
Township Manager

GENOA TOWNSHIP ELECTION COMMISSION

Special Meeting
April 11, 2019
10:00 a.m.

MINUTES

A meeting of the Election Commission was held on April 11, 2019 at 11:00 a.m. at the Genoa Charter Township Hall. The following persons were present constituting a quorum for the transaction of business: Polly Skolarus, Jean Ledford and Diana Lowe.

Moved by Ledford and supported by Lowe to approve the Minutes of the October 4, 2018 meeting as requested. The motion carried unanimously.

Moved by Ledford and supported by Lowe to recommend to the township board approval of all persons scheduled to work the May 7, 2019 Special Election. The motion carried unanimously.

Moved by Ledford and supported by Lowe to recommend that all salaries for poll workers remain the same as previously approved for the Special Election. The motion carried unanimously.

Moved by Lowe and supported by Ledford to approve an increase from \$14.00 to \$15.00 per hour for temporary clerical staff working in the clerk's office and assisting with election administration. The motion carried unanimously.

Moved by Lowe and supported by Ledford to combine precinct 12 with Precinct 7. This combination will allow the Pinckney School Elections and the Brighton District Library Election to coordinate and save the expense for both schools and library elections in the future. The motion carried unanimously.

The public accuracy test is scheduled for April 30, 2019 at 2:00 p.m., immediately following the testing of the ballots by Election Source.

The meeting of the Election Commission was adjourned at 11:25.



Paulette A. Skolarus, Clerk

MEMORANDUM

TO: Township Board

FROM: Michael Archinal 

DATE: 7/31/2019

RE: Edinburgh Drive

I have been in contact with the neighbors on Edinburgh Drive for several months regarding a potential special assessment district for improvements to their road. They are interested in doing a micro-surface project with a cost of approximately \$20,000. They believe they have unanimous support. With unanimous support and a relatively low per parcel cost I have encouraged them to forego the SAD process because of the associated administrative, publication and mailing costs.

The question before you this evening is whether the Township will participate at 25% or \$1,000 per home whichever is less. This is the normal contribution for special assessments on public roads. My recommendation is that we should participate. In this case this represents approximately \$5,000. This supports the policy goal of encouraging investment in neighborhood infrastructure. The savings in staff time for not having to go through an SAD process is significant.

Money from the association will be placed in escrow with the Township. The contribution from the Township will also be placed in the escrow account. When the work is completed and inspected by the Livingston County Road Commission we will authorize payment to the contractor from the escrowed funds.

Please consider the following action:

Moved by _____, supported by _____, to approve Township participation in the Edinburgh micro-surfacing project at 25% of the project cost.

Mike Archinal

From: Jodie Tedesco <jtedesco@livingstonroads.org>
Sent: Thursday, July 18, 2019 3:52 PM
To: Mike Archinal
Cc: Steve Wasylk
Subject: RE: Muirfield Manor - Vote for Edinburgh Drive - "Micro-Surfacing" treatment - please review and respond by 6/21/2019

Hi Mike,

It sounds like LCRC will be overseeing the project. I just spoke with Pavement Maintenance Inc. and they have availability in September. Apparently it will take approximately 2.5 hours to place the micro-surfacing and depending on weather up to 3.0 hours to dry. Residents will not be able to drive on the material until it is dry. This means they will have to find somewhere to park outside the sub on the day of the micro-surface placement. I checked on the price and it should be approximately \$20,000, if they can do it all at once. If they have to do it part width and have to re-mobilize it will be substantially more (they are from the Emily City), I asked for that price but will not have it until Monday. The Contractor Representative (Kevin Jach) says they usually work with the neighborhood and get people in and out in an emergency. They apply one lane first and allow people to cross into the untreated lane to get out. But once it is all covered they need to stay off until it cures. They will hang door flyers prior to construction that gives specific directions. He is sending me a copy of the directions and I will forward to you.

Let me know your thoughts.

I will draft an agreement and get it over to you once we have nailed down the details.

Thank you,

Jodie

From: Mike Archinal <Mike@genoa.org>
Sent: Wednesday, July 17, 2019 3:35 PM
To: Paul Groth <p.l.groth@gmail.com>
Cc: Jodie Tedesco <jtedesco@livingstonroads.org>; Bill Rogers <Bill@genoa.org>; Steve Wasylk <swasylk@livingstonroads.org>; Robin Hunt <Robin@genoa.org>; Kelly VanMarter <Kelly@genoa.org>
Subject: RE: Muirfield Manor - Vote for Edinburgh Drive - "Micro-Surfacing" treatment - please review and respond by 6/21/2019

Paul,

OK I will look for it. I gave some thought to how the money would flow without a SAD. The Board could approve Township participation at 25%. The residents could escrow the money with the Township up front. Work gets done. Road Commission inspects and approves the work. We pay the contractor. Seems pretty clean.

Michael C. Archinal, AICP MPA
Manager
Genoa Charter Township
810.227.5225
mike@genoa.org



From: Paul Groth [<mailto:p.l.groth@gmail.com>]
Sent: Wednesday, July 17, 2019 3:04 PM
To: Mike Archinal
Subject: Fwd: Muirfield Manor - Vote for Edinburgh Drive - "Micro-Surfacing" treatment - please review and respond by 6/21/2019

Mike,

I couldn't find our personal ballot we sent, so I asked my neighbor Alice Geroux if I could use hers. No problem.

Please let me know you received the ballot. I'm not a computer person.

Thank you!

Paul

----- Forwarded message -----

From: Robert Bloomquist <robertbloomquist@yahoo.com>
Date: Wed, Jul 10, 2019 at 7:12 PM
Subject: Fwd: Muirfield Manor - Vote for Edinburgh Drive - "Micro-Surfacing" treatment - please review and respond by 6/21/2019
To: Paul Groth <p.l.groth@gmail.com>

Sent from my iPhone

Begin forwarded message:

From: Alice Geroux <alg2@att.net>
Date: June 15, 2019 at 6:16:45 PM EDT
To: "Robert Bloomquist Jr." <robertbloomquist@yahoo.com>
Subject: Re: Muirfield Manor - Vote for Edinburgh Drive - "Micro-Surfacing" treatment - please review and respond by 6/21/2019

Sent from my iPad

On Jun 15, 2019, at 2:04 PM, Robert Bloomquist Jr. <robertbloomquist@yahoo.com> wrote:

Hello Association Members,

I have included a Microsoft Word version of the below information attached as well. Please review at your earliest convenience and respond with your vote to me by responding to this email. We appreciate your prompt attention to this important matter and look forward to hearing from you soon.

Best Regards,

Muirfield Manor Board

Muirfield Manor Association

At our May 21st, 2019, Annual Meeting those present voted unanimously to look further into having a “micro-surface preventative maintenance treatment” applied to Edinburgh Drive. A micro-surface treatment uses a polymer modified asphalt blended with fine aggregate to seal the surface. It doesn’t peel or delaminate like some of our crack-sealing did. It adheres/bonds very well with the existing surface. On June 12th, 2019, The Board met to further discuss the need for a “micro-surface preventative maintenance treatment”, and to look at new information regarding the treatment which includes how it is paid for. Tonight, the Board voted 4 to 1 in favor of asking the Association if they are in favor of having a “micro-surface preventative maintenance treatment” applied to Edinburgh Drive.

Key points to consider for your vote:

- Edinburgh Drive is ~25 years old; average lifespan of asphalt is 15-20yrs.
- Edinburgh Drive has been crack-sealed 4x to prevent/postpone damage.
- Upon our latest request to Genoa Township for crack-sealing of Edinburgh Drive they evaluated our overall road condition and determined that our “PASER rating¹” is below the minimum

threshold to do crack sealing, we are at a "5" and that they would not pay for preventative crack-sealing given the roads deteriorated state at which point they recommended the micro-surfacing treatment as the next option.

- The micro-surface treatment² is only available if we don't have potholes and/or broken pavement; the road is already showing these signs in places.
- The Livingston County Road Commission has conservatively estimated the total cost would be ~\$25,000.
- **Genoa Township will pay 25% of the cost per residency.**

$\$25,000/16 = \$1,563$ per residence. $\$1,563 \times 25\% = \390
(Genoa pays)

$\$1,563 - \$390 = \$1,173$ cost per residency, **if paid up front**³.

- Given initial feedback from several residents, we believe this measure will have enough votes to pass, 9 out of 16, however if we all do not agree to pay up front, then a **SAD*** must be set up to finance the project. With a **SAD** there is a \$2,000 administration fee /16 = \$125 + a 2% interest charge each year on the unpaid balance of the **SAD**. This would force each residency to pay an extra ~\$200 or **~\$1,373 total vs. \$1,173**.
- Micro-surfacing typically lasts 6-9 years and depends on the amount of traffic. Being a cul-de-sac with limited traffic, a treatment on Edinburgh Drive is likely to last longer, while looking new / updated now.
- While micro-surfacing would help preserve Edinburgh Drive, it would also improve the aesthetics, "curb appeal", and provide a look consistent with the high quality of the custom homes and landscapes in our neighborhood.
- The cost to replace Edinburgh Drive with 3.5 inches of hot asphalt today would be ~\$175,000**.

Please submit your vote by **responding to this email with your vote by Friday, June 21st**. If you have any questions or concerns, please contact Bob Bloomquist, Butch Fons or Paul Groth. In order to be considered by Genoa for the 2020

budget, we need to complete this vote short-term and your attention in this regard is appreciated.

Thank you!

Your Muirfield Manor Board

We are in favor of having Edinburgh Drive micro-surfaced treated.

YES———of course

Yes

Name __ Alice Geroux _____

4695 Edinburgh

Thank you to the board members for the time and effort researching this project

Sources and additional information –

1. https://en.wikipedia.org/wiki/Pavement_Surface_Evaluation_and_Rating
2. https://uatwp.org/download/documents/What-is-Micro_Surfacing.pdf
3. Paying up front means all residencies agree to pay the amount and not invoke a SAD (special assessment district); the exact timing for the payment is TBD and we are working to get an estimate now. The targeted treatment would be in 2020 giving us some time to plan for this expense. Most importantly, we are working to ensure that we make Genoa Township's budget plan for 2020 to ensure we don't lose another year.
 - * SAD (special assessment district) – through a majority vote of the residencies, the township will oversee the collection of funds from all of the residencies.
 - ** The Livingston County Road Commission provide the estimate of ~\$175,000/16 = about \$11,000 per residence. In addition, a SAD would probably be

set up resulting in $\$2,000/16 = \125 for administrative fees along with 2% charge on the unpaid balance each year until the SAD is paid.

<Muirfield Manor Bd Mtg_Final_20190615.docx>

<Muirfield Manor Bd Mtg_Final_20190615.pdf>

Mike Archinal

From: Jodie Tedesco <jtedesco@livingstonroads.org>
Sent: Friday, July 19, 2019 9:33 AM
To: Mike Archinal
Subject: FW: Micro
Attachments: 20190719082017387.pdf

This is the flyer. It should say "Micro-Surfacing" not Slurry Seal, but it is the same method of application. See estimate below also.

jT

From: Jach, Kevin <Kevin.Jach@asphalt-materials.com>
Sent: Friday, July 19, 2019 8:26 AM
To: Jodie Tedesco <jtedesco@livingstonroads.org>
Subject: RE: Micro

Sorry I thought I had attached it.....

From: Jodie Tedesco <jtedesco@livingstonroads.org>
Sent: Friday, July 19, 2019 6:18 AM
To: Jach, Kevin <Kevin.Jach@asphalt-materials.com>
Subject: [EXT] RE: Micro

****Warning: External Message.****

Hi Kevin,

Thank you. Please send a copy of the door flyer when you get a chance.

Have a great weekend.

Jodie Tedesco, P.E.
County Highway Engineer

From: Jach, Kevin <Kevin.Jach@asphalt-materials.com>
Sent: Thursday, July 18, 2019 7:17 PM
To: Jodie Tedesco <jtedesco@livingstonroads.org>
Subject: Micro

Approximately 6,100 syd @\$3.00per square = \$18,300.00
I will get you a price on the extra mobe

Kevin M. Jach

"Sealing it with Safety"



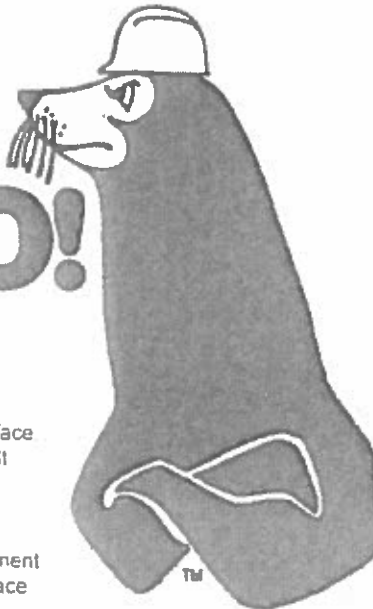
Pavement Maintenance Systems, LLC

A HERITAGE GROUP COMPANY

384 Industrial Parkway Drive
Imlay City, Michigan 48444-1348

(810) 724-4767 Office
(810) 724-4524 FAX

HELLO!



Tomorrow between the hours of
8 A.M. & 6 P.M. (weather permitting)

Your street will be given a new slurry seal surface. SLURRY SEAL is a thin, tough layer of asphalt emulsion that seals cracks and prevents moisture from penetrating the base. SLURRY SEAL maintenance helps save tax dollars because it extends the life of the pavement while providing an abrasive skid resistant surface.

It is important that you cooperate with the public works department and stay off of the street for at least 2 hours after SLURRY SEAL has been applied.

Wet SLURRY SEAL will stick to shoes, clothing and automobiles, so please don't walk on it, ride your bicycle on it, or drive over it in your car until the surface is completely dry. If you have doubts whether it is dry enough, be sure to "test" it first.

If you plan to use your car tomorrow, park it tonight on one of the neighborhood street not scheduled for surfacing.

You may be inconvenienced for a little while. But isn't a few hours of inconvenience worth years of well-maintained streets and roads?

Should rain delay us, we will re-schedule for the next dry day excluding Saturday or Sunday.

Your SLURRY SEAL contractor and the public works department thank you for your cooperation.

Street to park on:



Pavement Maintenance Systems, LLC

384 Industrial Parkway • Imlay City, MI 48444

UPDATE: Muirfield Manor - Vote for Edinburgh Drive - "Micro-Surfacing" treatment

message

Robert Bloomquist Jr. <robertbloomquist@yahoo.com>
To: "Robert Bloomquist Jr." <robertbloomquist@yahoo.com>

Tue, Jul 16, 2019 at 8:26 PM

Hello Everyone,

A quick update on the status of the "Micro-Surfacing" treatment -

The measure passed with an overwhelming majority of the members voting in favor of moving forward with the proposal for the "Micro-Surfacing" treatment in 2020. In further discussions with the residences that voted against the proposal, it was clear that while they did not feel the treatment needed to be done now and there were general concerns raised as to how fast the road deteriorated, they did not want to pursue a "SAD" with the township and would go along with the wishes of the majority of residences thereby keeping not only the costs down for all, but also avoiding a significant amount of additional time as well.

Given this direction the board will be pursuing next steps with the township and will provide periodic updates as to the progress, expected timing, etc, in the coming months.

Thank you for your attention to this matter and have a good evening,

Bob

PS - Exciting to FINALLY see a major improvement to Golf Club Rd!

On Saturday, June 15, 2019, 02:04:59 PM EDT, Robert Bloomquist Jr. <robertbloomquist@yahoo.com> wrote:

Hello Association Members,

I have included a Microsoft Word version of the below information attached as well. Please review at your earliest convenience and respond with your vote to me by responding to this email. We appreciate your prompt attention to this important matter and look forward to hearing from you soon.

Best Regards,

Muirfield Manor Board

Muirfield Manor Association

At our May 21st, 2019, Annual Meeting those present voted unanimously to look further into having a "micro-surface preventative maintenance treatment" applied to Edinburgh Drive. A micro-surface treatment uses a polymer modified asphalt blended with fine aggregate to seal the surface. It doesn't peel or delaminate like some of our crack-sealing did. It adheres/bonds very well with

the existing surface. On June 12th, 2019, The Board met to further discuss the need for a "micro-surface preventative maintenance treatment", and to look at new information regarding the treatment which includes how it is paid for. Tonight, the Board voted 4 to 1 in favor of asking the Association if they are in favor of having a "micro-surface preventative maintenance treatment" applied to Edinburgh Drive.

Key points to consider for your vote:

- Edinburgh Drive is ~25 years old; average lifespan of asphalt is 15-20yrs.
- Edinburgh Drive has been crack-sealed 4x to prevent/postpone damage.
- Upon our latest request to Genoa Township for crack-sealing of Edinburgh Drive they evaluated our overall road condition and determined that our "PASER rating¹" is below the minimum threshold to do crack sealing, we are at a "5" and that they would not pay for preventative crack-sealing given the roads deteriorated state at which point they recommended the micro-surfacing treatment as the next option.
- The micro-surface treatment² is only available if we don't have potholes and/or broken pavement; the road is already showing these signs in places.
- The Livingston County Road Commission has conservatively estimated the total cost would be ~\$25,000.

- **Genoa Township will pay 25%** of the cost per residency.

$\$25,000/16 = \$1,563$ per residence. $\$1,563 \times 25\% = \390 (Genoa pays)

$\$1,563 - \$390 = \mathbf{\$1,173}$ cost per residency, if paid up front³.

- Given initial feedback from several residents, we believe this measure will have enough votes to pass, 9 out of 16, however if we all do not agree to pay up front, then a **SAD*** must be set up to finance the project. With a **SAD** there is a \$2,000 administration fee /16 = \$125 + a 2% interest charge each year on the unpaid balance of the **SAD**. This would force each residency to pay an extra ~\$200 or **~\$1,373 total vs. \$1,173**.

- Micro-surfacing typically lasts 6-9 years and depends on the amount of traffic. Being a cul-de-sac with limited traffic, a treatment on Edinburgh Drive is likely to last longer, while looking new / updated now.

- While micro-surfacing would help preserve Edinburgh Drive, it would also improve the aesthetics, “curb appeal”, and provide a look consistent with the high quality of the custom homes and landscapes in our neighborhood.
- The cost to replace Edinburgh Drive with 3.5 inches of hot asphalt today would be ~\$175,000**.

Please submit your vote by **responding to this email with your vote by Friday, June 21st**. If you have any questions or concerns, please contact Bob Bloomquist, Butch Fons or Paul Groth. In order to be considered by Genoa for the 2020 budget, we need to complete this vote short-term and your attention in this regard is appreciated.

Thank you!

Your Muirfield Manor Board

We are in favor of having Edinburgh Drive micro-surfaced treated.

Yes

No

Name _____

Sources and additional information –

1. https://en.wikipedia.org/wiki/Pavement_Surface_Evaluation_and_Rating
2. https://uatwp.org/download/documents/What-is-Micro_Surfacing.pdf
3. Paying up front means all residencies agree to pay the amount and not invoke a SAD (special assessment district); the exact timing for the payment is TBD and we are working to get an estimate now. The targeted treatment would be in 2020 giving us some time to plan for this expense. Most importantly, we are working to ensure that we make Genoa

Township's budget plan for 2020 to ensure we don't lose another year.

- * SAD (special assessment district) – through a majority vote of the residencies, the township will oversee the collection of funds from all of the residencies.
- ** The Livingston County Road Commission provide the estimate of ~\$175,000/16 = about \$11,000 per residence. In addition, a SAD would probably be set up resulting in \$2,000/16 = \$125 for administrative fees along with 2% charge on the unpaid balance each year until the SAD is paid.



MEMORANDUM

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

TO: Honorable Board of Trustees
FROM: Kelly VanMarter, Assistant Township Manager/Community Development Director
DATE: July 31, 2019
RE: **Articles 7 and 25 Zoning Ordinance Text Amendments Ordinance No. Z-19-03**

MANAGERS REVIEW/

In consideration of the approval recommendations by the Township Planning Commission (5/13/19 for Article 7 and 6/24/19 for Article 25) and Livingston County Planning Commission (7/17/19) please find the attached proposed zoning text amendment ordinance for your review. The proposed ordinance involves text amendments to Articles 7 and 25 of the Township Zoning Ordinance. The amendments provide for new uses and modifications to current uses in the Commercial and Service Districts as well as supplemental changes to Definitions in Article 25.

As required pursuant to the Zoning Ordinance and the Charter Township Act (Act 359 of 1947) the Board has introduced and published notice of the proposed Text Amendment. The second reading and consideration for adoption is therefore requested for your consideration as follows:

Please note the ordinance requires a call to the public and adoption by a majority of the membership on roll call vote.

Moved by _____, supported by _____ to **APPROVE AND ADOPT Ordinance number Z-19-03 amending Articles 7 and 25 of the Zoning Ordinance in regard to Commercial and Office Service Districts and Definitions.**

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

ORDINANCE NO. Z-19-03

**AN ORDINANCE TO AMEND ARTICLES 7 AND 25 OF THE ZONING ORDINANCE
OF GENOA CHARTER TOWNSHIP IN REGARD TO COMMERCIAL AND OFFICE SERVICE DISTRICTS
AND DEFINITIONS**

THE TOWNSHIP OF GENOA ORDAINS:

SECTION 1: SHORT TITLE: This Ordinance shall be known as the “**Amendment to Zoning Ordinance Articles 7 and 25 in regard to Commercial and Office Service Districts and Definitions**”

SECTION 2: SUMMARY OF ORDINANCE: Pursuant to the Michigan Zoning Enabling Act (P.A. 110 of 2006), notice is hereby given that an ordinance to amend the Zoning Ordinance regulating the development and use of land in Genoa Charter Township has been adopted by the Township Board on August 5, 2019. The Board conducted the second reading and approved Ordinance #Z-19-03 to adopt the ordinance and amend the Zoning Ordinance of the Charter Township of Genoa by amending Articles 7 and 25 in regard to Commercial and Office Service Districts and Definitions. The following provides a summary of the regulatory effect of the ordinance.

Article 7 of the Zoning Ordinance, entitled Commercial and Service Districts, is hereby amended as follows:

Section 7.02 Permitted and Special Land Uses, Table 7.02 Schedule of Commercial Uses is amended to add Child care centers, preschool and commercial day care as a permitted use in the RCD; Brewpubs are added as a permitted use in the GCD and RCD; Microbrewer, small distillery, and small winery are added as special land use with requirements in the GCD and RCD; Climate-controlled indoor commercial storage is added as a special land use with requirements in the GCD and RCD; Elementary schools, junior and senior high schools and colleges are changed from permitted to special land use in the OSD; Vocational and technical training facilities are changed from permitted to special land use in the OSD; Churches, temples and similar places of worship and related facilities are added as a permitted use in the RCD; Public/government buildings are changed from a permitted to a special land use in OSD and are added as a permitted use in the RCD; Upper floor dwelling units are added as a special land use with requirements in the OSD, NSD, and GCD.

Section 7.02.02 Use Conditions is amended as follows:

- **Footnote (e)** Child day care is amended to reference compliance with state requirements for play areas.
- **Footnote (h)** Commercial kennels is amended to correct grammatical errors with respect to utility references.
- **Footnote (k)** Automobile service stations is amended to add a reference to the hazardous material/fuel storage requirements.
- **Footnote (t)** Animal shelters is amended to correct grammatical errors with respect to utility references.
- **Footnote (y)** is added for Micro-breweries, small distilleries and small wineries to ensure compliance with State of Michigan requirements and to ensure sufficient area for proper loading/unloading and affiliated vehicle parking within the rear yard.
- **Footnote (z)** is added as follows: Climate controlled indoor commercial storage shall comply with the following requirements: (1) All buildings shall conform to the design and material standards of Section 12.01 and shall include a minimum of 25% window space (including spandrel or tinted glass) on all building elevations visible from a public or private road and the parking lot. The Planning Commission may modify this requirement in accordance with Section 12.01.04.; (2) Any internal overhead doors visible through the windows shall be a natural earth tone color that is harmonious with the interior wall color and design of the building, unless otherwise approved by the Planning Commission.; (3) Exterior overhead doors for vehicular access 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; (c.) Where the Planning Commission determines that a rear garage would have a negative impact on an abutting residential district; and, (d.) Under these circumstances the Planning Commission may require additional landscape screening above and beyond what is required for street frontage landscaping.
- **Footnote (aa)** is added as follows: Upper floor dwelling units shall incorporate parking and waste receptacles for the dwelling units in the site plan for the facility.

Article 25 of the Zoning Ordinance, entitled Definitions, is hereby proposed to be amended as follows:

- Added definition for **Brewpub** as follows: A manufacturer and brewer of not more than 18,000 barrels of beer per calendar year in Michigan including on premise sales of the beer produced for consumption on or off the brewpub premises with appropriate state licenses.
- Added definition for **Climate-controlled indoor storage** as follows: A fully enclosed multi-story temperature and humidity controlled commercial building with limited exterior access points and controlled indoor only access to individual and compartmentalized stalls or lockers for storage of customer’s goods or wares.
- Amended definition for **Mini or Self Storage Warehouse** to the following: A single-story building or group of single-story buildings in a fenced compound that provides direct outdoor controlled access to individual and compartmentalized stalls or lockers for the storage of customer's goods or wares.
- Added definition for **Small Winery** as follows: A wine manufacturer of no more than 50,000 gallons per year which involves

sales to licensed wholesalers or self-distribute to retailer licensees, wine produced at the licensed winery facility, and to customers for consumption on premises at a tasting room. A Small Winery may also sell wine it manufactures at an approved tasting room off the manufacturing premises with appropriate state licenses.

REPEALOR: All ordinances or parts of Ordinances in conflict herewith are repealed.

SEVERABILITY: Should any section, subsection, paragraph, sentence, clause, or word of this Ordinance be held invalid for any reason, such decisions shall not affect the validity of the remaining portions of the Ordinance.

SAVINGS: This amendatory ordinance shall not affect violations of the Zoning Ordinance or any other ordinance existing prior to the effective date of this Ordinance and such violation shall be governed and shall continue to be separate punishable to the full extent of the law under the provisions of such ordinance at the time the violation was committed.

EFFECTIVE DATE: These ordinance amendments were adopted by the Genoa Charter Township Board of Trustees at the regular meeting held on August 5, 2019 and ordered to be given publication in the manner required by law.

On the question: "SHALL THIS ORDINANCE NOW PASS" the following vote was recorded:

Yeas:

Nays:

Absent:

I hereby approve the adoption of the foregoing Ordinance this 5th day of August, 2019.

Paulette Skolarus
Township Clerk

Bill Rogers
Township Supervisor

Township Board First Reading: 7/15/19
Date of Posting of Proposed Ordinance: 7/16/19
Date of Publication of Proposed Ordinance: 7/21/19
Township Board Second Reading and Adoption: 8/5/19
Date of Publication of Ordinance Adoption: 8/11/19
Effective Date: 8/11/19

GENOA CHARTER TOWNSHIP BOARD

Regular Meeting

July 15, 2008

MINUTES

Supervisor Rogers called the regular meeting of the Genoa Charter Township Board to order at 6:30 p.m. The Pledge of Allegiance was then said. The following persons were present constituting a quorum for the transaction of business: Bill Rogers, Robin Hunt, Jean Ledford, Terry Croft and Jim Mortensen. Also present were Township Manager Michael Archinal and one person in the audience.

Call to the Public

A call to the public was made with no response.

Approval of Consent Agenda:

Moved by Ledford, supported by Mortensen to approve the Consent Agenda. The motion carried unanimously.

1. Payment of Bills.

2. Approval of Minutes of July 1, 2019.

Approval of Regular Agenda:

Moved by Hunt, supported by Ledford, to approve for action all items listed under the Regular Agenda. The motion carried unanimously.

3. Introduction of proposed Zoning Ordinance Text Amendment (ordinance Z-19-03) and to set the date for a second reading and consideration for adoption for Monday, August 5th, 2019. The proposed Zoning Text Amendment (Z-19-03) involves changes to the ordinance in regard to Article 7 entitled "Commercial and Service Districts" and Article 25 entitled "Definitions" to modify existing and add new uses and related definitions.

Manager Archinal noted that these changes are intended to broaden the uses permitted in our commercial zoning districts.

Moved by Hunt, supported by Croft, to approve the first reading of Ordinance (Z-19-03) and to set the date for second reading and public hearing for Monday, August 5th, 2019. The motion carried unanimously.

4. Consider approval of a proposal from Tetra Tech in the amount of \$26,200 for design services related to Dillon Street with a 50 percent cost sharing with the Livingston County Road Commission.

There was general discussion regarding the need for this project. Manager Archinal indicated that Supervisor Rogers and he had met with the Livingston County Drain Commission and the Livingston County Road Commission. The most appropriate course of action is to pursue an improvement under P.A. 188. LCRC agreed to cover half of the design costs.

Moved by Mortensen, supported by Hunt to approve the design services contract with Tetra Tech as presented with the Township covering \$13,100 of the \$26,200 total cost. The motion carried unanimously.

Correspondence:

An Issuer Comment from Moody's was discussed. The Township has a very good credit position and it's rating is maintaining at Aa2.

A letter from the Utility Director Greg Tatara to Grand Oaks Ice Arena regarding unpaid utility bills was included.

Minutes from the Cromaine District Library were included.

Drafts of the transfer agreements between Genoa Charter Township and the Brighton Area Fire Authority were discussed. The Township Attorney and the BAFA Attorney are finalizing the documents.

A Township project status report was included.

Member Discussion:

Supervisor Rogers noted that Brighton High School had won first place in the world robotics championships.



Livingston County Department of Planning

July 18, 2019

Genoa Charter Township Board of Trustees
c/o Polly Skolarus, Township Clerk
Genoa Charter Township Hall
2911 Dorr Road
Brighton, MI 48116

Kathleen J. Kline-Hudson
AICP, PEM
Director

Robert A. Stanford
AICP, PEM
Principal Planner

Scott Barb
AICP, PEM
Principal Planner

Re: Planning Commission Review of Zoning Text Amendments Z-35-19 and Z-36-19

Dear Board Members:

The Livingston County Planning Commission met on Wednesday, July 18, 2019 and reviewed the zoning text amendments referenced above. The Livingston County Planning Commissioners made the following recommendations:

- Z-35-19** **Approval.** The proposed amendments to existing land uses and the inclusion of new land uses in the Schedule of Commercial Uses, appears to be well thought-out and organized as special land uses or those permitted by right.
- Z-36-19** **Approval.** The proposed amendments to Article 25 Definitions are well-written and they support the proposed amendments to Article 7.

Please note that the recommendation for Z-36-19 was amended due to a conversation with Kelly VanMarter in which it was made known that the definitions of Microbrewery and Small Distillery have been approved and incorporated into the Genoa Township Zoning Ordinance.

Copies of the staff review and draft Livingston County Planning Commission meeting minutes are enclosed. Do not hesitate to contact our office should you have any questions regarding these county actions.

Department Information

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304 E. Grand River Avenue
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•
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co.livingston.mi.us

Sincerely,

Kathleen J. Kline-Hudson
Director

Enclosures

c: Doug Brown, Chair Genoa Charter Township Planning Commission
Kelly VanMarter, Assistant Township Manager/Community Development
Director, Genoa Charter Township

Meeting minutes and agendas are available at:
<https://www.livgov.com/plan/econdev/Pages/meetings.aspx>

K. Z-35-19: GENOA CHARTER TOWNSHIP, ZONING ORDINANCE AMENDMENTS - ARTICLE 7: COMMERCIAL AND SERVICE DISTRICTS, SECTION 7.02: PERMITTED AND SPECIAL LAND USES.

The proposed text amendments to Article 7 of the Genoa Charter Township Zoning Ordinance involve amendments to Table 7.02 Schedule of Commercial Uses. The proposed amendments include minor modifications to existing land uses, as well as the addition of new land uses.

Township Planning Commission Recommendation: Approval. The Genoa Charter Township Planning Commission recommended **Approval** of the Zoning Ordinance Text amendment to Article 7 at their May 13, 2019 meeting. There was one public comment at the May 13, 2019 public hearing. This person made suggestions regarding the proposed climate controlled indoor storage use.

Staff Recommendation: Approval. The proposed amendments to existing land uses and the inclusion of new land uses in the Schedule of Commercial Uses, appears to be well thought-out and organized as special land uses or those permitted by right.

Commission Discussion: Commissioner Prokuda had a question regarding Table 7.02 and the heading “Residential” in the table. Director Kline-Hudson replied that “Residential” is a newly proposed category not a use, and within “Residential”, the township is adding “Upper floor dwelling units” as a special use in the OSD, NSD, and GCD zoning districts. Commissioner Ikle stated he didn’t understand the adversity of rear garages. Director Kline-Hudson replied that the provisions in question relate to climate-controlled indoor commercial and not to upper floor dwelling units.

Public Comment: None.

Commissioner Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER CLUM TO RECOMMEND APPROVAL. SECONDED BY COMMISSIONER ANDERSON.

Motion passed: 5-0

L. Z-36-19: GENOA CHARTER TOWNSHIP, ZONING ORDINANCE AMENDMENTS - ARTICLE 25 DEFINITIONS, SECTION 25.02 DEFINITIONS.

The proposed text amendments to Article 25 Definitions of the Genoa Charter Township Zoning Ordinance, serve to support the proposed uses in Article 7 as they relate to brewpubs, climate-controlled indoor commercial storage, mini or self-storage warehouse, and small winery (LCPC case Z-35-19).

Township Planning Commission Recommendation: Approval. The Genoa Charter Township Planning Commission recommended **Approval** of the Zoning Ordinance Text amendment to Article 25 at their June 24, 2019 meeting. There were no public comments at the public hearing.

Staff Recommendation: Approval. The proposed amendments to Article 25 Definitions are well-written and they support most of the proposed amendments to Article 7, however there are no existing or proposed definitions that support the proposed new uses of Microbrewery or Small Distillery. Genoa Township should consider adding these definitions to the zoning ordinance.

Commission Discussion: Commissioner Abramson had a question regarding number of gallons allowed as proposed. She stated that if the calculations coincide with the State of Michigan allowances for these types of uses, perhaps that township could consider simply including a reference to the State of Michigan regulations rather than locking into a number, so that should the State regulations ever change, it’s still easily enforceable at the local level without too much administrative change. Commissioner Anderson stated that he’d like Commissioner Abramson’s suggestion included in the standard follow up letter that goes to the Township regarding the County Planning Commission’s decision on this case.

Director Kline-Hudson noted that she and the Genoa Township Assistant Manager/Community Development Director had discussed the definitions of Microbrewery and Small Distillery. The Township has adopted these particular definitions but they were not included in the on-line version of the ordinance that Kline-Hudson reviewed.

Public Comment: None.

Commissioner Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER ABRAMSON TO RECOMMEND APPROVAL. SECONDED BY COMMISSIONER IKLE.

Motion passed: 5-0

M. MP-01-19: PUTNAM TOWNSHIP, MASTER PLAN AMENDMENT.

Livingston County Planning Department received correspondence from Putnam Township Planning Commission requesting Livingston County Planning Commission review and comment on the proposed update to the 2012 Putnam Township Master Plan. This request is in accordance with Section 41 of the Michigan Planning Enabling Act (P.A. 33 of 2008).

County Planning Staff originally reviewed the updates at the December 2018 Livingston County Planning Commission meeting. Since that time, one (1) additional update has been considered by the Township and is illustrated on the accompanying map. The proposed additional change to the master plan was discussed at the February 2019 public hearing. Since that time, the Township has been working with their consultant on preparing a Future Land Use map that illustrates all of the changes. Final discussions and a motion to approve the 2019 Update to the Putnam Township Master Plan was made at the April 10, 2019 planning commission meeting. While the finished map is not currently available, the additional change has been noted on the attached map for your reference.

Township Planning Commission Recommendation: Approval.

Staff Recommendation: Approval. That the Livingston County Planning Commission concurs with staff's comments on the 2019 Putnam Township Master Plan Update, and submits the foregoing comments to the Putnam Township Planning Commission.

Commission Discussion: None.

Public Comment: None.

Commissioner Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER ANDERSON TO RECOMMEND APPROVAL. SECONDED BY COMMISSIONER CLUM.

Motion passed: 5-0

8. OLD BUSINESS:

A. New Planning Commission Members:

Director Kline-Hudson explained that an applicant was selected to become the new planning commissioner representing agriculture. This person will be fully appointed at the July 29 Board of Commissioners meeting and they will be present at the August 2019 meeting. Interviews for the second County Planning Commission vacancy will take place in the next weeks and a new member representing recreation will be present at the September meeting.



Livingston County Department of Planning

MEMORANDUM

TO: Livingston County Planning Commissioners and the
Genoa Charter Township Board of Trustees

FROM: Kathleen Kline-Hudson, Director

DATE: July 2, 2019

SUBJECT: Z-35-19

Article 7 Commercial and Service Districts, Section 7.02 Permitted
and Special Land Uses

Kathleen J. Kline-Hudson
AICP, PEM
Director

Robert A. Stanford
AICP, PEM
Principal Planner

Scott Barb
AICP, PEM
Principal Planner

The proposed text amendments to Article 7 involve amendments to Table 7.02 Schedule of Commercial Uses. The proposed amendments include minor modifications to existing land uses, as well as the addition of new land uses.

Proposed additions to existing text are noted in **bold red underline**, deletions in ~~strikethrough~~, and staff comments are noted in **bold, italic underline**. Additionally, the abbreviations of the various commercial and service districts are as follows:

- OSD - Office Service District
- NSD – Neighborhood Services District
- GCD – General Commercial District
- RCD – Regional Commercial District

Article 7. Table 7.02 Schedule of Commercial Uses

The Township Planning Consultant provided the following list of proposed amendments to existing land uses. The proposed amendments are reflected in Table 7.02 on the next page.

- Child care centers are currently a permitted use in the OSD, NSD and GCD districts, but are not allowed in the RCD District. It is proposed that this use also be permitted in the RCD district.
- Schools are currently a permitted use in the OSD district. It is proposed that this be amended to a special land use.
- Vocation and technical training facilities are currently a permitted use in the OSD, GCD and RCD districts. It is proposed that this be amended to a special land use in the OSD district.
- Churches and similar places of worship are currently permitted by right in NSD and GCD, but not listed in RCD. It is proposed that this be amended to include this use as a permitted use in the RCD district. As a point of reference, this change was made so that such uses are treated the same as other assembly uses in accordance with federal law.
- Public/governmental buildings are currently permitted by right in OSC, NSD and GCD. It is proposed that this be amended to include this use as special land use in the OSD district and as a permitted use in the RCD district.
- It is proposed that the conditions of footnote (e.) be amended to reference state requirements for such uses.

Department Information

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304 E. Grand River Avenue
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•
Web Site
livgov.com



Proposed amendments to existing land uses as reflected in Table 7.02 below:

- It is proposed that footnotes (h)(5) and (t)(4) be amended with respect to utility references.
- It is proposed that footnote (k)(14) be added to include a reference to hazardous material/fuel storage requirements for automobile service stations.

Table 7.02 Schedule of Commercial Uses					
	OSD	NSD	GCD	RCD	Req.
Service Uses					
Child care centers, preschool and commercial day care	P	P	P	P	7.02.02(e)
Education					
Elementary schools, junior and senior high schools and colleges	PS	--	--	--	
Vocational and technical training facilities	PS	--	P	P	
Public/Institutional					
Churches, temples and similar places of worship and related facilities	S	P	P	P	
Public /government buildings such as: township/state/county offices, public museums, libraries and community centers	PS	P	P	P	

- (e) Child day care **s** shall provide **not less than the** a minimum **amount** of fifty (50) square feet of indoor **and outdoor** play areas **s** for each child cared for **required by the State of Michigan**. ~~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 **outdoor** play area shall be fenced.~~
- (h)(5) Any dog and food waste shall be properly and lawfully disposed of to not create a litter, insect, rodent, vermin or offensive odor nuisance. Approval from the **GENOA Genoa** MHOG **Utility** UTILITY DEPARTMENT **Department** Utility Authority, the Drain Commissioner and Health Department shall be provided as part of the special use application.
- (t)(4) NOTE: paragraph is the same as (h)(5) with the same proposed amendments.
- (k)(**14**) **Automobile service stations and maintenance establishments shall comply with the requirements of Section 13.07 Hazardous Materials and Fuel Storage.**

The Township Planning Consultant provided the following list of proposed amendments to include new land uses in Table 7.02 on the next page.

- Brewpubs as a new permitted use in the GCD and RCD districts.
- Microbrewery, small distillery and small winery as a new special land use in the RCD and GCD districts.



Proposed amendments to include new land uses as reflected in Table 7.02 below:

- Climate-controlled indoor commercial storage as a new special land use in the RCD and GCD districts.
- Upper floor dwelling units as a new special land use in the OSD, NSD and GCD districts.
- It is proposed that footnote (y) be added as a notation for the Micro-brewery, small distillery and small winery use.
- It is proposed that footnote (z) be added as a notation for the Climate-controlled indoor commercial storage use.
- It is proposed that footnote (aa) be added as a notation for the Upper floor dwelling unit use.

Table 7.02 Schedule of Commercial Uses						
		OSD	NSD	GCD	RCD	Req.
Service Uses						
Restaurants, taverns, bars, delicatessen, food carryout, coffee shops, and similar establishments serving food or beverages	<u>Brewpub</u>	--	--	<u>P</u>	<u>P</u>	
	<u>Micro-brewery, small distillery and small winery</u>	--	--	<u>S</u>	<u>S</u>	<u>7.02.02(v)</u>
<u>Climate-controlled indoor commercial storage</u>		--	--	<u>S</u>	<u>S</u>	<u>7.02.02(z)</u>
Residential						
<u>Upper floor dwelling units</u>		<u>S</u>	<u>S</u>	<u>S</u>	--	

(y) Micro-breweries, small distilleries and small wineries shall comply with all requirements of the State of Michigan for the production, sale and/or distribution of alcoholic beverages and shall obtain all necessary licenses and permits. Such uses shall also provide sufficient on-site space and circulation for loading/unloading. Any vehicles affiliated with the use shall be parked or stored only in the rear yard.

(z) Climate controlled indoor commercial storage shall comply with the following requirements:

- (1) All buildings shall conform to the design and material standards of Section 12.01 and shall include a minimum of 25% window space (including spandrel or tinted glass) on all building elevations visible from a public or private road and the parking lot. The Planning Commission may modify this requirement in accordance with Section 12.01.04.
- (2) Any internal overhead doors visible through the windows shall be a natural earth tone color that is harmonious with the interior wall color and design of the building, unless otherwise approved by the Planning Commission.



- (3) Exterior overhead doors for vehicular access 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;
 - c. Where the Planning Commission determines that a rear garage would have a negative impact on an abutting residential district and;
 - d. Under these circumstances the Planning Commission may require additional landscape screening above and beyond what is required for street frontage landscaping.

(aa) Upper floor dwelling units shall incorporate parking and waste receptacles for the dwelling units in the site plan for the facility.

County Planning Staff Comments: Staff commends Genoa Charter Township for expanding Livingston County's array of housing by allowing upper floor dwelling units in commercial zoning districts. This amendment is aligned with the recommendations of the Livingston County Master Plan.

Township Planning Commission Recommendation: Approval. The Genoa Charter Township Planning Commission recommended Approval of the Zoning Ordinance Text amendment to Article 7 at their May 13, 2019 meeting. There was one public comment at the May 13, 2019 public hearing. This person made suggestions regarding the proposed climate controlled indoor storage use.

Staff Recommendation: Approval. The proposed amendments to existing land uses and the inclusion of new land uses in the Schedule of Commercial Uses, appears to be well thought-out and organized as special land uses or those permitted by right.



Livingston County Department of Planning

MEMORANDUM

TO: Livingston County Planning Commissioners and the
Genoa Charter Township Board of Trustees

FROM: Kathleen Kline-Hudson, Director

DATE: July 2, 2019

SUBJECT: Z-36-19

Article 25 Definitions, Section 25.02 Definitions

Kathleen J. Kline-Hudson
AICP, PEM
Director

Robert A. Stanford
AICP, PEM
Principal Planner

Scott Barb
AICP, PEM
Principal Planner

The proposed text amendments to Article 25 Definitions, serve to support the proposed uses in Article 7 as they relate to brewpubs, climate-controlled indoor commercial storage, mini or self storage warehouse, and small winery (LCPC case Z-35-19).

Proposed additions to existing text are noted in **bold red underline**, deletions in strikethrough, and staff comments are noted in **bold, italic underline**.

Section 25.02 Definitions

Following is the list of proposed amendments to various zoning ordinance definitions:

- **Brewpub: A manufacturer and brewer of not more than 18,000 barrels of beer per calendar year in Michigan including on premise sales of the beer produced for consumption on or off the brewpub premises with appropriate state licenses.**
- **Climate-controlled indoor commercial storage: A fully enclosed multi-story temperature and humidity controlled commercial building with limited exterior access points and controlled indoor only access to individual and compartmentalized stalls or lockers for storage of customer's goods or wares.**
- Mini or Self Storage Warehouse: A **single-story** building or group of **single-story** buildings in a ~~controlled access and fenced compound that~~ **provides direct outdoor controlled access** ~~contains varying sizes of~~ **to** individual **and** compartmentalized ~~and controlled access~~ stalls or lockers for the storage of customer's goods or wares.
- **Small Winery: A wine manufacturer of no more than 50,000 gallons per year which involves sales to licensed wholesalers or self-distribute to retailer licensees, wine produced at the licensed winery facility and to customers for consumption on premises at a tasting room. A Small Winery may also sell wine it manufactures at an approved tasting room off the manufacturing premises with appropriate state licenses.**

Department Information

Administration Building
304 E. Grand River Avenue
Suite 206
Howell, MI 48843-2323

(517) 546-7555
Fax (517) 552-2347

Web Site
livgov.com



County Planning Staff Comments: The proposed amendments are primarily related to the proposed new land uses being added to Article 7 in Z-35-19, although edits are also proposed to mini and self storage warehouse in order to make a clearer distinction between those uses and the proposed use of climate-controlled indoor commercial storage.

Existing definitions in the Genoa Township Zoning Ordinance such as 'Child Care Centers' and 'Church or temple' support most of the proposed amendments to Article 7, although there are no existing or proposed definitions for Microbrewery or Small Distillery. Genoa Township should consider adding these definitions at a later date.

Township Planning Commission Recommendation: Approval. The Genoa Charter Township Planning Commission recommended Approval of the Zoning Ordinance Text amendment to Article 25 at their June 24, 2019 meeting. There were no public comments at the public hearing.

Staff Recommendation: Approval. The proposed amendments to Article 25 Definitions are well-written and they support most of the proposed amendments to Article 7, however there are no existing or proposed definitions that support the proposed new uses of Microbrewery or Small Distillery. Genoa Township should consider adding these definitions to the zoning ordinance.

impact assessment for a proposed 15-unit, single family site condominium located north of Cunningham Lake Road and west of Sundance Trail, known as Mountain Top Estates.
Supported by Commissioner Dhaenens

Motion carried unanimously.

Moved by Commissioner Mortensen to recommend approval of the final condominium site plan dated 4-5-19 for an amendment to a previously approved site plan and environmental impact assessment for a proposed 15-unit, single family site condominium located north of Cunningham Lake Road and west of Sundance Trail, known as Mountain Top Estates subject to:

- 1.) The Master Deed and Bylaws be revised to add a private road maintenance agreement if the present language is not consistent with Township Ordinance subject to review by staff.
- 2.) The requirements in the Township engineer letter of March (May) 7th, 2019 will be met and the Planning Commission supports the recommendations regarding the private road length, the easement width and the grading.
- 3.) The requirements of the Brighton Area Fire Department in their letter dated May 7, 2019 shall be met with the exception of the underground water storage. This requirement is recommended for waiver in view of the fact that this is an amendment and it was not a requirement in prior site plan approvals for this site.

The motion was supported for discussion by Commission Rauch. Commissioner Rauch would like to require a minimum tree requirement for each lot included in the motion. In addition, he requests additional plantings in that area in the northwest corner in response to the comments received from the adjacent property owner this evening.

Commissioner Mortensen then adds to the motion the following:

- 4.) Additional evergreen trees shall be added around the retention pond in the northwest of the site plan and this will be reviewed by Township Staff for approval.
- 5.) Each lot shall provide the required 2 street trees per the ordinance plus an additional 3 trees shall be provided elsewhere on the lot. These trees shall be shown on a landscape plan associated with each land use permit for new homes.

The revised motion was supported by Commissioner Rickard.

Motion carried unanimously

OPEN PUBLIC HEARING #2... Consideration of Zoning Ordinance Text amendments to Article 7 of the Zoning Ordinance, entitled "Commercial and Service Districts" and discussion of supporting amendments to Article 25.

Brian Borden presents the proposed amendments to Article 7. The changes involve both modifications to existing uses as well as new uses. The first changes are modifications to existing uses. The changes include: making child care centers a permitted use in RCD and to have the ordinance meet the state requirements for outdoor play area; making schools a special land use in the OSD district rather than a permitted use; vocational and technical training to be made a special land use in the OSD district; churches would be a permitted use in RCD since we allow other types of assembly uses in RCD; public and government buildings are added as permitted use in RCD and as a special land use in office. Auto service standards are updated to ensure

compliance with environmental standards in addition to the specific use conditions. New land uses added include brewpubs which would be allowed by right in GCD and RCD; microbrewery, small distillery and small winery would be special land uses in RCD and GCD; Climate controlled indoor commercial storage would be added as a Special Land Use in RCD and GCD with specific conditions; and upper floor dwelling units is also added as a special land use in OSD, NSD, and GCD all with specific conditions.

Article 25 amendments are also included as a supplement to the changes proposed in Article 7, but they were not published so they are not included in the action items for this evening. The changes to Article 25 will be on the next meeting's agenda.

Commissioner Rauch suggested that the 25% window and the door color requirement for the climate controlled indoor storage be given discretion by the Planning Commission and that should be written into the language. Mr. Borden stated that he would prefer for the discretion and ability to deviate being clear in the ordinance.

A call the public was made at 8:59pm with the following response:

Daniel Boorstein with SVI Properties, LLC addressed the Planning Commission. He suggests that the letter he wrote can be disregarded since he hadn't fully reviewed the proposed changes to the text. The difference in what he wants to propose as climate controlled indoor storage as compared to mini-storage is that there are not exterior access overhead doors. The Township's goal should be to limit the exterior overhead doors. You may also want to set back these buildings so they aren't right over Grand River Avenue. The only concern with windows in this building is to put them facing a major thoroughfare. Also, too many windows can impact the usability of the space if you require them on the rear exterior. You should consider balancing the use with distance off the road.

Ms. VanMarter added that the proposed definitions address the suggestion for limited outdoor access.

The call to public closed was at 9:12pm.

A. Recommendation of Amendments to Article 7.

Moved by Commissioner Mortensen to recommend to the Township Board approval of the proposed amendments to Article 7 provided that the ordinance is revised in regard to the climate controlled indoor storage to include the flexibility suggested by Commissioner Rauch as discussed this evening.

Supported by Commissioner Rickard.

The motion carried unanimously.

OPEN PUBLIC HEARING #3... Discussion regarding amendments to Article 11 of the Zoning Ordinance.

Moved by Commissioner Grajek to approve the site plan amendment for the exterior renovations for the Courtyard by Marriott located at 7799 Conference Center Drive, Brighton subject to the following:

1. All conditions of the Fire Department and Township Planner in their respective review letters shall be addressed.
2. The Commission finds the use of Nichiha panels over 25% acceptable.
3. One way circulation shall be maintained under the porte cochere.
4. Signage shall obtain sign permits and shall comply with the variance granted by the Zoning Board of Appeals.
5. The lighting shall comply with the maximum 10 foot-candle requirements.
6. The building materials submitted this evening are acceptable and will become property of the Township.

Supported by Commissioner Rickard.

Motion carried unanimously.

OPEN PUBLIC HEARING #4...Consideration of Zoning Ordinance Text amendments to Article 25 of the Zoning Ordinance, entitled "Definitions".

Kelly VanMarter states that the changes to Article 25 were included in last month's packet however due to publication requirements they are schedule for public comment and recommendation this evening. The changes proposed to the definitions section serve to support the proposed uses in Article 7 as they relate to brewpubs, climate controlled indoor storage, mini storage, and small winery. Moving forward Township staff intends to send both Articles 7 and 25 to the County and Township Board for consideration together.

The call to the public was made at 8:29pm with no response.

Moved by Commissioner Grajek to recommend approval to the Township Board of the proposed amendments to Article 25 as submitted.

Supported by Commission Rauch.

Motion carried unanimously.

ADMINISTRATIVE BUSINESS:

Staff Report

Ms. VanMarter stated applications have been received for the July Planning Commission meeting from Home Depot and Lowe's. Both are seeking to re-establish their special land use permits for outdoor sales, storage and display after staff denied renewal due to years of non-compliance.

Approval of the May 13, 2019 Planning Commission meeting minutes



May 8, 2019

Planning Commission
Genoa Township
2911 Dorr Road
Brighton, Michigan 48116

Attention:	Kelly Van Marter, AICP Planning Director and Assistant Township Manager
Subject:	Proposed amendments to Articles 7 and 25 of the Township Zoning Ordinance

Dear Commissioners:

As requested, we have prepared this memo to assist the Planning Commission with its consideration of amendments (enclosed) proposed to Articles 7 (Commercial and Service Districts) and 25 (Definitions) of the Township Zoning Ordinance.

The proposed amendments to Article 7 include minor modifications to current uses, as well as the inclusion of new uses, along with specific conditions for the new uses, as follows:

Modifications to current uses/conditions

- Child care centers are currently permitted by right in OSD, NSD and GCD, but not allowed in RCD; the proposal would add this as a permitted use in RCD. The conditions of footnote (e) are also being amended to reference state requirements for such uses.
- Schools are currently permitted by right in OSD; the proposal would change this to a special land use.
- Vocational and technical training facilities are currently permitted by right in OSD, GCD and RCD; the proposal would change this to a special land use in OSD.
- Churches and similar places of worship are currently permitted by right in NSD and GCD, but not listed in RCD; the proposal would add this as a by right use in RCD. As a point of reference, this change was made so that such uses are treated the same as other assembly uses in accordance with federal law.
- Public/governmental buildings are currently permitted by right in OSD, NSD and GCD; the proposal would change it to a special land use in OSD and add it as a by right use in RCD.
- Footnotes (h) and (t) are being cleaned up with respect to utility references.
- Footnote (k) would include a reference to the hazardous material/fuel storage requirements for automobile service stations.

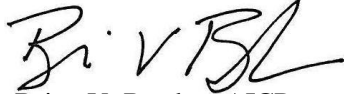
New uses

- Brewpubs would be permitted by right in GCD and RCD.
- Micro-brewery, small distillery and small winery would be added as special land uses in GCD and RCD, along with specific conditions (footnote y).
- Climate-controlled indoor commercial storage would be added as a special land use in RCD and GCD, along with specific conditions (footnote z).
- Upper floor dwelling units would be added as a special land use in OSD, NSD and GCD, along with specific conditions (footnote aa).

The proposed amendments to Article 25 are generally limited to the new uses being added to Article 7 (brewpub, climate controlled indoor commercial storage and small winery), although edits are also proposed to mini/self-storage to make a clearer distinction between those uses and the proposed use of climate-controlled indoor commercial storage.

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 bborden@safebuilt.com.

Respectfully,
SAFEBUILT STUDIO

A handwritten signature in black ink, appearing to read "B. V. Borden". The signature is stylized and fluid, with the first letters of each name being prominent.

Brian V. Borden, AICP
Planning Manager

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.

Table 7.02 Schedule of Commercial Uses						
		OSD	NSD	GCD	RCD	Req.
Retail Uses						
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)
Service Uses						
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	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	

**Table 7.02
Schedule of Commercial Uses**

		OSD	NSD	GCD	RCD	Req.
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)
	Brewpub	--	--	<u>P</u>	<u>P</u>	
Micro-brewery, small distillery and small winery	--	--	<u>S</u>	<u>S</u>	7.02.02(y)	
Studios of photographers and artists		P	P	P	P	
Tattoo parlors		--	--	P	P	
Tool and equipment rental, excluding vehicles		--	--	P	P	
Kennel, commercial				S	S	7.02.02(h)
Pet day care center				S	S	7.02.02 (w)
Climate-controlled indoor commercial storage		--	--	<u>S</u>	<u>S</u>	7.02.02(z)
Auto Service Uses						
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	--	
Office Service and Medical Uses						
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	--	S	S	S	

Table 7.02 Schedule of Commercial Uses						
		OSD	NSD	GCD	RCD	Req.
	drive-up teller machines					
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	--	
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 hospitals		S	--	S	S	7.02.02(o)
Veterinary clinics without boarding or overnight care		S	S	S	S	7.02.02(x)
Recreation						
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	
Education						
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		<u>PS</u>	--	--	--	
Dormitories or student apartments accessory to a college		S	--	--	--	

Table 7.02 Schedule of Commercial Uses					
	OSD	NSD	GCD	RCD	Req.
Vocational and technical training facilities	<u>PS</u>	--	P	P	
Public/Institutional					
Animal Shelters	--	--	S	S	7.02.02(t)
Bus passenger stations	--	--	S	S	
Churches, temples and similar places of worship and related facilities	S	P	P	<u>P</u>	
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	<u>PS</u>	P	P	P	
<u>Residential</u>					
<u>Upper floor dwelling units</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>	--	<u>7.02.02 (aa)</u>
Accessory Uses					
Temporary outdoor sales and Temporary outdoor 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, 3/5/10, 6/2/14, and 02/18/18)

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 cares shall provide not less than the a minimum amount of fifty (50) square feet of indoor and outdoor play areas for each child cared for required by the State of Michigan. ~~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 outdoor 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) Buildings wherein dogs are kept, dog runs, and/or exercise areas shall not be located nearer than five hundred (500) feet to a residential use or property line, two hundred (200) feet from any adjacent principal building or unit, and shall be setback one hundred and fifty (150) feet to any lot line and/or road right-of-way.
- (3) Adequate odor control measures shall be implemented so that odor from inside or outside the kennel will not be discernible outside the building.
- (4) All kennels shall be operated in conformance with all applicable county and state regulations and operated by a licensed operator.
- (5) Any dog and food waste shall be properly and lawfully disposed of to not create a litter, insect, rodent, vermin or offensive odor nuisance. Approval from the ~~GENOA~~ Genoa ~~MHOG~~ Utility ~~TILITY~~ ~~DEPARTMENT~~ Department ~~Utility~~ Authority, the Drain Commissioner and Health Department shall be provided as part of the special use application.
- (6) 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.
- (7) The application shall include a floor plan for the facility that indicates noise insulation measures.
- (8) 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.
- (9) The applicant shall provide a waste management plan detailing both indoor and outdoor waste management procedures to ensure animal waste is not discharged to surface or storm water. Outdoor animal areas shall be designated and shall consist of

properly maintained lawn, special canine grass or other methods as approved by the Planning Commission following a recommendation by the Township Engineer.

- (10) 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).
 - (11) Applicants shall submit, at the time of special land use application, a proposed site plan and floor plan and written operating procedures including waste and noise management methods, such as those recommended by the International Boarding and Pet Services Association (IBPSA). These procedures shall be followed for the duration of the business and shall be designed to prevent or control animal behavior that may adversely impact surrounding uses, including loud or excessive barking.
 - (12) All animals shall be kept indoors between the hours of 10:00 PM and 8:00 AM. (as amended (02/18/18))
- (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)

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- (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. Where 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.

(14) [Automobile service stations and maintenance establishments shall comply with the requirements of Section 13.07 Hazardous Materials and Fuel Storage](#)

- (l) 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.

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- (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 which include overnight stays and/or boarding of animals 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.
 - (3) The applicant shall provide a waste management plan detailing both indoor and outdoor waste management procedures to ensure animal waste is not discharged to surface or storm water. Outdoor animal areas shall be designated and shall consist of properly maintained lawn, special canine grass or other methods as approved by the Planning Commission following a recommendation by the Township Engineer.
 - (4) Adequate odor control measures shall be implemented so that odor from inside or outside the veterinary hospital will not be discernible outside the building.
 - (5) Applicants shall submit, at the time of special land use application, a proposed site plan and floor plan and written operating procedures including waste and noise management methods, such as those recommended by the International Boarding and Pet Services Association (IBPSA). These procedures shall be followed for the duration of the business and shall be designed to prevent or control animal behavior that may adversely impact surrounding uses, including loud or excessive barking. (as amended 02/18/18)
- (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.

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- (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:

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- (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 residential use.
 - (2) All uses shall be conducted completely within a fully enclosed building.
- (t) Animal shelters shall comply with the following requirements:
- (1) Buildings wherein dogs are kept, dog runs, and/or exercise areas shall not be located nearer than five hundred (500) feet to a residential use or property line, two hundred (200) feet from any adjacent principal building or unit, and shall be setback one hundred and fifty (150) feet to any lot line and/or road right-of-way.
 - (2) Adequate odor control measures shall be implemented so that odor from inside or outside the animal shelter will not be discernible outside the building.
 - (3) All shelters shall be operated in conformance with all applicable county and state regulations and operated by a licensed operator.
 - (4) Any dog and food waste shall be properly and lawfully disposed of to not create a litter, insect, rodent, vermin or offensive odor nuisance. Approval from the GENOA Genoa MHOG UTILITY-Utility DEPARTMENT-DepartmentUtility Authority, Drain Commissioner and Health Department shall be provided as part of the special use application.
 - (5) The applicant shall provide a waste management plan detailing both indoor and outdoor waste management procedures to ensure animal waste is not discharged to surface or storm water. Outdoor animal areas shall be designated and shall consist of properly maintained lawn, special canine grass or other methods as approved by the Planning Commission following a recommendation by the Township Engineer.
 - (6) 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.
 - (7) The application shall include a floor plan for the facility that indicates noise insulation measures.
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- (8) 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.
 - (9) 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).
 - (10) Applicants shall submit, at the time of special land use application, a proposed site plan and floor plan and written operating procedures including waste and noise management methods, such as those recommended by the International Boarding and Pet Services Association (IBPSA). These procedures shall be designed to prevent or control animal behavior that may adversely impact surrounding uses, including loud or excessive barking. (as amended (02/18/18)
- (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) 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, Drain Commission, Sheriff's Department and the Brighton Area Fire Authority, as applicable. The applicant shall allow for inspections by Township officials, the Brighton Area Fire Authority and all other public agencies having jurisdiction.

- (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.
- (w) Pet Daycare Centers (as differentiated from Kennels, which commonly have outdoor runs and are primarily operated for purposes of sheltering, boarding, impounding, keeping or breeding of animals with minimal social interaction among animals), including retail sale of dog care products, grooming, overnight boarding, and outdoor play area, provided the following conditions are met:
- (1) Hours of operation open to the public are limited to twelve (12) hours per day and shall not extend later than 7 p.m.
 - (2) There shall not be individual, outdoor dog runs.
 - (3) Walls, partitions and floor/ceilings assemblies separating dog daycare facilities from adjacent uses shall adequately soundproofed with a sound transmission class over sixty (60) and shall be constructed so that there will be no emission of noise detrimental to surrounding properties. The applicant shall provide a noise impact study performed by a certified acoustical engineer to ensure the noise levels produced by the pet daycare use will not exceed fifty (50) decibels above ambient noise at the outside of an exterior wall or at the opposite side of a common interior wall. The study shall also confirm compliance with the Township Noise Ordinance in regard to noise levels at the property line.
 - (4) The number of pets cared for at any one time shall not exceed one (1) pet per one hundred (100) square feet of gross floor area, which is subject to discretionary review by the Planning Commission.
 - (5) Overnight boarding of pets shall be an accessory use to the daycare center. The length of stay for boarded animals shall be limited to fourteen (14) consecutive days, and no outdoor boarding shall be permitted.

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- (6) Adequate odor control measures shall be implemented so that odor from inside or outside the pet daycare center will not be discernible outside the building or unit.
 - (7) Any outdoor play area shall be attached to the center and shall be setback a minimum of three hundred (300) feet from the nearest residential use.
 - (8) The outdoor play area for the pets shall be surrounded with a masonry wall or other material that is aesthetically compatible in terms of material, color and finish with the principal and surrounding buildings. Said wall shall be at least six (6) feet in height and maintained in good condition at all times. Failure to maintain the wall in its original condition shall be considered a violation of the site plan approval.
 - (9) Any outdoor play area is for periodic use only, and pets shall not be allowed to access the outdoor play area on their own. Not more than fifteen (15) pets shall be permitted in the outdoor play area at any one time. While in the outdoor play area, dogs shall be escorted and supervised by a dog handler who will be responsible for preventing or quickly suppressing any dog behavior that may adversely impact surrounding uses, including loud or excessive barking.
 - (10) The applicant shall provide a waste management plan detailing both indoor and outdoor waste management procedures to ensure animal waste is not discharged to surface or storm water. Outdoor animal areas shall be designated on the plan and shall consist of properly maintained lawn, special canine grass or other methods with an appropriate drainage system to control surface run-off. The outdoor area surface shall be approved by the Planning Commission following a recommendation by the Township Engineer. The outdoor play area must be maintained in a clean, sanitary manner, and adequate odor control measures shall be implemented so that odor will not be discernible beyond the area. Solid pet waste in the outdoor play area must be promptly picked up.
 - (11) Any pet and food waste shall be properly and lawfully disposed of to not create a litter, insect, rodent, vermin or offensive odor nuisance. Approval from the Utility Authority, Drain Commissioner and Health Department shall be provided as part of the special use application.
 - (12) The applicant shall demonstrate the proposed drop-off/pick-up pattern and shall provide one (1) parking space for each staff member and one (1) space for each 5 animals permitted at the daycare.
 - (13) Applicants shall submit, at the time of special land use application, a proposed site plan and floor plan and written operating procedures including waste and noise management methods, such as those recommended by the International Boarding and Pet Services Association (IBPSA). These procedures shall be followed for the duration of the business and shall be designed to prevent or control animal behavior that may adversely impact surrounding uses, including loud or excessive barking.
(as amended 02/18/18)
- (x) Veterinary Clinic (as differentiated from Veterinary Hospital, which commonly has animal boarding or overnight in-patient animal care) provided the following conditions are met:
- (1) A site plan shall be provided as part of the Land Use Permit application showing a dedicated outdoor animal area. Outdoor animal areas shall consist of properly maintained lawn, special canine grass or other methods with an appropriate drainage

system to control surface run-off. The outdoor area surface shall be approved by the Planning Commission following a recommendation by the Township Engineer. The outdoor area must be maintained in a clean, sanitary manner, and adequate odor control measures shall be implemented so that odor will not be discernible beyond the area. Solid pet waste in the outdoor area must be promptly picked up.

- (2) Applicants shall submit, at the time of land use application, a proposed site plan and floor plan and written operating procedures including waste and noise management methods. The waste management plan shall detail both indoor and outdoor waste management procedures to ensure animal waste is not discharged to surface or storm water. These procedures shall be followed for the duration of the business and shall be designed to prevent or control animal behavior that may adversely impact surrounding uses, including loud or excessive barking. (as amended (02/18/18)

(y) Micro-breweries, small distilleries and small wineries shall comply with all requirements of the State of Michigan for the production, sale and/or distribution of alcoholic beverages and shall obtain all necessary licenses and permits. Such uses shall also provide sufficient on-site space and circulation for loading/unloading. Any vehicles affiliated with the use shall be parked or stored only in the rear yard.

(z) Climate controlled indoor commercial storage shall comply with the following requirements:

(1) All buildings shall conform to the design and material standards of Section 12.01 and shall include a minimum of 25% window space (including spandrel or tinted glass) on all building elevations visible from a public or private road and the parking lot. The Planning Commission may modify this requirement in accordance with Section 12.01.04.

(2) Any internal overhead doors visible through the windows shall be a natural earth tone color that is harmonious with the interior wall color and design of the building, unless otherwise approved by the Planning Commission. -

(3) Exterior overhead doors for vehicular access 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. Where the Planning Commission determines that a rear garage would have a negative impact on an abutting residential district; ~~and, -~~

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

~~b. — Garages located on corner or through lots; and;~~

~~c. — Where 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.~~

(aa) ~~Upper floor dwelling units shall incorporate parking and waste receptacles for the dwelling units in the site plan for the facility.~~

(as amended (02/18/18))

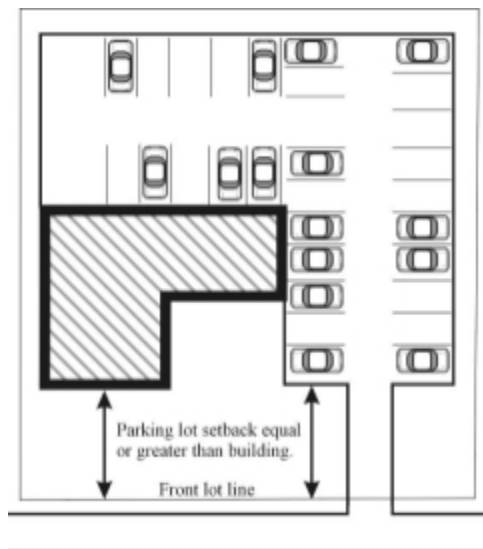
Sec. 7.03 DIMENSIONAL STANDARDS

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:

Table 7.03.01								
DIMENSIONAL STANDARDS – COMMERCIAL DISTRICTS								
			Minimum Yard Setbacks – ^{(d)(e)(f)}					
District	Min. Lot Area ^(a)	Min. Lot Width ^{(a)(b)(c)}	Front Yard ^{(g)(h)(i)(j)}	Side Yard ^(l)	Rear Yard ^(m)	Parking Lot	Max. Lot Coverage^(o)	Max. Height ^(k)
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. ⁽ⁿ⁾	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.

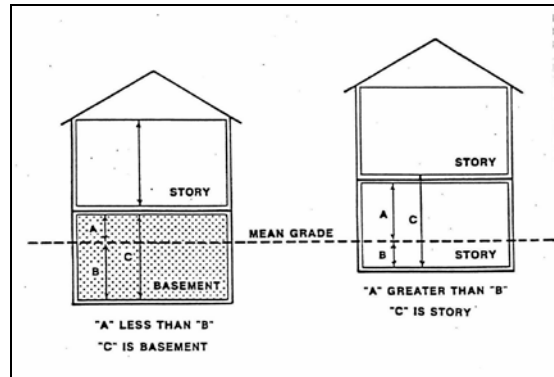


Figure 25.1 Basement

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)

Brewpub: [A manufacturer and brewer of not more than 18,000 barrels of beer per calendar year in Michigan including on premise sales of the beer produced for consumption on or off the brewpub premises with appropriate state licenses.](#)

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 client 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.

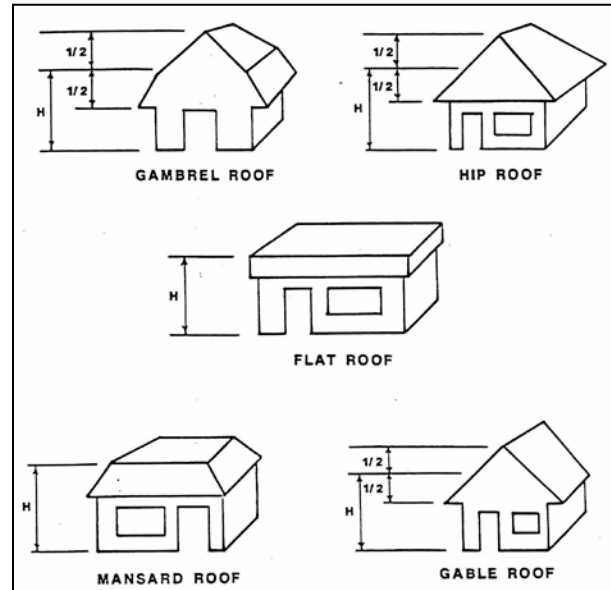


Figure 25.2 Building Height

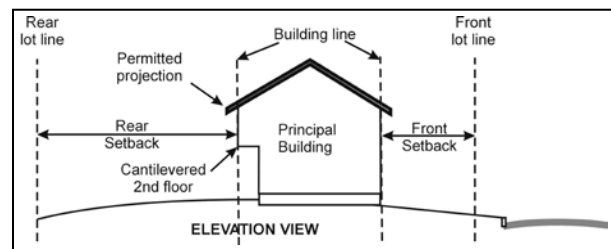


Figure 25.3 Building Line

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).

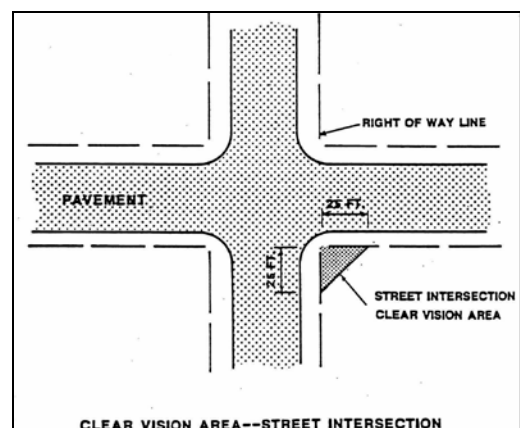


Figure 25.4 Clear Vision Area

[Climate-controlled indoor commercial storage: A fully enclosed multi-story temperature and humidity controlled commercial building with limited exterior access points and controlled indoor only access to individual and compartmentalized stalls or lockers for storage of customer's goods or wares.](#)

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 no 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)

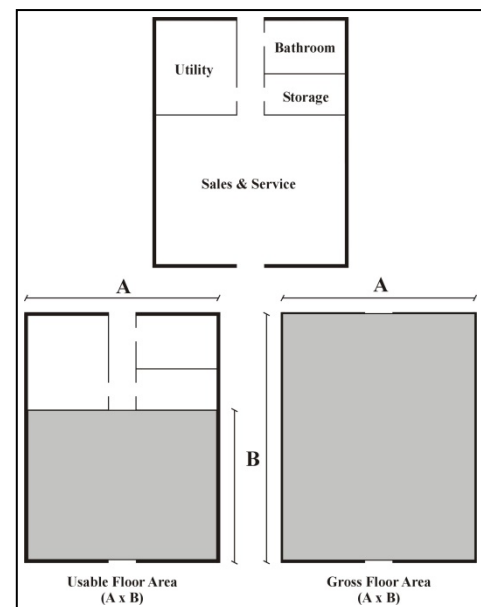


Figure 25.5 Floor Area

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.

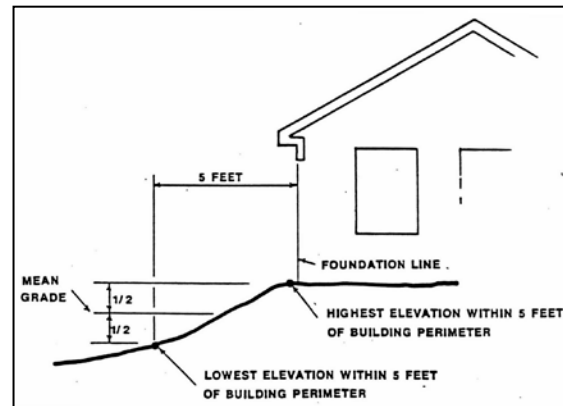


Figure 25.6 Measurement of Mean Grade

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.

Industrial: Land uses which primarily accommodate research, wholesale and warehouse activities, manufacturing, compounding, processing, packaging, fabrication, assembly and/or treatment of finished or semi-finished products from previously prepared material and the extraction (mining) or processing of raw material for shipment in bulk form, to be used in an industrial operation at another location. (as amended 09/04/18)

Industrial, light: Any operation which assembles, improves, treats, compounds, or packages previously prepared or processed goods or materials in a manner which does not create a noticeable amount of noise, dust, odor, smoke, glare or vibration outside of the building in which the activity takes place, which does not require outside storage or goods or materials, and which does not generate objectionable amounts of truck traffic. (as amended 09/04/18)

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)

Laboratory, research: A facility for scientific laboratory research in technology-intensive fields. Examples include but are not limited to biotechnology, pharmaceuticals, genetics, plastics, polymers, resins, coatings, fibers, fabrics, films, heat transfer, and radiation research facilities. (as amended 09/04/18)

Laboratory, support: A facility for scientific laboratory analysis of natural resources, medical resources, and manufactured materials. The scientific analysis is generally performed for an outside customer, to support the work of that customer. This category includes but is not limited to environmental laboratories for the analysis of air, water, and soil; medical or veterinary laboratories for the analysis of

blood, tissue, or other human medical or animal products. Forensic laboratories for analysis of evidence in support of law enforcement agencies would also be included in this category. (as amended 09/04/18)

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.

1. **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)

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.

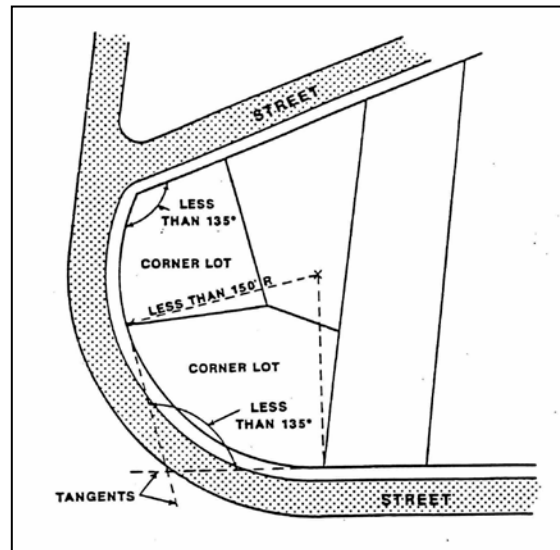


Figure 25.7 Lot, Corner Measurements

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).

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 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

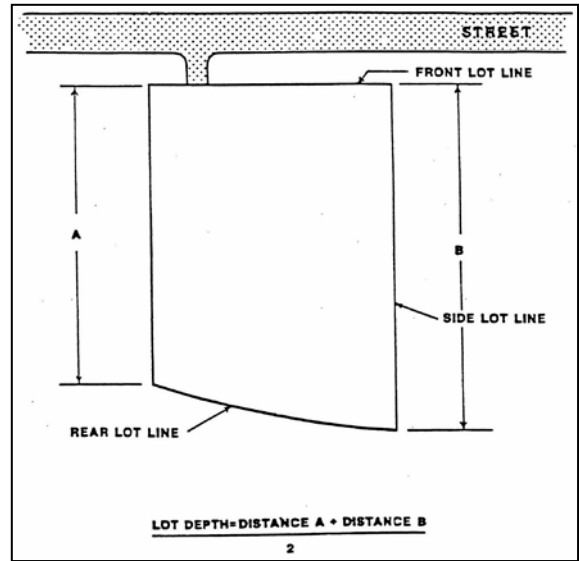


Figure 25.8 Lot Depth Measurement

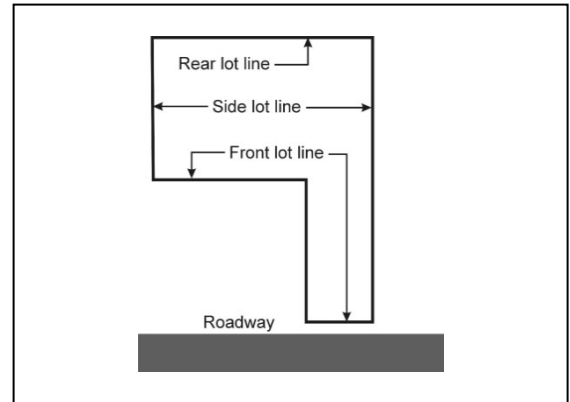


Figure 25.9 Flag-lot Lot Lines

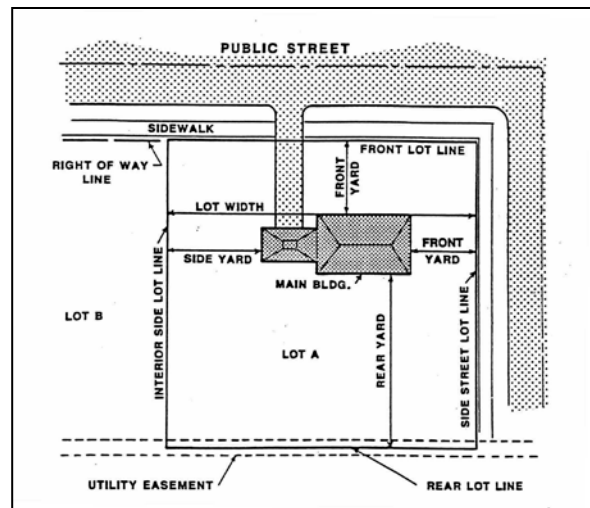


Figure 25.10 Lot Lines and Yards Measurement (Note: Yards May Not Always Equal Required Setbacks)

features affecting site design.

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.

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.

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.

Microbrewer: A brewer that produces in total less than 60,000 barrels of beer per year and that may sell the beer produced to consumers at the licensed brewery premises for consumption on or off the licensed brewery premises and to retailers as provided by State Law. (as amended 09/04/18)

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

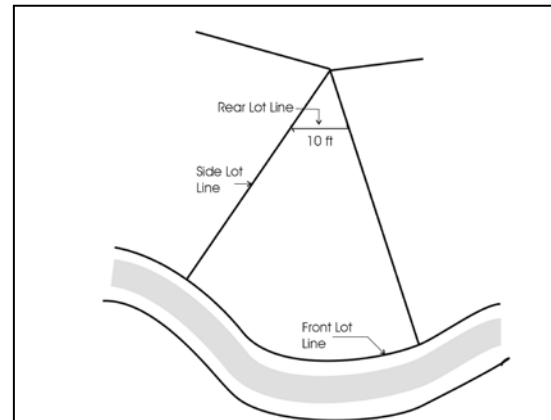


Figure 25.11 Rear Lot Line on Triangular Lot

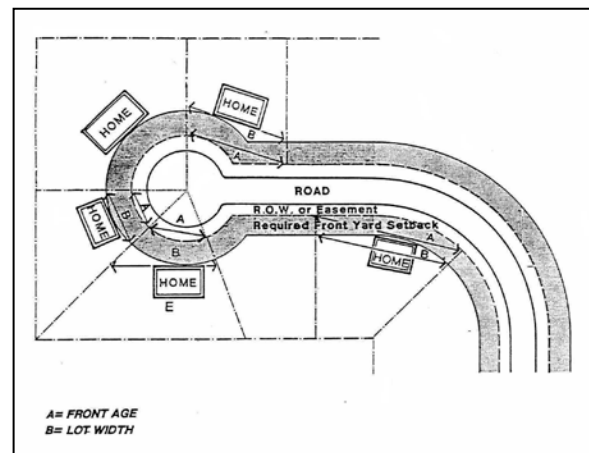


Figure 25.12 Lot Width on Curvilinear Streets

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.

Multimedia production facility: Land, buildings, or structures used as a media production facility. Typically, structures involved in or with the production of (but not limited to): motion pictures; radio and television shows or movies; recording or broadcasting facilities; and other motion picture production and distribution service offices. (as amended 09/04/18)

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.

Office: A building or portion of a building wherein services are performed involving predominantly administrative, professional, or clerical operations. (as amended 09/04/18)

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.

Outside Vendor: Any person firm or corporation, whether as owner, agent, consignee or employee selling or offering to sell, displaying for sale, demonstrating, distributing samples of or soliciting or taking orders for any goods or services or offering merchandise or services from a place at which they do not formally own, lease or occupy space in a principal building on the same property. (added 6/2/14)

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.

Prototype manufacturing: Research and development land uses that require manufacturing and production activities that lead to the development of a new product or a new manufacturing and assembly process. The products developed, manufactured or assembled are not intended to be mass-produced. (as amended 09/04/18)

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.

Research and development: A land use that engages in research and development of high-technology products or commodities. Examples include computer hardware and software, electronics and instrumentation, communications and information technology, biotechnology, pharmaceuticals, agricultural technology, medical instrumentation or supplies, transportation, geographic information systems, defense and aerospace technology, multimedia and video technology and other emerging high technology industries. Activities associated with these uses may include development, testing, assembly, repair, and office. Limited accessory warehousing, and distribution of the finished products produced at the site may also be provided. Such uses do not involve the mass manufacture, fabrication, processing or sale of products. (as amended 09/04/18)

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).

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.

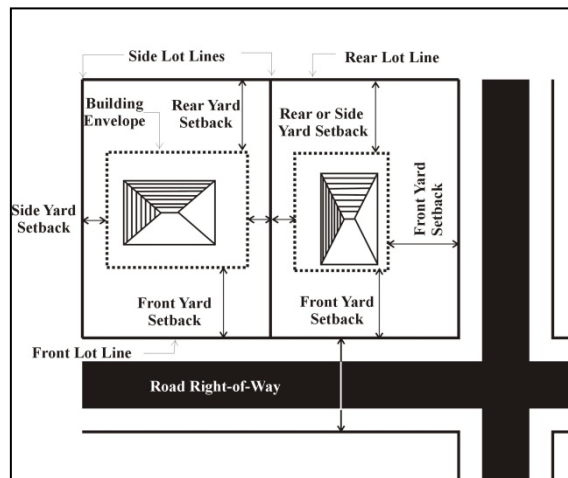


Figure 25.13 Setbacks

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.

Small distiller: A manufacturer of spirits annually manufacturing in Michigan not exceeding 60,000 gallons of spirits, of all brands combined. (as amended 09/04/18)

Small Winery: A wine manufacturer of no more than 50,000 gallons per year which involves sales to licensed wholesalers or self-distribute to retailer licensees, wine produced at the licensed winery facility, and to customers for consumption on premises at a tasting room. A Small Winery may also sell wine it manufactures at an approved tasting room off the manufacturing premises with appropriate state licenses.

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.

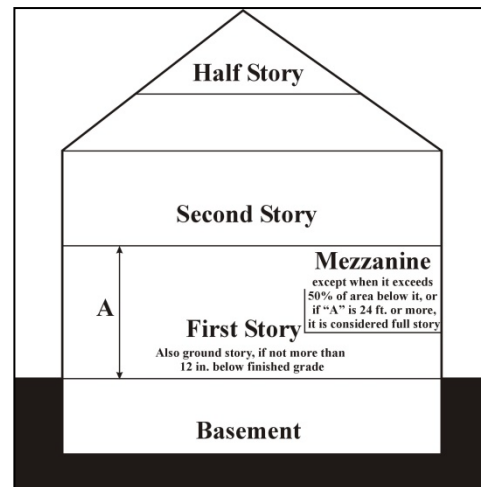


Figure 25.14 Story

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. Any merchandise sold or service provided shall be that of the regular use in the principal building of the site for which proof of tenant occupancy has been provided.
- 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. (added 6/2/14)

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.

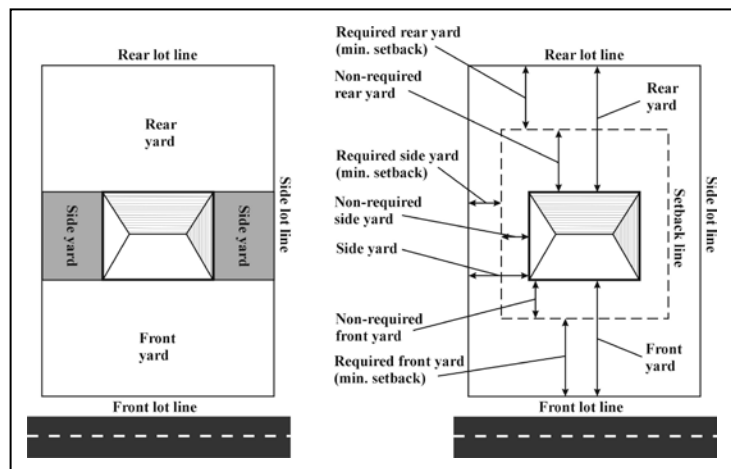


Figure 25.15 Yards

- 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)

Board Correspondence

Brighton Area Schools, Livingston County, Michigan (the "District")

A regular meeting of the board of education of the District (the "Board") was held in the Becc Bldg, 125 S. Church Street, within the boundaries of the District, on the 22nd day of July, 2019, at 7 o'clock in the p.m.

The meeting was called to order by Alicia Reid, ^{Vice} President.

5 Present: Members Reid, Myers, Stahl, Krebs, Mitchell

2 Absent: Members Burchfield and Trombley

The following preamble and resolution were offered by Member Stahl and supported by Member Krebs:

WHEREAS:

1. In the opinion of this Board it is necessary and expedient to ask voters whether to approve a bond project consisting of erecting, furnishing and equipping an addition to and remodeling, furnishing and refurbishing and equipping, and re-equipping existing school buildings; erecting, furnishing and equipping athletic, multi-purpose and maintenance support buildings; acquiring and installing instructional technology and instructional technology equipment for school buildings; and equipping, developing and improving athletic fields and facilities, playgrounds, parking areas, driveways and sites.

2. This Board estimates the necessary cost of the project to be Sixty Million Two Hundred Sixteen Thousand Four Hundred Ninety-Nine Dollars (\$60,216,499).

3. It will be necessary for the District to borrow the sum of Fifty-Nine Million Three Hundred Seventy-Five Thousand Dollars (\$59,375,000) and issue the bonds of the District therefor, the remaining funds to be derived from the investment of the bond proceeds.

4. This Board intends to submit a proposition at a special election to be held on Tuesday, November 5, 2019.

5. On or before 4:00 p.m. on Tuesday, August 13, 2019, the Board shall certify any ballot proposition to be submitted to the voters at such election to the election coordinator or coordinators designated to conduct elections within the District (the "Election Coordinator").

NOW, THEREFORE, BE IT RESOLVED THAT:

1. A special election of the school electors of the District be called and held on Tuesday, November 5, 2019.

2. The proposition to be voted on at the special election shall be stated on the ballots in substantially the form as set forth in Exhibit A.

3. The Election Coordinator is requested to:

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LAW FIRM, P.C.

- a. Utilize Livingston Daily Press & Argus, a newspaper published or of general circulation within the District, for publication of notices in accordance with the election law requirements.
- b. Utilize ballot proposition summary information, as prepared by legal counsel, in the forms of the notices of last day of registration and election in substantially the form as set forth in Exhibit B attached hereto.
- c. Provide a proof copy of the ballot to the District and its legal counsel in sufficient time to allow the ballot to be proofread prior to printing.

4. This Board estimates the period of usefulness of the improvements for which bonds of the District in the amount of Fifty-Nine Million Three Hundred Seventy-Five Thousand Dollars (\$59,375,000) are to be issued to be not less than twenty-eight (28) years.

5. The Secretary of this Board is hereby authorized and directed to file a copy of this resolution with the Election Coordinator and with any Election Clerk or clerks designated to conduct elections within the District by 4:00 p.m., on Tuesday, August 13, 2019.

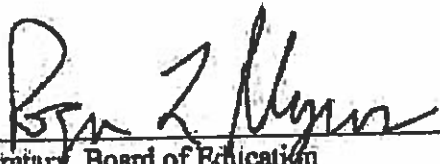
6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

5 Ayes: Members Reid, Myers, Stahl, Krebs, Mitchell

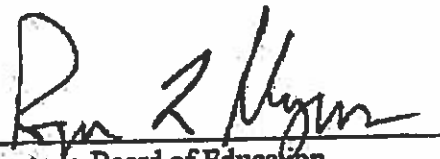
Nays: Members

Resolution declared adopted.

Yes


Secretary, Board of Education

The undersigned duly qualified and acting Secretary of the Board of Education of Brighton Area Schools, Livingston County, Michigan, hereby certifies that the foregoing constitutes a true and complete copy of a resolution adopted by the Board at a regular meeting held on July 22, 2019, the original of which is part of the Board's minutes. The undersigned further certifies that notice of the meeting was given to the public pursuant to the provisions of the "Open Meetings Act" (Act 267, Public Acts of Michigan, 1976, as amended).


Secretary, Board of Education

CJI/keh

EXHIBIT A

**BRIGHTON AREA SCHOOLS
BONDING PROPOSAL**

Shall Brighton Area Schools, Livingston County, Michigan, borrow the sum of not to exceed Fifty-Nine Million Three Hundred Seventy-Five Thousand Dollars (\$59,375,000) and issue its general obligation unlimited tax bonds therefor for the purpose of:

erecting, furnishing and equipping an addition to and remodeling, furnishing and refurbishing and equipping, and re-equipping existing school buildings; erecting, furnishing and equipping athletic, multi-purpose and maintenance support buildings; acquiring and installing instructional technology and instructional technology equipment for school buildings; and equipping, developing and improving athletic fields and facilities, playgrounds, parking areas, driveways and sites?

The following is for informational purposes only:

The estimated millage that will be levied for the proposed bonds in 2020, under current law, is 1.61 mills (\$1.61 on each \$1,000 of taxable valuation) for a 0 mill net increase over the prior year's levy. The maximum number of years the bonds may be outstanding, exclusive of any refunding, is twenty-three (23) years. The estimated simple average annual millage anticipated to be required to retire this bond debt is 1.32 mills (\$1.32 on each \$1,000 of taxable valuation).

The school district expects to borrow from the State School Bond Qualification and Loan Program to pay debt service on these bonds. The estimated total principal amount of that borrowing is \$0 and the estimated total interest to be paid thereon is \$2,628,302. The estimated duration of the millage levy associated with that borrowing is 8 years and the estimated computed millage rate for such levy is 7.19 mills. The estimated computed millage rate may change based on changes in certain circumstances.

The total amount of qualified bonds currently outstanding is \$65,093,182. The total amount of qualified loans currently outstanding is approximately \$35,052,466.

(Pursuant to State law, expenditure of bond proceeds must be audited, and the proceeds cannot be used for repair or maintenance costs, teacher, administrator or employee salaries, or other operating expenses.)

EXHIBIT B

**SUMMARY OF BALLOT PROPOSITION TO BE INSERTED IN THE
NOTICES OF LAST DAY OF REGISTRATION AND ELECTION:**

**BRIGHTON AREA SCHOOLS
GENERAL OBLIGATION UNLIMITED TAX BOND PROPOSAL
FOR BUILDING AND SITE PURPOSES IN THE AMOUNT OF
NOT TO EXCEED \$59,375,000**

Full text of the ballot proposition may be obtained at the administrative offices of Brighton Area Schools, 125 South Church Street, Brighton, Michigan 48116-2403, telephone: (810) 229-4000.

PLEASE TAKE FURTHER NOTICE THAT THE BONDS OF THE SCHOOL DISTRICT, IF APPROVED BY A MAJORITY VOTE OF THE ELECTORS AT THIS ELECTION, WILL BE GENERAL OBLIGATION UNLIMITED TAX BONDS PAYABLE FROM GENERAL AD VALOREM TAXES.

Regional News



MFG Day Planning Underway

The planning committee continues their effort to plan a great 2019 event. In April, SPARK hosted an information session for interested employers and educators to hear more about this popular career awareness event happening on October 3. This year's participating employers include many new names in addition to companies who also participated last year. The planning committee is creating a book a book highlighting all participating companies and interesting facts about careers in the Manufacturing Industry that will be given to all participating students.



PADNOS Acquires Regal Recycling

Regal Recycling in Howell was purchased last week by Holland-based PADNOS, which operates 19 locations in Michigan and Indiana. The acquisition, which was announced July 1, also includes Regal's Whitmore Lake location which will be operated by GLR Advanced Recycling, a partner of PADNOS. Company President Jonathan Padnos said the move, "furthers regional consolidation and allows us to better serve our customers throughout Michigan. PADNOS views Howell as a vibrant and growing community and we want to be part of that growth."



Transtar Expands in Genoa Twp

Transtar Autobody Technologies, Inc. will expand its Genoa Township headquarters by about 6,000 square feet for a new training facility and automotive paint color laboratory. Transtar is an automotive paints and body shop repair products manufacturer with an international distribution footprint.

A ground breaking event was held on June 18 with company and community officials to commemorate the project. SPARK staff along with the Howell and Brighton Chambers of Commerce helped promote the company and this expansion through regional media. SPARK continues to work with Transtar on reaching new markets with their technology as well.



Michigan Talent Pipeline Management Academy

Marcia Gebarowski, along with Brighton Chamber president Pam McConeghy, completed training to utilize the U.S. Chamber of Commerce tool, Talent Pipeline Management (TPM). TPM is a tool in which employers apply supply-chain methodologies to their talent needs. This process requires a collaborative of employers to work through the TPM process based on common needs (or pain points). SPARK and the Brighton Chamber are applying our training in Livingston County, and have convened an employer collaborative of local manufacturers to implement the TPM process. This tool will strengthen the voice of participating employers on highlighting their talent needs as well as to show trends on future training opportunities within our schools.



Local Dashboard



The local dashboard tracks demographic trends that are important measures of economic growth and prosperity. The data is compiled from a range of sources, including the Bureau for Labor Statistics, the Census, the Livingston County Association of Realtors, and more. The trend arrow reflects the change in quarterly data, using the most recent data available, this varies by source.



Unemployment

Q1 2019

Michigan: 3.7

Livingston: 3.7

The unemployment rate in Livingston County increased from 3.3 at the end of Q4 to 3.7 at the end of Q1. This is consistent with seasonal trends. The local unemployment rate remains lower than the state unemployment rate.

Source: BLS LAUS



Wages

Q4 2018

Michigan: \$924

Livingston: \$924

The average weekly wage in Livingston County remained steady, with an increase from \$829 in Q3 to \$924 in Q4. The average weekly wage in Livingston County is \$153 lower than the average weekly wage statewide.

Source: BLS OCEW



Labor Force

Q1 2019

Michigan: 5,272,372

Livingston: 103,904

The labor force in Livingston County increased by 872 people from the end of Q3 to the end of Q4. During the same time period, the labor force in Michigan grew by 28,884 people. The labor force consists of individuals working or seeking employment.

Source: BLS LAUS



MFG Employment

Q4 2018

Michigan: 37,135

Livingston: 9,846

Employment in manufacturing increased in Livingston County by 143 employees between Q3 2018 and Q4 2018. During the same time, employment in manufacturing increased by 4,211 statewide.

Source: BLS OCEW



Job Postings

Q2 2019

Livingston: 8,557

The total number of job postings in Livingston County increased slightly with an insignificant change from 8,029 postings at the end of Q1 2018 to 8,557 postings at the end of Q2 2019.

Source: Workforce Intelligence Network



Home Sales

Q1 2019

Livingston: 565

The number of home sales in Livingston County increased by 47 closings in Q1 2019 compared to Q1 2018.

Source: LCAR

SPARK Metrics



January 1, 2019 - June 30, 2019

PROJECT PIPELINE

The project pipeline metrics track projects that SPARK staff are currently working to complete. If and when these projects are complete, they will contribute additional jobs and capital investment into the local economy.



Projects in Pipeline



Potential New Job Commitments



Potential Capital Investment



SUCCESS METRICS

Metrics of success are recorded when SPARK provides assistance to projects that successfully create jobs and/or investment in the community.



Successful Projects



New Job Commitments



Capital Investment



CALL PROGRAM

The Call Program is SPARK's outreach program to local employers. Company visits are made to build relationships, identify projects, and connect employers to community resources.



Company Visits



FTEs at Companies Visited



Referrals

2019 Call Program



COMPANY NAME	LOCATION	COMPANY NAME	LOCATION
Q1 Hug-A-Plug	Brighton Township	Q2 FlexDex, Inc.	Brighton Township
Q1 ASTI Environmental	Brighton Township	Q2 Eberspaecher North America, Inc.	City of Brighton
Q1 Empower HR	Brighton Township	Q2 TG Fluid Systems, Inc.	City of Brighton
Q1 Thai Summit America	City of Howell	Q2 FT Techno North America	Handy Township
Q1 BD Electrical	Howell Township		
Q1 AA Gear & Manufacturing	Howell Township		
Q1 Boss Engineering	Genoa Township		
Q1 Mt. Brighton	Genoa Township		
Q1 Export Corporation	Green Oak Township		
Q1 Carl Zeiss Industrial Metrology, LLC	Green Oak Township		
Q1 C & B Machinery	Green Oak Township		
Q1 Legacy Center	Green Oak Township		
Q1 Total Security Solutions	Village of Fowlerville		
Q1 Asahi Kasei Plastics North America	Village of Fowlerville		
Q2 Brighton NC Machine Corporation	Green Oak Township		
Q2 Transtar Autobody Technologies	Genoa Township		
Q2 Highland Engineering	Genoa Township		
Q2 bryllan, LLC	Brighton Township		
Q2 IEC Fabrication, LLC	Village of Fowlerville		

Fundraising

EXPECTED PUBLIC SECTOR CONTRIBUTIONS

+ TOTAL	2,077,722
Livingston County	\$175,000
Municipal Partners	\$111,767.22
City of Brighton: \$9,065.98; City of Howell: \$6,799.49; Genoa Township : \$23,283.09; Green Oak Township: \$19,574.28; Hamburg Township: \$20,604.50; Handy Township: \$3,467.00; Hartland Township: \$13,392.93; Oceola Township: \$10,579.95; Village of Fowlerville: \$5,000; Village of Pinckney: \$2,500	

EXPECTED PRIVATE SECTOR CONTRIBUTIONS

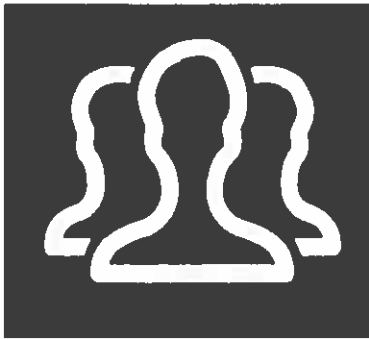
+ TOTAL	112
Asahi Kasei Plastics; Boss Engineering; Brighton Chamber; Chem Trend; Chemical Bank; Cleary University; Consumers Energy; Corrigan; Crystal Gardens; DTE Energy; Duncan Disposal; Elite Insurance; Era Griffith Realty; Financial Plus+ Credit Union; First National Bank; Hartland Insurance; Howell Chamber; IHA; ITC Holdings; J&J Joseph Properties; Lake Trust Credit Union; Livingston Association of Realtors; Lindhout Associates; Lowry Solutions Inc; May & Scofield; Old National Bancorp; Refrigeration Research; Rudolph Libbe; Senior Care Equities #4 LLC; Signature Associates; Thai Summit; Trinity Health	

2019 EDCLC EXPENSES

+ TOTAL	114		
Q1 Ann Arbor SPARK	\$94,504	Q2 Ann Arbor SPARK	\$94,504
Q1 Insurance	\$450		

Community Outreach

Connecting with local organizations and community partners to present data, share trends, and offer insights is an important part of our focus; this allows us to engage in a collaborative approach towards economic development.



In April, the 13th Annual Livingston Regional Job Fair took place at Crystal Gardens. SPARK was part of the committee that planned this event, bringing more than 30 employers out to promote job openings and to recruit job seekers during this free event. HR professionals were on-hand to lend assistance with resume writing and review for job seekers. MI Works had their mobile office set-up so attendees could have access to their mobile computer lab as well as learn about upcoming classes or other MI Works programming.

The Local College and Career Acces Network's (LCCAN) 2nd Annual Road Rally held on April 25th was a "cruising success". This event supports scholarships to graduating seniors and pursuing a career in one of Michigan's [Hot 50 Jobs](#). People "revved" their engines and began the challenge at Crystal Gardens. From there, teams had to solve clues to unveil where their next "pit stop" was. The route took teams to employer locations that represented in-demand careers including healthcare and hospitality. More than 65 people and 31 businesses participated or sponsored in this year's "LivCo Road Rally." LCCAN expanded the scholarship opportunity for graduating high school seniors, which resulted in 47 applications being submitted and 12 scholarships awarded. Marcia Gebarowski was part of the planning committee for this event, and Ann Arbor SPARK sponsored one of the 12 scholarships, which went to a Brighton senior pursuing a career in nursing.

Events



Community events are a great way to make connections between local leaders, and industry to create a vibrant network of individuals committed to economic prosperity.



EDCLC Annual Meeting

November 5, 2019
Livingston County Board of Commissioners
7:00 p.m. - 7:50 p.m.

The Economic Development Council of Livingston County's Annual Meeting is attended by business, government, and academic leaders from across the county and provides a unique networking opportunity. Business leaders will highlight the region's accomplishments over the past year with the annual chair awards and preview new projects and initiatives for the coming year. Keynote Speaker will be Michelle Ureste, Director of Workforce Intelligence Network.

2019 Job Shadow Day

December 6, 2019
LSCA Commons
11:30 a.m. - 1:00 p.m.

The Local College and Career Access Network (LCCAN) is planning a 2019 Job Shadow Day on December 6th. This information session is for any business interested in learning more about the job shadow opportunities with local high school students. This event will host small group discussion on how to prepare for a successful job shadow. Lunch will be provided by LESA.

Report Definitions



COMPANY VISITS

Meetings with local businesses regarding their current business outlook. This is a core "economic gardening" strategy that provides opportunities for referrals like workforce development training, state-level resources, tax incentives, business development opportunities, cost reduction strategies, access to capital, etc.

EMPLOYMENT MULTIPLIER

Figure calculated by economic modeling through Regional Economic Models, Inc., which quantifies the indirect assistance provided through new job creation. For example, an employment multiplier of 2.0 would indicate that one new job would affect two total jobs (the new job itself, and another indirect job). Employment multipliers are based on the company's industry and investment, among other factors.

PROJECT PIPELINE

The project pipeline represents potential projects that have been identified, along with their current status and probability of completion.

REFERRALS

Referrals to outside resources or value-added services provided by staff. This could include a referral regarding a state-level program, a review to determine the feasibility of entry into a new sector, or technical assistance with local or state-level programs





Economic Development Council
of Livingston County

QUARTERLY ECONOMIC DEVELOPMENT REPORTS 2019

Q2

23 COMPANIES
VISITED

191 REFERRALS
PROVIDED

WAGES INCREASED

\$95 per week

in Livingston County

6 NEW PROJECTS
ADDED TO PIPELINE

HEALTHCARE INDUSTRY
BLOG SERIES LAUNCHED
[click here to read](#)

COUNTYWIDE MANUFACTURING EMPLOYER-LED COLLABORATIVE CREATED

ANN ARBOR
SPARK

Ann Arbor SPARK will advance the economy of the Ann Arbor region by establishing it as a desired place for innovation, business location and growth, and for talented people to live and work. The Ann Arbor region will be recognized for its academic, business, and community resources, and its collaborative culture. For more information visit: www.annarborusa.org



Attainable Housing Discussion

In Livingston County

2017 LIVINGSTON BENCHMARK ANALYSIS

Wages

Livingston County: \$44,865

What it is:

The annual average wage for all industries in Livingston County.

Why it matters:

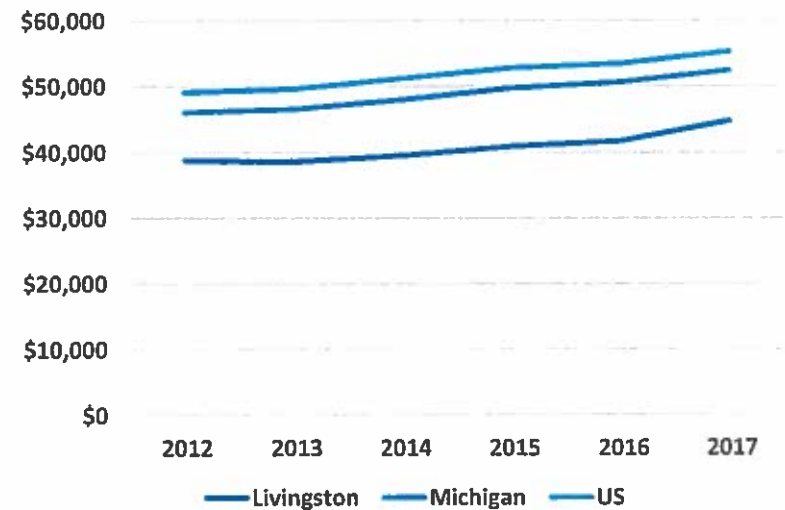
Competitive wages are necessary to attract and retain a talented workforce.

The trend:

Livingston County has consistently had a lower Annual Average Wage than the entire state or country. Livingston County had the lowest wage among the regional set and the third lowest wage among the national set.



Annual Average Wage

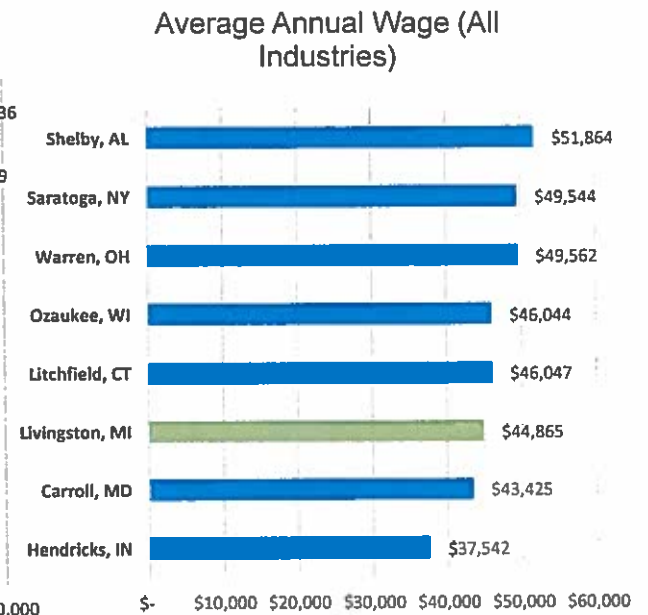
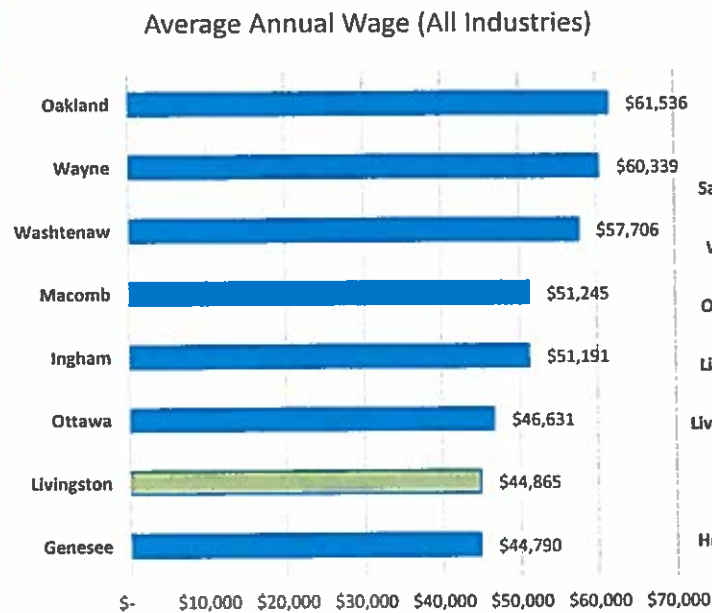


2017 LIVINGSTON BENCHMARK ANALYSIS



REGIONAL RANK 7th out of 8

NATIONAL RANK 6th out of 8



2017 LIVINGSTON BENCHMARK ANALYSIS



Median Household Income

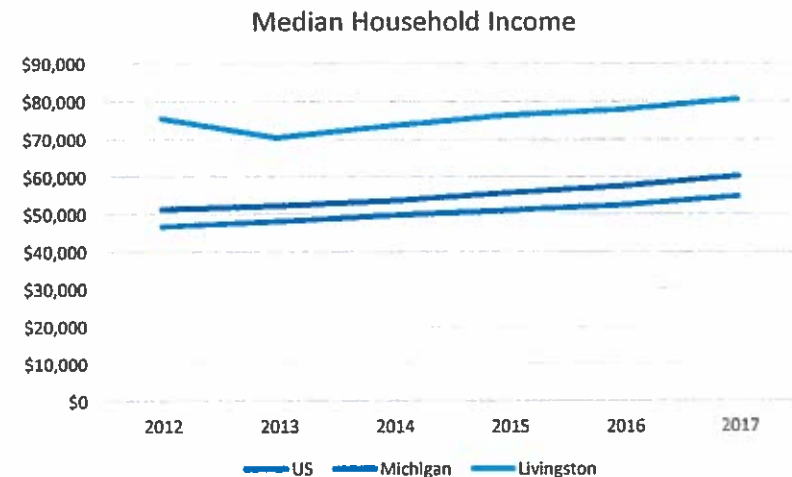
Livingston County: \$80,377

What it is:

The median income for all households.

The trend:

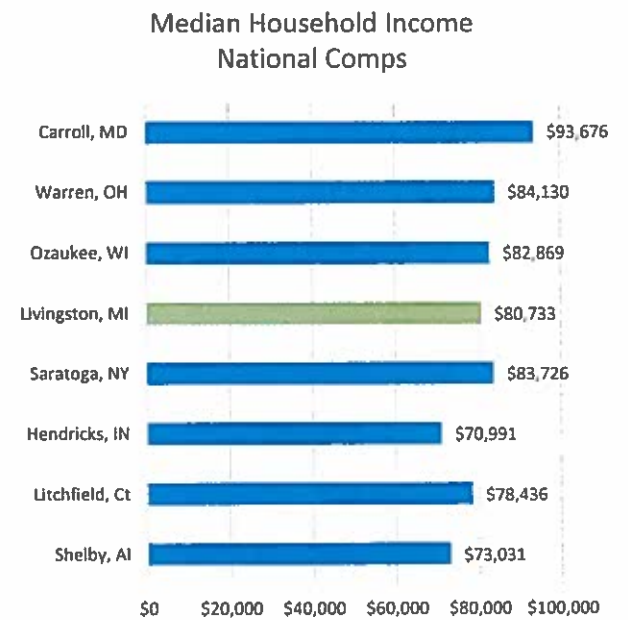
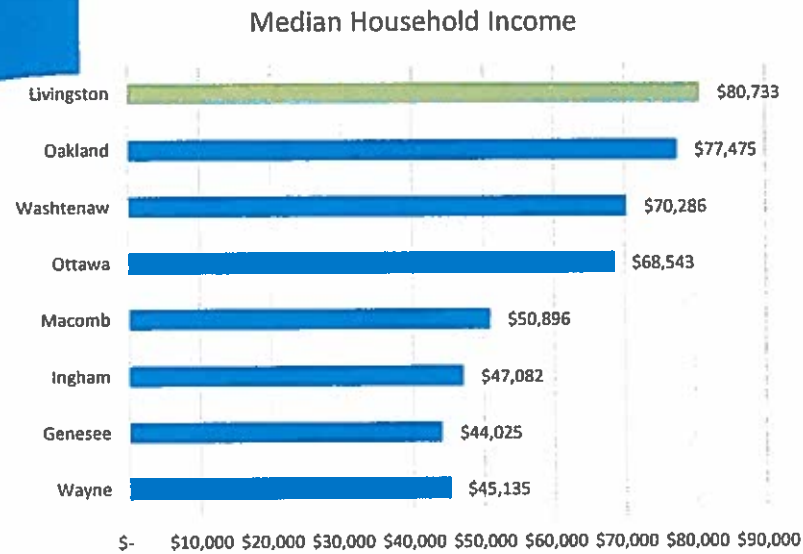
Livingston County has the highest median household income in Michigan. The median household income has stayed consistently over \$10,000 higher than that of the State and the Country since 2011. Median household income has only slightly increased since 2011, consistent with inflation rates.



2017 LIVINGSTON BENCHMARK ANALYSIS



REGIONAL RANK 1st out of 8



2017 LIVINGSTON BENCHMARK ANALYSIS



Housing Affordability

Livingston County: 3.1

What it is:

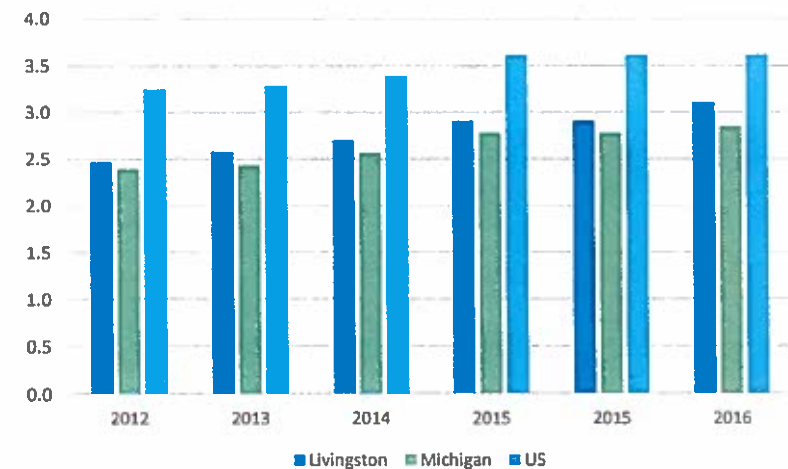
The Housing Affordability Index is the ratio of median household income to median house value. (ie: Median house value is X times median household income)

Why it matters:

Housing affordability is desirable to accommodate a workforce with a diverse range of skill sets and income levels.

The trend: Livingston County has become increasingly less affordable since 2012. Although Livingston County has a higher Housing Affordability Index than the State of Michigan, it has a considerably lower Housing Affordability Index than the country.

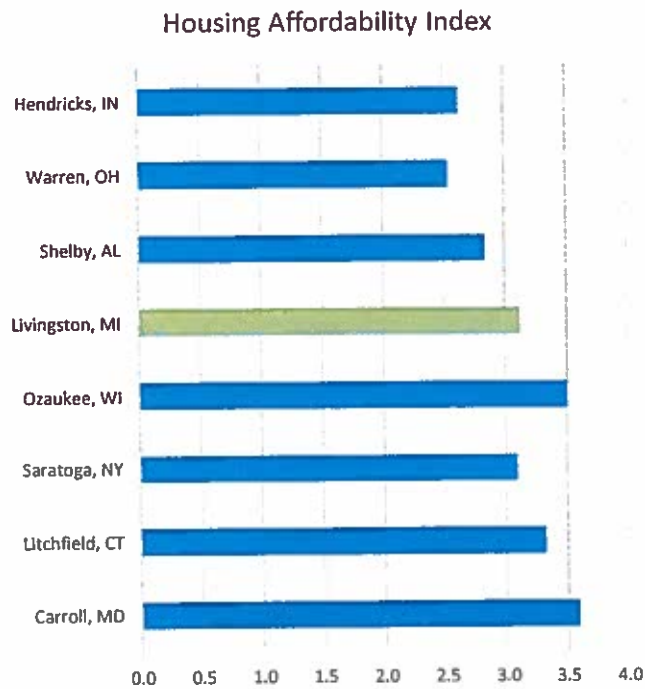
Housing Affordability Index



2017 LIVINGSTON BENCHMARK ANALYSIS



NATIONAL RANK 5th out of 8



REGIONAL RANK 4th out of 8



Average
Annual Wage
Paid by
Livingston
County
Employers

\$44,860 (\$3738.33/month)

Qualifies for home purchase

- \$1150.00/month PITI
- \$150,000 Purchase

Qualifies for monthly rental

- \$1245.00/month rent

Livingston County Median Monthly Rent

Source: apartments.com and apartmentfinder.com

# of Bedrooms	Apartment	House/Condo
One	\$859	\$965
Two	\$950	\$1,175
Three	\$1,328	\$1,900

Livingston County Residential & Condo Sales 2016-2018

Source: Realcomp II Ltd

Price Range	# Sales Residential			# Sales Condo		
	2016	2017	2018	2016	2017	2018
≤ \$150,000	388	249	154	177	168	122
\$150,001 - \$200,000	624	513	398	103	95	97
\$200,001 - \$300,000	1186	1255	1177	115	104	119
\$300,001 - \$400,000	518	579	599	24	28	28
\$400,001 - \$500,000	176	209	211	14	8	9
> \$500,000	140	147	166	4	5	3
TOTAL	2022	2052	2705	427	408	279

Livingston County Active Listings as of 07/16/2019

- Active Listings \leq \$150,000 represents 3.89% of all houses and condos on the market

- Source: Realcomp II Ltd

Price Range	Residential		Condo	
	# Units	Median List Price	# Units	Median List Price
\leq \$150,000	20	\$124,200	10	\$139,900
\$150,001 - \$200,000	34	\$184,900	16	\$161,950
\$200,001 - \$300,000	183	\$265,000	36	\$269,450
\$300,001 - \$400,000	181	\$350,000	11	\$329,900
\$400,001 - \$500,000	114	\$449,450	4	\$449,950
> \$500,000	158	\$650,000	3	\$575,000
TOTAL	690		80	

Sales in Livingston County under \$100,000

Jan 2018 – Dec 2018

39 Closed Residential Transactions (1.4% of Sales)

Financing:

28 Cash

8 Conventional Financing

2 Land Contract

1 FHA

Sales in Livingston
County
\$100,000-
\$150,000

115 Closed Residential Transactions
(4.25% of Sales)

Financing:

- 40 Conventional
- 35 Cash
- 23 FHA
- 11 Rural Development
- 3 FHA 203K
- 2 VA
- 1 Land Contract