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10405 Merrill Road
Hamburg, Michigan 48139-0157

To: Planning Commissioners

From: Scott Pacheco, AICP
Hamburg Township
Planning and Zoning

Date: August 17, 2022

Agenda Item: 7a

Project address and Description: **Special Use Permit (SUP 22-001) and Preliminary Site Plan (SP 22-001)** to consider the remodel of the existing building and construction of 23 new storage buildings totaling 113,180 square foot of indoor area. The project also includes a concrete pad approximately 145,180 square foot in size for additional outdoor storage.

Owner: Lakeland Building Concepts Inc

Staff Recommendation: **Deny:** Deny the Special Use Permit as it does not meet the discretionary standards in section 36-36 (C)(1, 2, and 3) and the project as designed could not meet Site Plan Review Standards 36-73 (7) (D, G, and J) below:
Staff's Full analysis of the project and the Special Use Permit Discretionary Standard is on pages 4 to 12 of this report and staff's analysis of the preliminary site plan as currently designed is on pages 12 to 14 of this report.

LOCATION:

Location Map



The subject site (Parcel 15-25-400-014) is a 19.95 acres site located off of Hall Road to the east and Livingston Street to the west. The subject property is currently zoned General Industrial (GI) on the east portion of the site and Village Residential (VR) on the west portion of the site. The subject site has a Future Land Use Designation of Village Residential 10 (See the Zoning Map and Future Land Use Map for the area on page 2). This site was the location of the old Hoskins Manufacturing industrial plant.

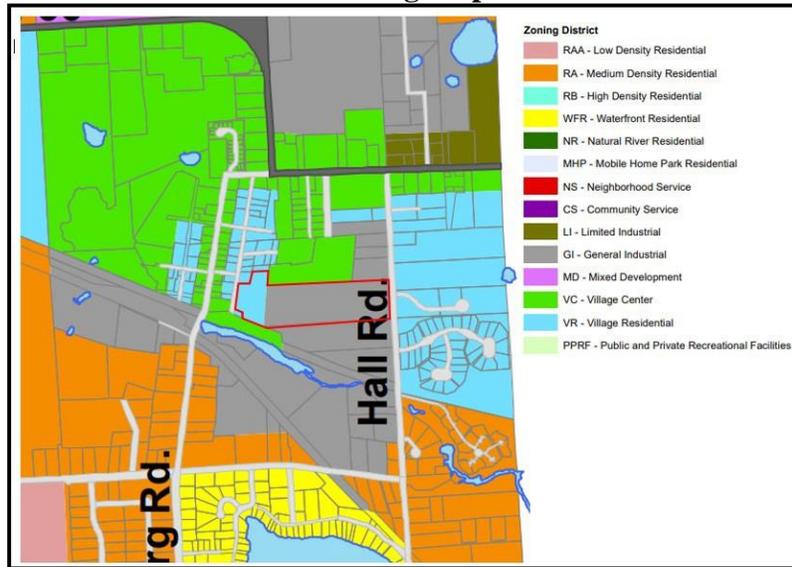
The subject property stretches approximately 1900 feet from Hall Road to the east to Livingston Street to the west. The first 500 feet of the north property line off of Hall Road is adjacent to parcel 15-25-400-027 at 1570 Hall Road. This parcel is currently used as an automotive repair shop. Parcel 15-25-400-027 is currently zoned GI and has a Future Land Use Designation as Public. The next 1000 feet of the north property line is adjacent to parcel 15-25-400-013 (the old Hamburg Elementary School Site) which is currently vacant and has been approved by the Township for a 208 unit multi family residential apartment project. Parcel 15-25-400-013 is currently zoned Village Center (VC) and has a Future Land Use Designation in the Master Plan as Public. The remaining 400 feet of the north property line of the subject property is adjacent to existing single family residential homes off of Washington Street and Livingston Street. These parcels are zoned Village Residential (VR) and have a Future Land Use Designation in the Master Plan and Village Residential-10.

The properties to the east of the subject site across Hall Road are developed with single family residential homes and are zoned VR and have a future land use designation of Village Residential 10.

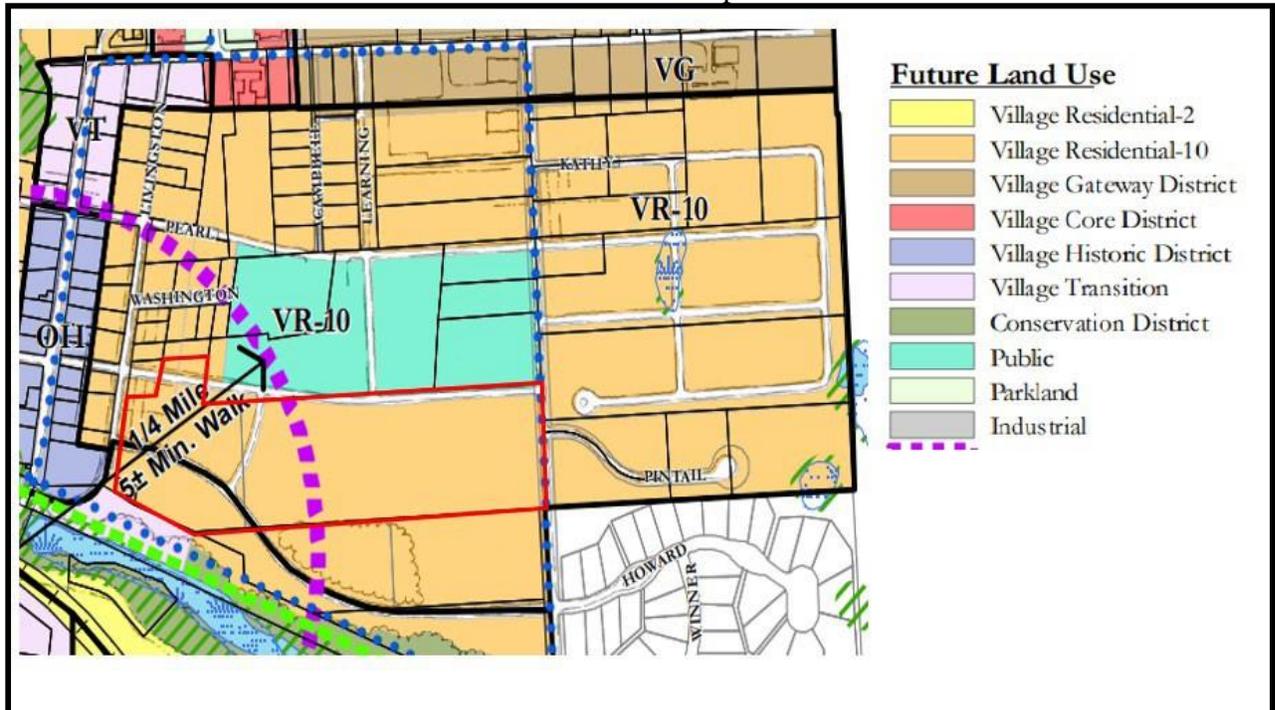
The properties to the west are currently developed with residential homes or vacant and are zoned VR and have a future land use designation of Village Residential 10.

The proposed to the south at 10850 is developed with an existing a metal stamping company (progressive Metal Forming) is zoned GI and has a future land use designation of Village Residential 10. The existing structure is located on the first 500 feet of the property off Hall Road. The remaining 1200 feet of the site is vacant and left in a natural state.

Zoning Map



Future Land Use Map



The subject site was the location of the former Hoskins manufacturing plant. This site is a current Brownfield site and was purchased by the current owners knowing the site may have environmental contamination. The property owners, state agencies and Township Brownfield Authority have been following all required processes to investigate any potential contamination of the site and any clean-up of the site that may be necessary. To this date the

Township has not received any documentation that the site cannot be remediated and used for any purposes.

PROJECT DESCRIPTION

The proposed special use permit and preliminary site plan review applications proposes the remodeling of the existing building and the construction 23 new storage buildings. This project will include 118,287 square feet of indoor area and 145,180 square foot of outdoor area used as a part of the storage facilities. The project will require that 430,808 square foot or 8.2 acres of the site of area be coved with impervious surfaces.

ADMINISTRATIVE ZONING REGULATIONS:

Staff has reviewed the project for compliance with the Zoning Regulations of the code and the project does not meet the following zoning regulations of section 36-187 and 36-281 of the Hamburg Township zoning code.

Section 36-187 (f)Additional Regulations for GI General Industrial.

- *All uses permitted in this district shall be conducted in completely enclosed buildings, except that outdoor storage yards shall be completely enclosed by a solid fence or wall between six and eight feet in height.*
- *No structure shall be located less than 100 feet from any residential district.*
- *Every lot in this district shall provide a landscaped buffer strip of at least 15 feet in depth, measured from the front lot line, within the prescribed front yard setback. The buffer strip shall be composed of trees and/or foliage.*

Section 36-281 Greenbelt and buffer zones, (b)Required greenbelt along street frontage and (e) required buffer zones

- *Within all multiple family residential, mobile home park, commercial and industrial districts, a 20-foot-wide greenbelt shall be planted along the public right-of-way including the equivalent of one canopy tree and four shrubs, rounded upward, for every 40 linear feet of frontage, planted within the greenbelt. The width of this greenbelt may be reduced by the planning commission in the village center zoning district.*
- *The landscape buffer requirements for Industrial to Residential Districts are a 50' buffer area with a 6-foot-high continuous masonry wall and 1 canopy tree, 2 evergreen trees and 4 shrubs per each 20 linear feet along the property line, rounded upward*

Also on July 8, 2022 a completeness letter (Exhibit C) was sent to the applicant requesting that some of the information on the submit plans be addressed. Other than the special land use application and the electronic copies of the plan the applicant did not address any of the other items from the completeness letter.

DISCRETIONARY REVIEW STANDARDS:

Summary of Staffs Review: Staff believes that this project should be denied; as the special use permit to allow the Storage Facility and the Outdoor Storage at the storage facility would not meet the discretionary standards for special use permit approvals and the scale and current design of the project would need to be altered significantly to meet the discretionary review standards for site plan review.

Although the proposed project is designed or could be designed to meet most of the administrative zoning regulations (setbacks, heights, lighting, signage, ext..) staff believes that the proposed project does not meet the discretionary review standards for the Special Use Permit(section 36-36 (c)) or Site Plan Review (36-73(7)). The location of the site and mass scale of the project would be detrimental to the existing uses and the future use of the adjacent properties in the area. The development would not be compatible with the Master Plan and will not be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, and would change the essential character of the area. If this development were to be built as designed it is staff's opinion that the proposed development would have a significant impact on the future development of the surrounding properties, reducing the likelihood of further implementation of the Village Center Master Plan for the area. Below are the Site Plan Review standards (section 36-73 (7)) and Special Use Permit Standards in **Bold** followed by staff analysis. Although the application is for both the special land use for the storage facilities and outdoor storage facilities and the preliminary site plan review for the project, staffs analysis will focus more on the Special Land Use. If the Special Land Use Permit is denied by the Planning Commission the preliminary site plan is not applicable as the site plan is based on the proposed use of the property.

Special Use Permit Review, Basis of Determinations (Section 36-36(C)):

The Township Planning Commission shall review the proposed special land use in terms of the standards stated within this Ordinance and shall establish that such use and the proposed location:

- 1. Compatibility with the Master Plan: Will be harmonious and in accordance with the general objectives or any specific objectives of the Hamburg Township Master Plan.**

The following are some excerpts from the 2020 Hamburg Township Master Plan that apply to this site and the proposed project followed by Staff Analysis.

Hamburg Township Master Plan:

Land Use

Goal 3: Promote a mix of development types to manage sustainable growth.

Objective A: Provide an avenue to allow for a diversity in housing types to support the changing demographics, such as young professionals, empty nesters and the increasing elderly population.

Objective B: Encourage development that supports the aging population of the community, including aging in place, access to core services, and the expansion of necessary medical services.

Objective C: Provide an avenue for attainable housing.

Objective D: Encourage development in the Village Center area as indicated in the Village Center Master Plan.

Goal 4: Create a more visible identity for Hamburg Township and promote a sense of place within Hamburg Township.

Objective A: Encourage the development of the Village Center as indicated in the Village Center Master Plan.

Staff Analysis:

As stated in the section below the proposed development will not encourage the development of village center area as indicated in the VCMP. Allowing this large of a commercial storage facility on this site would decrease the opportunity for future residential build out as intended. This reduction would have an impact on the diversity of housing types able to be provided in the area and would reduce the possibilities for attainable housing within the Township.

Village Center Master Plan

The Future Land Use designation of the subject site is Village Residential 10 in the Village Center Master Plan.

“The purpose of the Village Residential Districts are to provide a variety of predominantly residential uses which include different housing opportunities while providing services such as parks, schools and convenience shops designed to encourage walking and biking minimizing the impact of the automobile. The intent is to create high quality residential neighborhoods, which are integrated with other neighborhoods, as well as other districts.”

Staff Analysis:

In know way will this proposed project meet the intent of the future land use designation on this property. The proposal is for a large storage facility and has not residential component at all. With almost 10 acres of the subject property being paved as a part of this project, the need for a large detention area for the storm water from the proposed paved area and the regulations for commercial project in the GI district to have a maximum of 75% lot coverage; even if the project proposed splitting the site to allow a portion of the property to be used for another project in the future (which the proposal as submitted does not), only a small portion of the lot (6.7 acre) would be available due to the size of the proposed storage facility.

There are also many portions of the Village Center Master Plan (VR-10) that the proposed project design does not follow; however because the use itself is incompatible with the VR-10 Future Land Use Designation of the VCMP, this report does not go into detail on all of the Village Center Master Plan regulations that this project does not adequately meet. But instead some of those items have been listed below:

- Street Layout- Streets should be connected to knit neighborhoods together, streets should be designed to link neighborhoods to major amenities.
- Residential Design- Development should be designed to provide a wide variety of residential living opportunities within a neighborhood, designed in this area should be predominantly residential in nature.

- Streetscape- Lighting, Street trees, pedestrian crossings and sidewalks should be provided along roadways.
 - Open Space- Neighborhood parks/plazes should be provided and linked to other open spaces amenities in the surrounding areas.
 - Site Planning and Building Type- Buildings and site development should contribute to a cohesive urban pattern, define and frame the public street and open space system, and reinforce the overall goal of creating a walkable district.
2. **Compatibility with Surrounding Area: Will able designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, will not change the essential character of the area, and will not be hazardous or disturbing to existing or future nearby uses. In determining whether a special land use will be compatible and not create a significant detrimental impact, as compared to the impacts of permitted uses, consideration shall be given to the degree of impact the special land use may have on adjacent property, as compared with the expected value to the community. The following types of impacts shall be considered:**
1. **Use activities, processes, materials, equipment or conditions of operation;**
 2. **vehicular circulation and parking areas;**
 3. **outdoor activity, storage and work areas;**
 4. **hours of operation;**
 5. **production of traffic, noise, vibration, smoke, fumes, odors, dust, glare, and light;**
 6. **impacts on adjacent property values; and**
 7. **the relative ease by which the impacts above will be mitigated.**

The subject site is 19.9 acres 9.88 acres of impervious surfaces is proposed as a part of the development of this project. The proposed storage facility will extend west on the site from Hall Road for 1360 feet. The outdoor storage area will be at the rear of the developed area starting approximately 840 west of hall road and extending for 440 feet.

The existing commercial developments of the properties to the north and south of the subject property extend no more than 500 feet from hall road.

The old Hamburg Elementary School site that has been approved for a 208 unit residential development will be directly north of the proposed project from 500 feet to 1400 feet from hall road. Because of the large scale of the proposed storage facility the proposed project will extend almost the entire length of the shared property line between the subject property and the old school site. Because of the outdoor storage is proposed to the rear (west side) of the proposed development and due to the elevation change from the north to the south in the area the proposed development will be highly visible from any future development of the old school property.

Example of a Storage Facility

(In this example you can see two row of 6 building the proposed facility will have two rows of 10 building)



Example of outdoor storage

(with parking isle of 60' (30' two wide) and drive isle of 20' this example would be 400 feet wide: The proposed outdoor storage area is 440 feet wide)



The project as proposed cannot be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, and will change the essential character of the area, and will be hazardous or disturbing to existing or future nearby uses.

- 3. Improvement to the Immediate Vicinity: Will be an improvement in relation to property in the immediate vicinity and to the Township as a whole.**

The subject site was the site of Hoskins Manufacturing. This site has been vacant for many years, there is a large foundation for the old Manufacturing building and a vacant/gutted 9800 square foot single story building with a brick

façade that remains on the site. This existing building will be used as a part of the storage facility. The site has undergone extensive environmental clean-up. The clean-up is now complete and the owners are looking to develop the site.

Existing vacant building on the site as seen from Hall Road



Although the project would reuse the existing building on the site, the large scale of the storage facility and the outdoor storage use would not be improvement in relation to the property in the immediate vicinity. Also because of the location of this site and the large scale of the storage facility on this property, the development would significantly reduce the area intended for more dense residential development near the old downtown village area. This would have an impact on future development of the area and could impact the viability of the revitalization effort for the old downtown village area as a whole and therefore further impact the vitality of the Township as a whole.

- 4. Impact of Traffic on the Street System: The location and design of the proposed special land use shall minimize the negative impact on the street system in consideration of items such as vehicle trip generation (i.e. volumes), types of traffic, access location and design, circulation and parking design, street and bridge capacity, traffic operations at proposed access points, and traffic operations at nearby intersections and access points. The Township may require submittal of a traffic impact study to ensure compliance with this standard. Such a traffic study shall be in accordance with standard practices and procedures, and prepared by a qualified traffic professional. The Township may require mitigation to maintain traffic operations at a level that is consistent with other types of permitted uses in the district. Route and operational restrictions (such as hours, cleaning of dust, or debris) may be established for construction traffic to minimize negative impacts.**

No traffic study has been submitted for this project. The project has been forwarded to the Livingston County Road Commission but as of the time this report was written no comments have yet been received from the LCRC.

As the parcel is not proposed to be split as a part of the submitted project, the development of the entire site needs to be considered in the review. The

proposed roadway along the north property line was suggested in the Village Center Master Plan to connect Livingston Street in the Village downtown area to Hall Road. Also the 208 unit multi-family development that has been approved on the property to the north (the old Hamburg Elementary School site) has extended roadway easement to the south property lines on that site to allow for future connections between the two sites. These connections allow for the residential block grid to be continued onto this site allowing for a more traditional village street pattern. The proposed street on the north side of the project does not extend the entire distance connecting the Village Downtown area to Hall Road. The proposed roadway easement does extend to the north property line which as long as this roadway easement is required to be open to the public and used to connect to the property to the north would allow any future project built on the old Hamburg Elementary school site to extend roadway connections to this roadway.

5. **Impact on the Overall Environment: The proposed special land use shall not have an unacceptable significant adverse effect on the quality of the natural environment in comparison to the impacts associated with typical permitted uses. The Planning Commission may require a quantitative comparison of the impacts of typical permitted uses and the special land use to assist in making this determination (such as an overlay of conceptual development plans, on a natural features map, illustrating other site development options to demonstrate the impacts have been minimized to the extent practical). If the cumulative impact creates or contributes to a significant environmental problem, mitigation shall be provided to alleviate the impacts associated with the environmental problem, mitigations shall be provided to alleviate the impacts associated with the requested use.**

The subject site was the location of the Hoskins Manufacturing plant. There is currently a 9,600 square foot vacant/gutted building on the east portion of the site and a large concrete foundation where the old Plant building used to be located. Although there is a slight elevation change between the subject site and the sites to the north (6-8 feet) most of the area proposed as part of the storage facility use is relatively flat and devoid of much significant vegetation.

6. **Public Services Impact: Will be served adequately by essential public services and facilities or that the persons responsible for the establishment of the proposed use will provide adequately any such service or facility, will not create excessive additional public costs and will not be detrimental to the economic welfare of the Township. Public facilities shall include, but not be limited to: streets, pedestrian or bicycle facilities, police and fire protection, drainage systems, water and sewage facilities, and schools.**

See review of the proposed roadway under Special Use Permit Standard 4 on page 9. Also the Village Center Master Plan requires sidewalks, street trees, lighting, and pedestrian crossings along roadways within the village residential-10 areas to create a common design feature that would visually connects the Village area. This also allow for pedestrian connections through this site from Livingston Street in the Village Downtown to Hall Road.

The proposed drainage will be review as a part of the site plan review by the Township Engineer. The proposed water and sewage facilities will also need to be approved prior to any permit for the project on the site.

The project plans and documents have been sent to the Hamburg Township Police, Fire, Engineering Departments, the Livingsston County Drainage Commission, and Public Health Department for review.

7. Compliance with Zoning Ordinance Standards: Will be consistent with the intent and purposes of this Ordinance and be designed, constructed, operated, and maintained to meet the stated intent of the zoning district.

See the review of the Administrative Zoning Regulations on page 4 of this report. Although the proposed project is designed or could be designed to meet most of the administrative zoning regulations (setbacks, heights, lighting, signage, ext..) staff believes that the proposed project does not meet the discretionary review standards for the Special Use Permit(section 36-36 (c)) or Site Plan Review (36-73(7)).

RECOMMENDATIONS:

Staff recommend the Planning Commission review, discuss and make a determination on the Special Use Permit (SUP22-001) to allow the Storage facility with 113,180 square foot of indoor area space and 145,180 square foot for additional outdoor storage space on parcel 15-25-400-014 at 10776 Hall Road.

Staff suggests the Planning Commission deny the Special Use Permit as it does not meet the special use permit standards 1, 2,3 and 5 as stated in the staff report and presented on pages 5-11 of the staff report.

Example Denial Motion:

The Planning Commission denies the Special Use Permit 22-001 to allow the storage facility as presented on parcel 15-25-400-014 at 10776 Hall Road. Due to the location of the site and because of the size and scale of the project proposed; this project would not be harmonious and in accordance with the general objectives or any specific objectives of the Master Plan, would not meet the intent of the Village Center Master Plan, would not be able to be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, would change the essential character of the area, would be hazardous or disturbing to existing or future nearby uses, and would not be an improvement in relation to property in the immediate vicinity and to the Township as a whole. The proposed project would therefore not meet the Special Land Use standards in section 36-36 (c) (1, 2, 3, and 5) as discussed at tonight's meeting and as presented in the Staff Report.

If the Planning Commission finds that the Special Use Permit does meet the Standards in section 36-36 (c)(1-8) they should discuss how they believe the project meet each of these standard and make a motion to approve the project. Because the special use permit requires a site plan, the proposed approval should be linked to the site plan approval for the project.

Approval Motions:

SUP 21-001 Approvals Motion Example:

The Planning Commission approves the Special Use Permit 22-001 to allow the storage facility as presented because the proposed project will meet the zoning regulations and the special use permit standards under section 36-36 (c)(1-8) as discussed at tonight Planning Commission meeting and with the following condition.

Conditions of Approval:

Condition 1: The Special Use Permit approval is only valid with the approval of the final site plan for the project.

Site Plan Review

The proposed preliminary site plan is for a specific use that requires a Special Use Permit through the Township Zoning Ordinance, if the Planning Commission does not approve the Special Use Permit the review of the site plan is not necessary. If the special use permit is approved by the Planning Commission a condition of project approved that the Special Use Permit is only allowed with site plan approval should be required.

The project is for a preliminary site plan review; therefor, a complete set of project plans and other required documents (i.e. natural features impact statement, drainage calculations, traffic studies) have not yet been submitted and are only required as a part of the final site plan review. The preliminary site plans should illustrate existing site features, lot dimensions, general footprints for proposed buildings, parking, and other improvements to the site, and relationship to adjacent land uses. The Planning Commission should review these preliminary plans to verify that the lot layout is appropriate for the site and would have minimal impacts on the neighboring properties.

Below are the Standards for Site Plan Review under section 36-73(7)

Standards for Site Plan Review.

- A. The proposed development conforms to all provisions of the Zoning Ordinances.**
- B. All required information has been provided.**
- C. The movement of vehicular and pedestrian traffic within the site and in relation to access streets and sidewalks will be safe and convenient.**
- D. The proposed development will be harmonious with existing and future uses in the immediate area and the community.**
- E. The proposed development provides the necessary infrastructure improvements, such as roads, drainage, pedestrian facilities and utilities, to serve the site, and be adequately coordinated with the current and future use of adjacent properties.**
- F. The applicable requirements of Township, County and State agencies are met regarding grading and surface drainage and for the design and construction of storm sewers, storm water holding facilities, water mains, and sanitary sewers.**

- G. Natural resources will be preserved to the maximum extent possible in the site design by developing in a manner which will not detrimentally affect or destroy natural features such as lakes, ponds, streams, wetlands, steep slopes, and woodlands.**
- H. The proposed development shall respect the natural topography to the maximum extent possible by minimizing the amount of cutting, filling, and grading required.**
- I. The proposed development will not cause soil erosion or sedimentation.**
- J. Landscaping, including trees, shrubs and other vegetative material is provided to maintain, improve and/or restore the aesthetic quality of the site.**
- K. Conformance to the adopted Hamburg Township Engineering and Design Standards.**
- L. All proposed commercial, office, industrial, institutional and multiple family development shall utilize quality architecture to ensure that buildings are compatible with surrounding uses, protect the investment of adjacent landowners, blend harmoniously into the streetscape and meet the objectives the Township Master Plan. New buildings, additions and renovations shall be designed to preserve or complement the design character of existing development provide visual harmony between old and new buildings, and create a positive image for the Township's various commercial shopping nodes. Commercial, office, industrial, institutional and multiple family architecture shall be reviewed by the Planning Commission under the following criteria:**
 - 1. Buildings shall front towards and relate to the public street. Buildings shall be located to create a define streetscape through uniform setbacks and proper relationship to adjacent structures. Proper relationship to existing structures in the area shall be maintained through building mass, proportion, scale, roof line shapes and rhythm. Buildings within the area designated on the M-36 Corridor Plan/Master Plan as the "Hamburg Village" shall be compatible with the historic character of the unincorporated place commonly referred to as the "Old Hamburg Village."**
 - 2. Building materials and colors shall relate well and be harmonious with the surrounding area. Roof shape and materials shall be architecturally compatible with adjacent buildings and enhance the predominant streetscape. For any side of a principal building facing a public or private street, at least fifty percent (50%) of the facade shall be constructed of, or covered with, the following materials:**
 - a. Brick;**

- b. **Fluted or scored concrete block;**
 - c. **Cut stone;**
 - d. **Vinyl siding;**
 - e. **Wood siding;**
 - f. **Glass; or,**
 - g. **Other materials similar to the above as determined by the Planning Commission.**
3. **Buildings shall possess architectural variety, but enhance the overall cohesive community character. Buildings shall provide architectural features, details and ornaments such as archways, colonnades, towers, cornices or peaked roof lines.**
 4. **Building walls over 100 feet in length shall be broken up with a combination of the following: varying building lines, windows, architectural accents and trees.**
 5. **Building entrances shall utilize windows, canopies and awnings; provide unity of scale, texture, and color; and provide a sense of place.**
 6. **Where the rear facade of a building will be visible from a residential zoning district, or the rear of the site will be used for public access or parking, such rear facade shall be constructed to a finished quality comparable to the front facade.**
 7. **Signs, landscaping, lighting and other site elements shall be coordinated and compatible with the building design, as well as harmonious with other nearby developments. Developments shall provide site features such as decorative entry signs, ornamental lighting, pedestrian plazas and/or pedestrian furniture.**

RECOMMENDATIONS:

If the Planning Commission approved the Special Use Permit (22-001) to allow the Storage Facility and Outdoor Storage they should review, discuss and make a recommendation to the Township Board on the Preliminary Site Plan (SPA22-001).

Approval Motion:

Preliminary SPA21-001 Approval Motion:

The Planning Commission recommend approval of the preliminary site plan (SPA22-001) to the Township Board because the general layout of the project and the improvement proposed to the site are appropriate for the site and would have minimal impacts on the adjacent properties. The developer will need to submit all of the required information for final site plan approval for the Planning Commission to further review the project and make a recommendation to the Township Board that the final site plan meets the site plan review standers A-I in section 36-73 in the Township zoning ordinance.

EXHIBITS:

Exhibit A: Storage Facility Project Plan

Exhibit B: Application Materials

Exhibit C: Hamburg Township Planning and Zoning Department Completeness Review Letter

Exhibit D: Hamburg Township Fire Department Comments

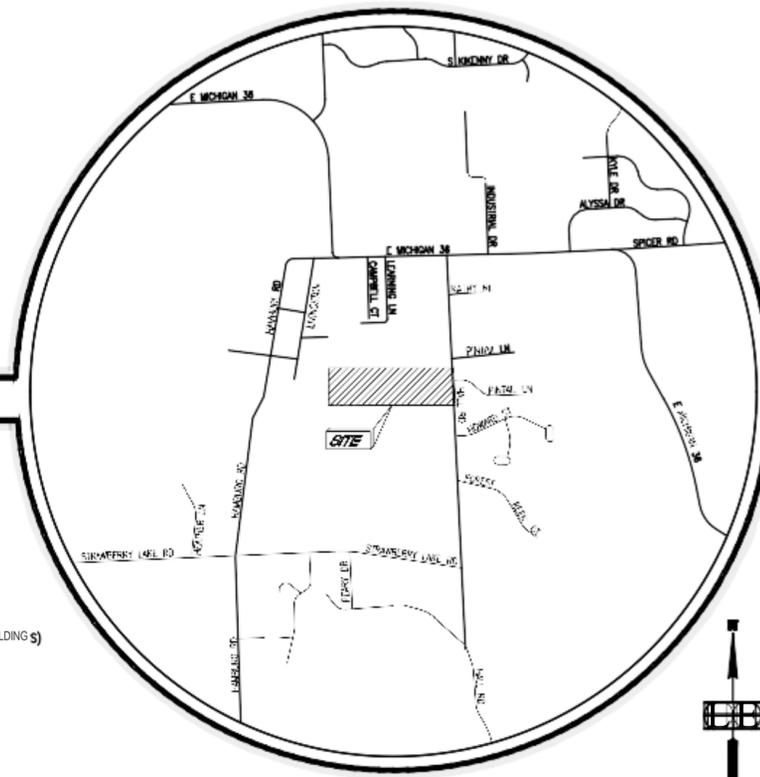
Exhibit E: Hamburg Township Engineering Comments

Exhibit F: Livingston County Road Commission Comments

PRELIMINARY SITE PLAN FOR STORAGE FACILITY

PARCEL ID# 4715-25-400-014
10776 HALL ROAD

HAMBURG TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN



LOCATION MAP
SCALE: 1" = 1,000 FEET

SITE DATA TABLE

	REQUIRED	PROVIDED
LOT AREA	87,120 SF (min)	19.95 AC. (869,044 SF)
LOT WIDTH	200 FT (min)	469.81 FT
LOT COVERAGE BUILDINGS	40% MAX	118,278 SF/869,044 SF= 13.6%
% IMPERVIOUS SURFACE AREA	75% MAX	430,808 SF/869,044 SF = 49.6%
BUILDING SETBACKS:	REQUIRED	PROVIDED
FRONT	50 FT	50 FT (0 FT FOR EX. BUILDING, 50 FT REMAINDER OF BUILDING(S))
SIDE	20 FT	20 FT
REAR	25 FT	25 FT
BUILDING DATA:	REQUIRED	PROVIDED
FLOORS	3 MAX	1
BUILDING HEIGHT	40 FT MAX	

LEGAL DESCRIPTION (AS SURVEYED)

SITUATED IN THE TOWNSHIP OF HAMBURG, COUNTY OF LIVINGSTON, STATE OF MICHIGAN.
(AS PROVIDED BY CISLO TITLE COMPANY, COMMENT NO. 16-81816, EFFECTIVE DATE: SEPTEMBER 26, 2016 @ 8:00 AM)

COMMENCING AT THE CENTER OF SECTION 25, TOWNSHIP 1 NORTH, RANGE 5 EAST, HAMBURG TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN, THENCE NORTH 89 DEGREES 36 MINUTES 40 SECONDS EAST 1329.54 FEET ALONG THE EAST AND WEST 1/4 LINE OF SAID SECTION (AS MONUMENTED) TO A POINT ON THE CENTERLINE OF HALL ROAD, THENCE SOUTH 00 DEGREES 40 MINUTES 00 SECONDS EAST 200.00 FEET ALONG SAID CENTERLINE TO THE POINT OF BEGINNING, THENCE CONTING SOUTH 00 DEGREES 45 MINUTES 00 SECONDS EAST 669.76 FEET ALONG SAID CENTERLINE, THENCE NORTH 89 DEGREES 59 MINUTES 00 SECONDS WEST 1546.83 FEET, THENCE NORTH 65 DEGREES 28 MINUTES 00 SECONDS WEST 270.48 FEET, THENCE NORTH 12 DEGREES 44 MINUTES 40 SECONDS EAST 66.00 FEET, THENCE NORTH 89 DEGREES 15 MINUTES 10 SECONDS WEST 100.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF LIVINGSTON STREET, THENCE NORTH 12 DEGREES 43 MINUTES 10 SECONDS EAST 289.84 FEET TO THE NORTHWEST CORNER OF LOT 23 OF JONES' ADDITION TO THE VILLAGE OF HAMBURG, LIVINGSTON COUNTY, MICHIGAN, AS RECORDED IN LIBER 1 OF PLATS ON PAGE 11, LIVINGSTON COUNTY RECORDS, THENCE SOUTH 89 DEGREES 44 MINUTES 00 SECONDS EAST 132.00 FEET ALONG THE NORTH LINE OF SAID LOT TO THE NORTHEAST CORNER OF LOT 23, THENCE NORTH 12 DEGREES 43 MINUTES 10 SECONDS EAST 132.00 FEET, THENCE SOUTH 89 DEGREES 44 MINUTES 20 SECONDS EAST 198.00 FEET, THENCE SOUTH 10 DEGREES 04 MINUTES 00 SECONDS WEST 180.22 FEET, THENCE NORTH 89 DEGREES 26 MINUTES 20 SECONDS EAST 1470.96 FEET TO THE POINT OF BEGINNING, SAID PARCELS BEING LOT 23 OF SAID JONES' ADDITION TO THE VILLAGE OF HAMBURG, AND OTHER LAND IN THE SOUTH 1/2 OF SECTION 25, TOWNSHIP 1 NORTH, RANGE 5 EAST, HAMBURG TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN.

SHEET INDEX

- COVER SHEET
- EXISTING CONDITIONS & REMOVALS
- SITE LAYOUT PLAN
- GRADING & SESC PLAN
- DETAILS
- LANDSCAPE PLAN

LEGEND

	EXISTING	PROPOSED
SPOT GRADE	~000.00~	~1000.00~
CONTOUR	-000-	—
SANITARY SEWER	---S--- SAN	---S--- SAN
STORM SEWER	---S--- ST	---S--- ST
WATER	W	W
OVERHEAD	---T---	---
FENCE	X	X
GAS	GAS	GAS
ELECTRIC	E	E
DRAINAGE AREA BOUNDARY	---	---
LIMITS OF DISTURBANCE	---	---
SILT FENCE	---	SF
SIGN		
LIGHT POLE	⊙	
UTILITY POLE	⊙	
DECIDUOUS TREE	⊙	
GATE VALVE IN WELL	⊙	

OWNER/DEVELOPER

LAKELAND BUILDING CONCEPTS
6060 KRESS ROAD
P.O. BOX 681
LAKELAND, MI 48143
PHONE: (734) 210-8848

SITE DATA & GENERAL NOTES

- PROPERTY IS ZONED: GI - GENERAL INDUSTRIAL
- CONTRACTOR IS RESPONSIBLE FOR PROTECTING ALL EXISTING AND PROPOSED UTILITIES FROM DAMAGE DURING ALL STAGES OF CONSTRUCTION.
- THE ENGINEER AND APPLICABLE AGENCY MUST APPROVE, PRIOR TO CONSTRUCTION, ANY ALTERATION, OR VARIANCE FROM THESE PLANS.
- UNDERGROUND DRY UTILITIES SHALL BE EXTENDED FROM EXISTING LOCATIONS TO SERVICE THIS SITE AS REQUIRED BY UTILITY COMPANIES.
- ALL CONSTRUCTION SHALL BE PERFORMED IN ACCORDANCE WITH THE CURRENT STANDARDS AND SPECIFICATIONS OF HAMBURG TOWNSHIP AND LIVINGSTON COUNTY.
- THREE WORKING DAYS PRIOR TO ANY EXCAVATION, THE CONTRACTOR SHALL TELEPHONE MISS DIG (800-482-7171) FOR THE LOCATION OF UNDERGROUND UTILITIES AND SHALL ALSO NOTIFY REPRESENTATIVES OF OTHER UTILITIES LOCATED IN THE VICINITY OF THE WORK. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY AND/OR OBTAIN ANY INFORMATION NECESSARY REGARDING THE PRESENCE OF UNDERGROUND UTILITIES WHICH MIGHT AFFECT THIS JOB.
- EXISTING PROPERTY USE: VACANT
- PROPOSED PROPERTY USE: STORAGE FACILITY
- SOLAR POWERED WALL PACKS TO BE USED FOR PROPOSED LIGHTING IN ACCORDANCE TO HAMBURG TOWNSHIP STANDARDS.
- WALL PACKS TO BE INSTALLED BY THE EXISTING BUILDING ENTRANCES IN ACCORDANCE TO HAMBURG TOWNSHIP STANDARDS.

PARKING CALCULATIONS

REQUIRED PARKING PER ORDINANCE	PROVIDED PARKING
NOT AVAILABLE FOR OUTSIDE STORAGE	
TOTAL SPACES PROPOSED:	= 16 SPACES INCL. 1 BARRIER FREE SPACES

UTILITY DISCLAIMER

Know what's below. Utilities as shown indicate approximate location of facilities. Utility companies should be contacted for the completeness or accuracy thereof. Contractor shall call MISS DIG (1-800-482-7171) prior to the start of construction. Electric, gas, phone and television companies should be contacted prior to the commencement of field activities.

ENGINEER

LIVINGSTON ENGINEERING
CIVIL ENGINEERING SURVEYING PLANNING
3300 S. OLD U.S. 23, BRIGHTON, MI 48114
www.livingstoneng.com PHONE: (810) 225-7100 FAX: (810) 225-7699

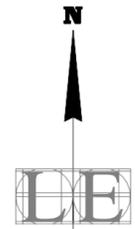
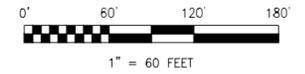
STORAGE FACILITY
HAMBURG TOWNSHIP
LIVINGSTON COUNTY, MICHIGAN
SITE PLAN

ENGINEER'S SEAL

Professional Engineer Seal for Livingston Engineering, Inc. License No. 075281, State of Michigan. The seal includes the text 'LIVINGSTON ENGINEERING, INC.', 'CIVIL ENGINEER', 'No. 075281', 'STATE OF MICHIGAN', and 'L. J. ...'.

REVISIONS	DATE	PROJECT No.19139
		SHEET 1 OF 6
		DATE: JUNE 17, 2022

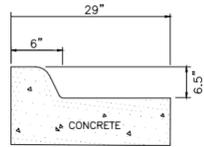
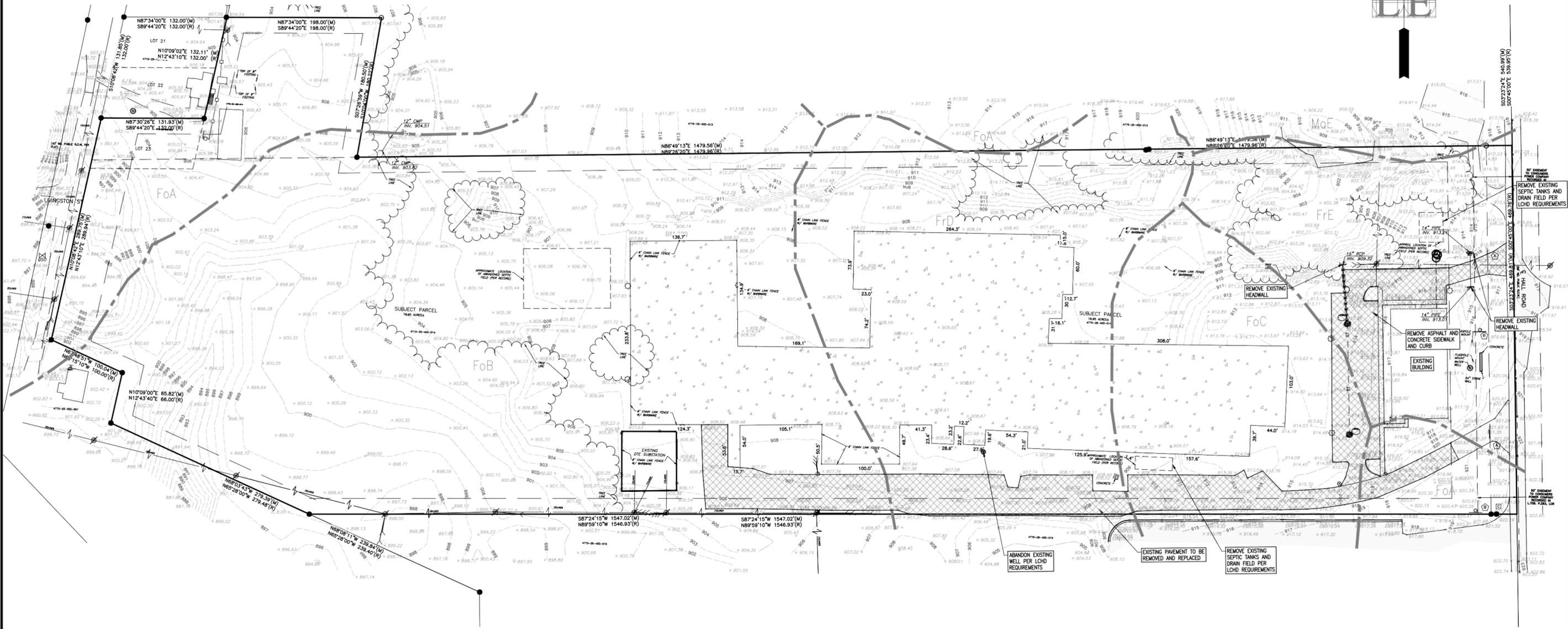
EXISTING CONDITIONS AND REMOVAL PLAN



BENCHMARK #300
BENCH TIE IN THE N.
SIDE OF A WOODEN
LIGHT POLE
ELEVATION= 910.02

BENCHMARK #301
'X' ON THE TOP CENTER
OF CONCRETE WALL
ELEVATION= 916.30

BENCHMARK #302
BENCH TAG ON THE N.
SIDE OF UTILITY POLE
ELEVATION= 908.76



SIGN TABLE

	STOP
	GAS SIGN

LEGAL DESCRIPTION (AS SURVEYED)

SITUATED IN THE TOWNSHIP OF HAMBURG, COUNTY OF LIVINGSTON, STATE OF MICHIGAN.

(AS PROVIDED BY CISLO TITLE COMPANY, COMMITMENT NO. 16-81816; EFFECTIVE DATE: SEPTEMBER 26, 2016 @ 8:00 AM)

COMMENCING AT THE CENTER OF SECTION 25, TOWNSHIP 1 NORTH, RANGE 5 EAST, HAMBURG TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN, THENCE NORTH 89 DEGREES 36 MINUTES 40 SECONDS EAST 1328.54 FEET ALONG THE EAST AND WEST 1/4 LINE OF SAID SECTION (AS MONUMENTED) TO A POINT ON THE CENTERLINE OF HALL ROAD, THENCE SOUTH 00 DEGREES 45 MINUTES 00 SECONDS EAST 538.98 FEET ALONG SAID CENTERLINE TO THE POINT OF BEGINNING, THENCE CONTINUING SOUTH 00 DEGREES 45 MINUTES 00 SECONDS EAST 488.76 FEET ALONG SAID CENTERLINE, THENCE NORTH 89 DEGREES 59 MINUTES 10 SECONDS WEST 1546.93 FEET; THENCE NORTH 65 DEGREES 29 MINUTES 00 SECONDS WEST 279.48 FEET; THENCE NORTH 12 DEGREES 43 MINUTES 40 SECONDS EAST 160.00 FEET; THENCE NORTH 45 DEGREES 16 MINUTES 10 SECONDS WEST 100.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF LIVINGSTON STREET; THENCE NORTH 12 DEGREES 43 MINUTES 10 SECONDS EAST 289.94 FEET TO THE NORTHWEST CORNER OF LOT 23 OF "SONES" ADDITION TO THE VILLAGE OF HAMBURG, LIVINGSTON COUNTY, MICHIGAN, AS RECORDED IN LIBER 1 OF PLATS ON PAGE 11, LIVINGSTON COUNTY RECORDS; THENCE SOUTH 89 DEGREES 44 MINUTES 20 SECONDS EAST 132.00 FEET ALONG THE NORTH LINE OF SAID LOT TO THE NORTHEAST CORNER OF LOT 23; THENCE NORTH 12 DEGREES 43 MINUTES 10 SECONDS EAST 132.00 FEET; THENCE SOUTH 89 DEGREES 44 MINUTES 20 SECONDS EAST 178.00 FEET; THENCE SOUTH 10 DEGREES 04 MINUTES 00 SECONDS WEST 180.22 FEET; THENCE NORTH 89 DEGREES 36 MINUTES 40 SECONDS EAST 1478.86 FEET TO THE POINT OF BEGINNING SAID PARCELS BEING LOT 23 OF SAID "SONES" ADDITION TO THE VILLAGE OF HAMBURG AND OTHER LAND IN THE SOUTH 1/2 OF SECTION 25, TOWNSHIP 1 NORTH, RANGE 5 EAST, HAMBURG TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN.

N.R.C.S. SOIL SURVEY - CLASSIFICATIONS

FoA Fox sandy loam, 0 to 2 percent slopes
 FoB Fox sandy loam, 2 to 6 percent slopes
 FoC Fox sandy loam, 6 to 12 percent slopes
 FoD Fox-Boyer complex, 12 to 18 percent slopes
 FoE Fox-Boyer complex, 18 to 25 percent slopes
 MoE Miami loam, 18 to 25 percent slopes

EXISTING STORM SEWER SCHEDULE

STR #	TYPE	DIA	RIM ELEV	INVERT DATA
cb01	CATCH BASIN (PRECAST)	2'	914.54	8" PVC INV. 911.69 N. T/WATER 911.69 BOTTOM 911.19
cb02	CATCH BASIN (PRECAST)	2'	912.67	15" RCP INV. 910.17 NNW. 8" PVC INV. 910.27 S. BOTTOM 910.17 FULL OF CONCRETE NEEDS TO BE REPAIRED

NOTE:
TOPOGRAPHIC SURVEY DONE BY LIVINGSTON ENGINEERING ON APRIL 6, 2019.
BEARINGS ARE BASED ON GRID NORTH, MICHIGAN STATE PLANE COORDINATE SYSTEM, "SOUTH ZONE" BY RTK GPS OBSERVATIONS, ELEVATIONS ARE BASED UPON NAVD86 DATUM FROM RTK GPS OBSERVATIONS.

Job No.	19139	Drawn	JMC	Checked	DL	Approved	DL	Date	06/17/2022
Scale:		Vertical:		Horizontal:					

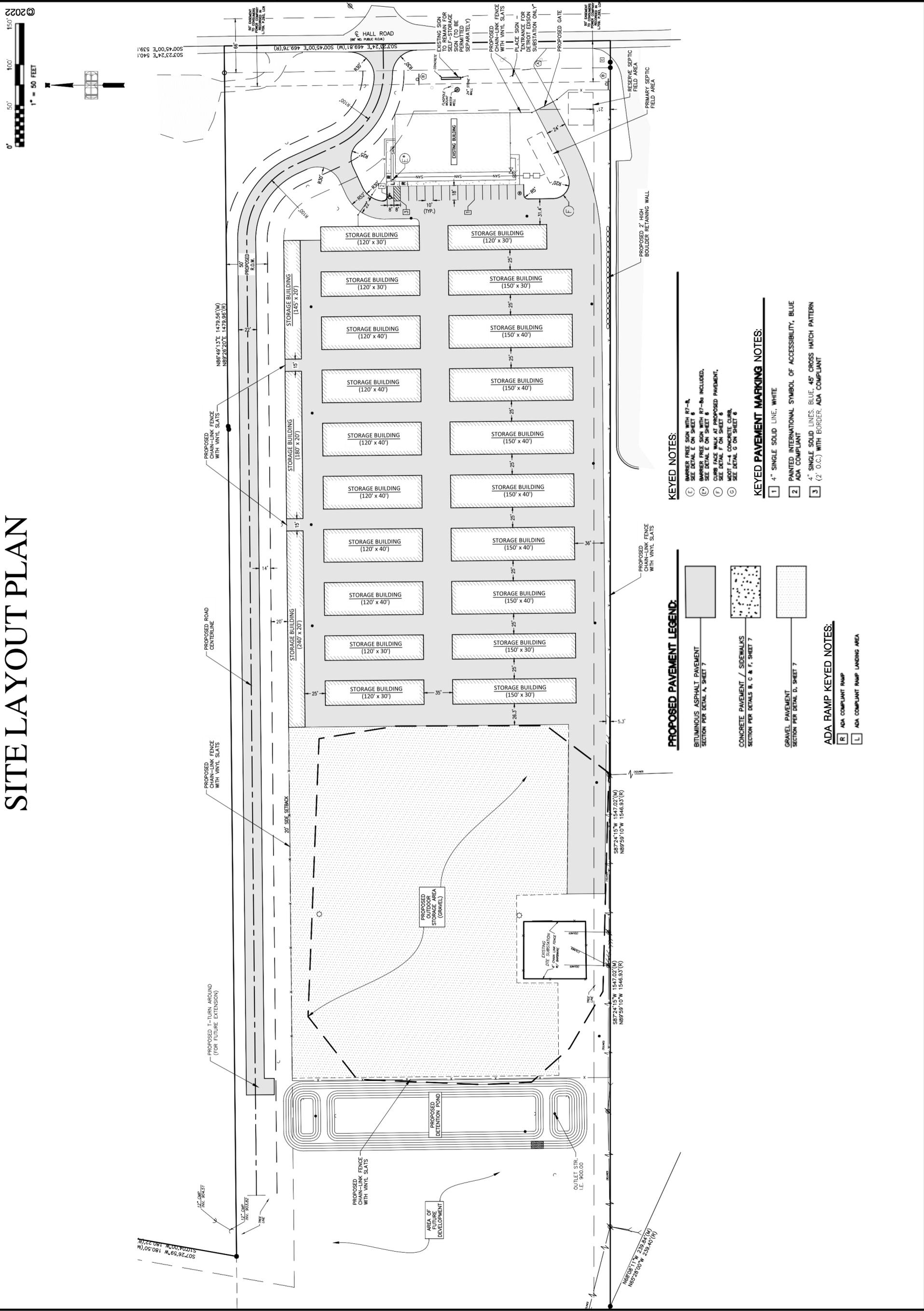
STORAGE FACILITY
 HAMBURG TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN
 PRELIMINARY SITE PLAN
 EXISTING SITE CONDITIONS

Client
LAKELAND BUILDING CONCEPTS
 9880 LIVINGSTON ROAD
 P.O. BOX 631
 LAKELAND, MI 48143
 PHONE (734) 216-5948



LIVINGSTON ENGINEERING
 CIVIL ENGINEERING SURVEYING PLANNING
 3300 S. OLD U.S. 23, BRIGHTON, MI 48114
 PHONE: (810) 225-7100 FAX: (810) 225-7699

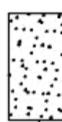
SITE LAYOUT PLAN



KEYED NOTES:

- Ⓔ BARRIER FREE SIGN WITH R7-A. SEE DETAIL E ON SHEET 6
- Ⓕ BARRIER FREE SIGN WITH R7-Ba INCLUDED. SEE DETAIL E ON SHEET 6
- Ⓖ CURB FACE MARK AT PROPOSED PAVEMENT. SEE DETAIL F ON SHEET 6
- Ⓖ MDOT F-4 CONCRETE CURB. SEE DETAIL G ON SHEET 6

PROPOSED PAVEMENT LEGEND:

-  BITUMINOUS ASPHALT PAVEMENT SECTION PER DETAIL A, SHEET 7
-  CONCRETE PAVEMENT / SIDEWALKS SECTION PER DETAILS B, C & F, SHEET 7
-  GRAVEL PAVEMENT SECTION PER DETAIL D, SHEET 7

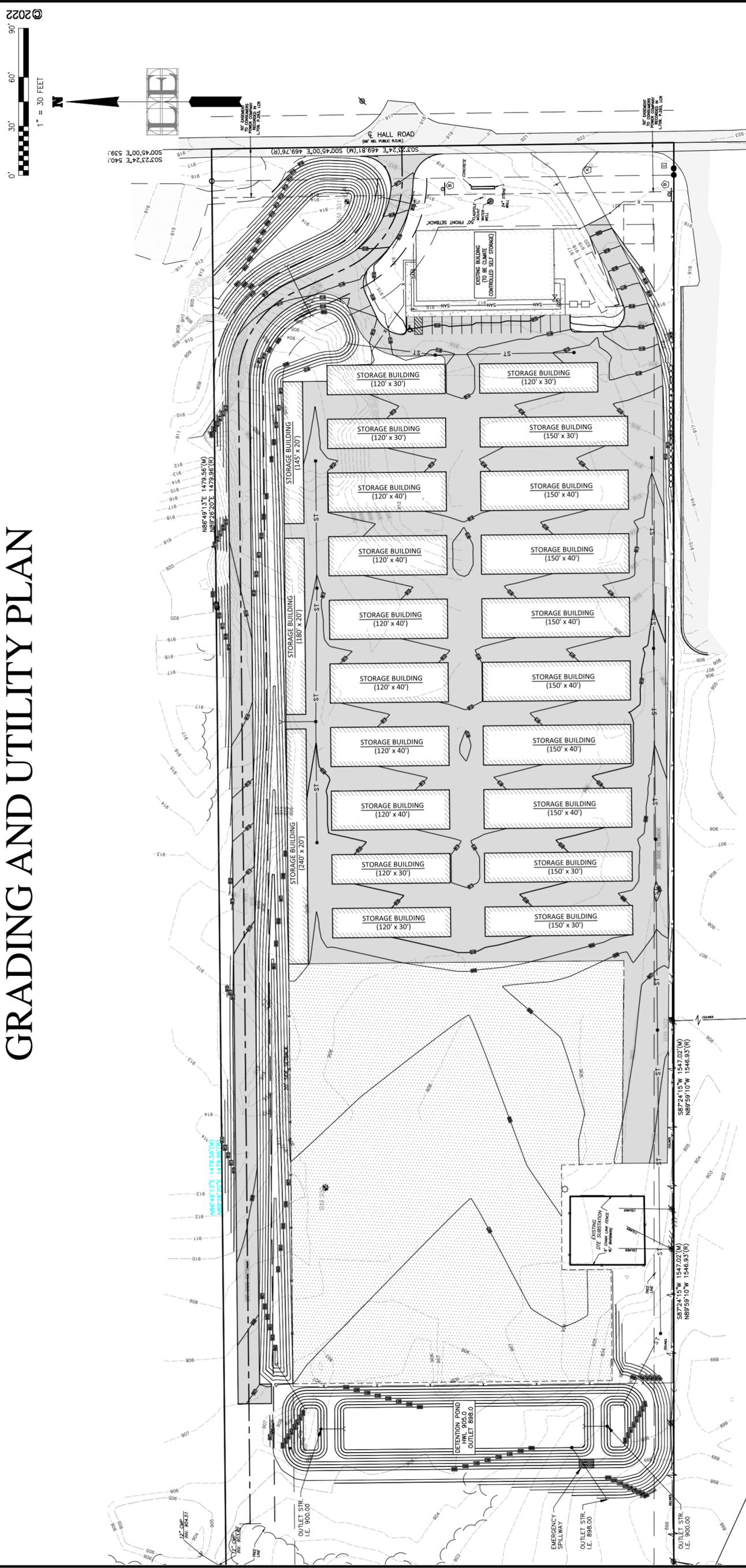
KEYED PAVEMENT MARKING NOTES:

- 1 4" SINGLE SOLID LINE, WHITE
- 2 PAINTED INTERNATIONAL SYMBOL OF ACCESSIBILITY, BLUE ADA COMPLIANT
- 3 4" SINGLE SOLID LINES, BLUE, 45° CROSS HATCH PATTERN (2' O.C.) WITH BORDER, ADA COMPLIANT

ADA RAMP KEYED NOTES:

- R ADA COMPLIANT RAMP
- L ADA COMPLIANT RAMP LANDING AREA

GRADING AND UTILITY PLAN



SPOT GRADE ABBREVIATIONS LIST

- TP = TOP OF PAVEMENT
- TW = TOP OF WALK
- EM = EDGE OF METAL
- BC = BACK CURB
- U = UNDER GRADE
- EX = EXISTING GRADE

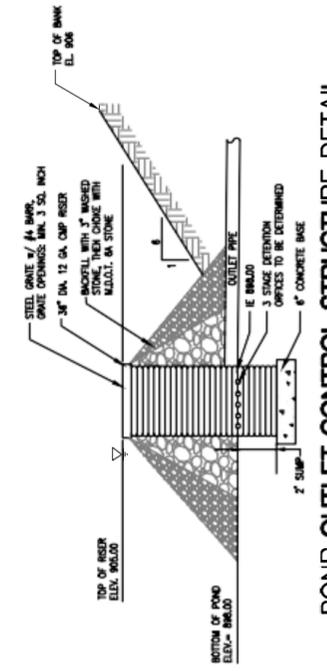
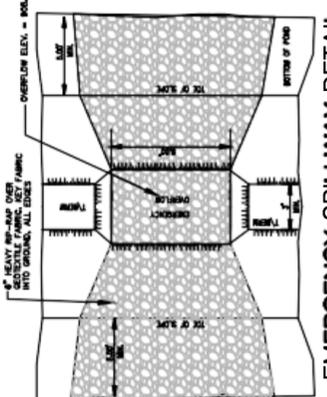
GENERAL UTILITY NOTES:

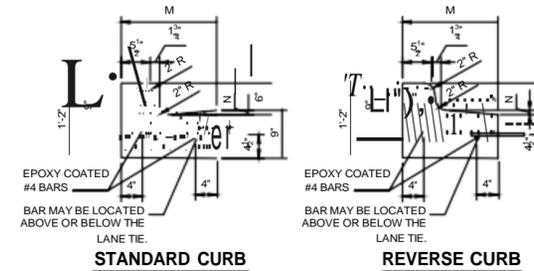
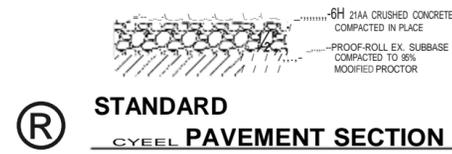
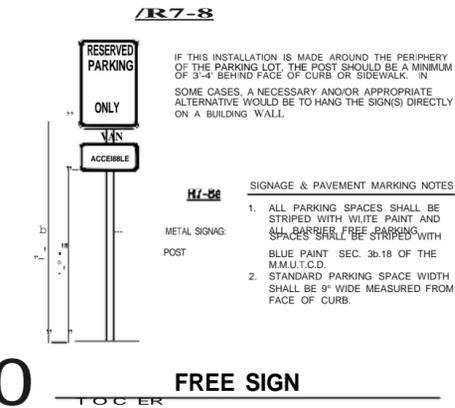
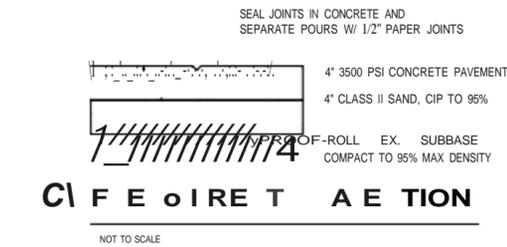
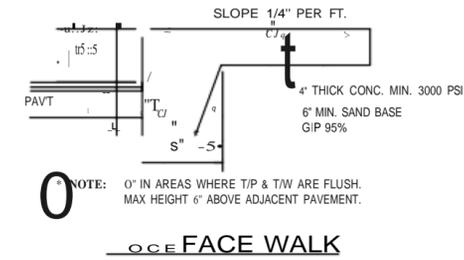
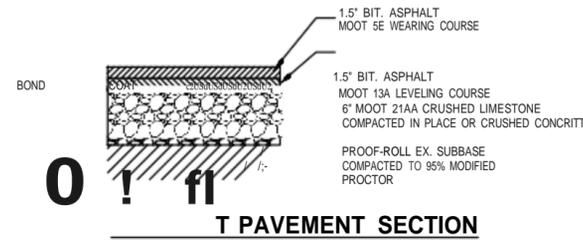
1. SOLAR POWERED WALL PACKS TO BE USED FOR PROPOSED LIGHTING IN ACCORDANCE TO HAMBURG TOWNSHIP STANDARDS.
2. WALL PACKS TO BE INSTALLED BY THE EXISTING BUILDING ENTRANCES IN ACCORDANCE TO HAMBURG TOWNSHIP STANDARDS.

II.D	Determination and Head Control Volume	Value
II.D.1	Allowable Release Rate, Q_{max}	0.55 cfs/ft
II.D.2	Allowable 100-year Post-Development Peak Flow Rate, Q_{peak}	8.00 cfs
II.D.3	Allowable 100-year Post-Development Runoff Volume, V_{max}	154,262 cfs
II.D.4	100-Year Peak Inflow Rate, Q_{peak}	13 MFD
II.D.4.a	100-Year Peak Inflow Rate, Q_{peak}	6.31 cfs/ft
II.D.4.b	100-Year Peak Rainfall Intensity, I_{100}	6.31 in/hr
II.D.4.c	Storage Curve Factor, R	6.00 cfs
II.D.5	Storage Curve Factor, R	U 5.10
II.D.6	100-Year Detention Basin Size, V_{det}	100,000 cfs
	Key Ratio: V_{det} / V_{max}	0.65

II	MINIMUM VOLUME REQUIREMENTS	Value
II.A	Water Quality Volume	5,572 cf
II.A.1	Site Runoff from the 1" Rainfall Event, $V_{1"$	37,451 cf
II.A.2	Storage for Storage of 1.5" of Rainfall	5,572 cf
II.B	Channel Protection Volume Control (CPVC)	48,203 cf
II.C	Channel Protection Rate Control (CPRC), Extended Detention	U
II.C.1	Site Runoff from a 1.5" Rainfall Event, $V_{1.5"$	70,551 cf
II.C.2	Storage Volume for Detention	0.1 cf

I	SITE DATA	Value
I.A	Area of Surface	11.92 ac
I.B	Area of Concrete Pavement	0.2 ac
I.C	Area of Gravel	0.2 ac
I.D	Total Area of Impervious Surface	12.12 ac
I.E	Impervious Runoff Coefficient	0.71

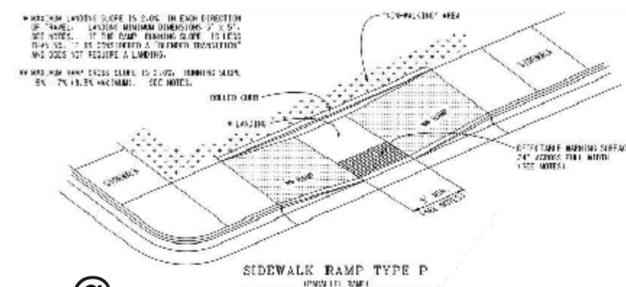




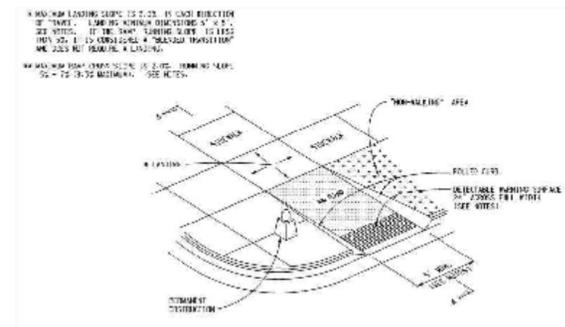
TO BE USED ON-SITE -

DETAIL	WIDTH	DEPTH	LANE	CONCRETE
	M	N	YES	CU. YD. / LIN. FT.
F1	1'-0"	7"	AS SHOWN	0.0484
F2	1'-0"	7"	OMITTED	0.0484
F3	2'-0"	13"	AS SHOWN	0.0810
F4	2'-0"	13"	OMITTED	0.0810
F5	2'-0"	13"	AS SHOWN	0.0737
F6	2'-0"	13"	OMITTED	0.0737

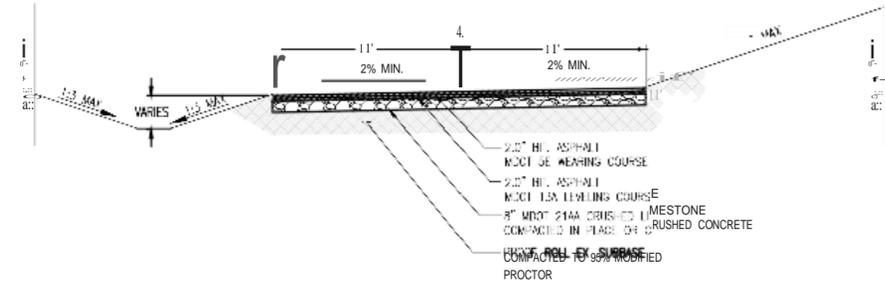
TO BE USED IN ENTRANCE R.O.W.



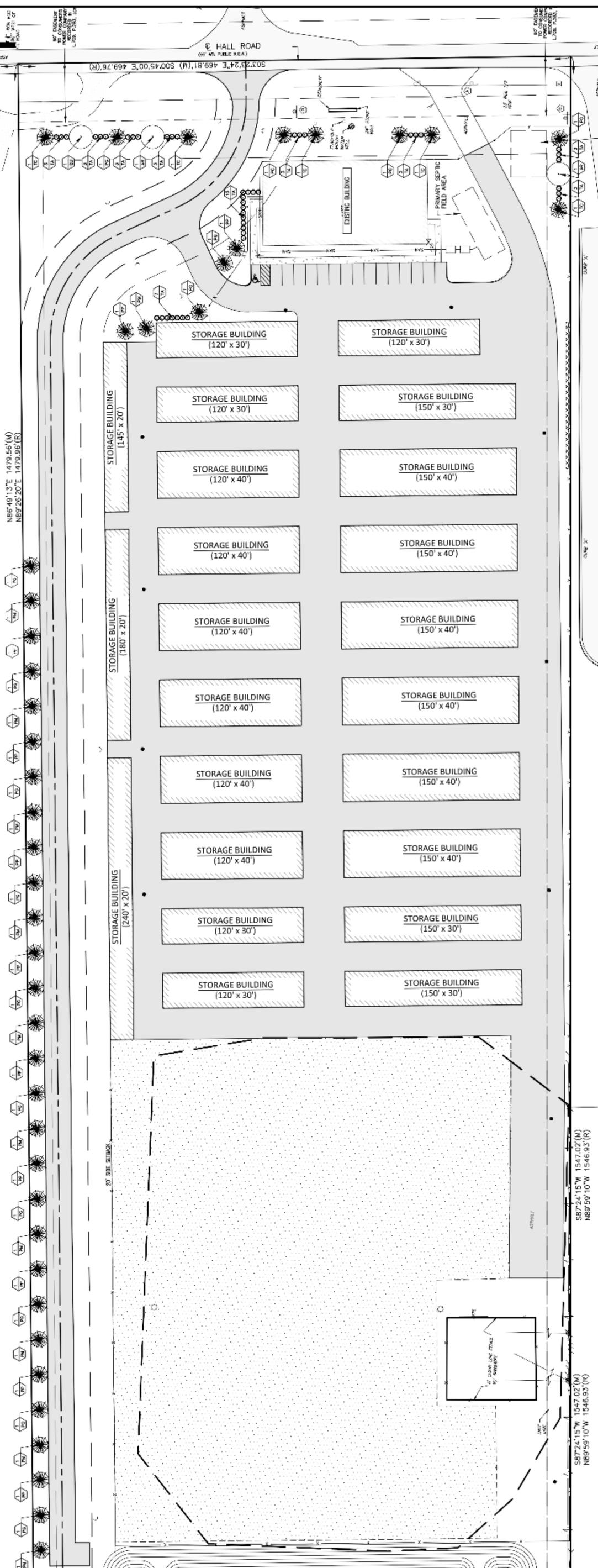
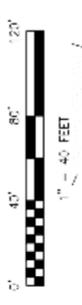
@ J?o; ALK RAMP - MOOT TYPE P



@ J?o; ALK RAMP - MOOT TYPE R



LANDSCAPE PLAN



LANDSCAPING NOTES:

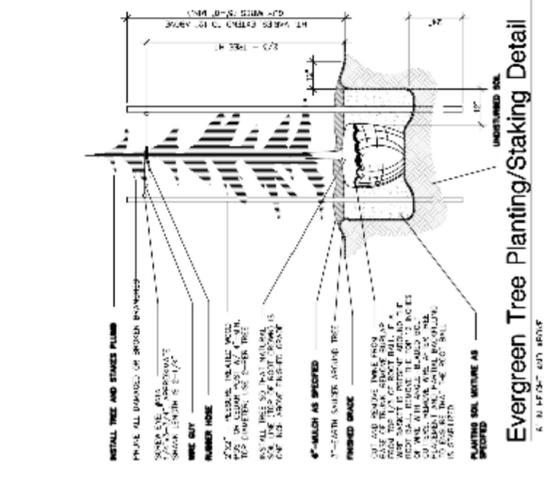
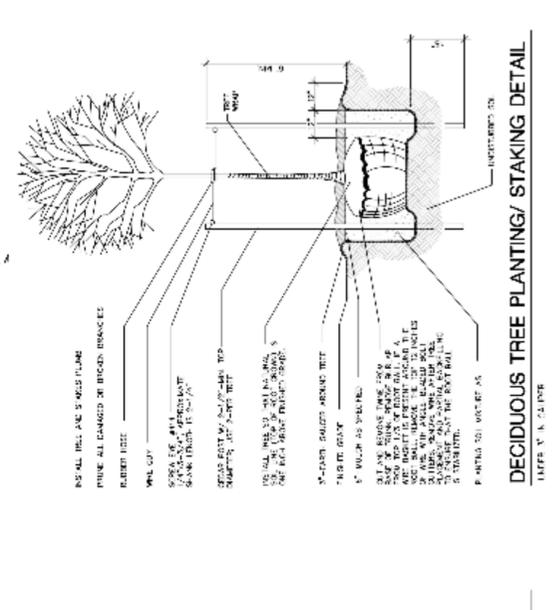
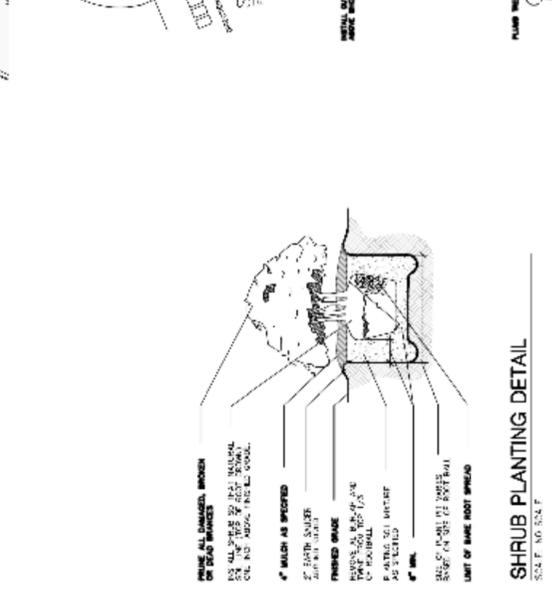
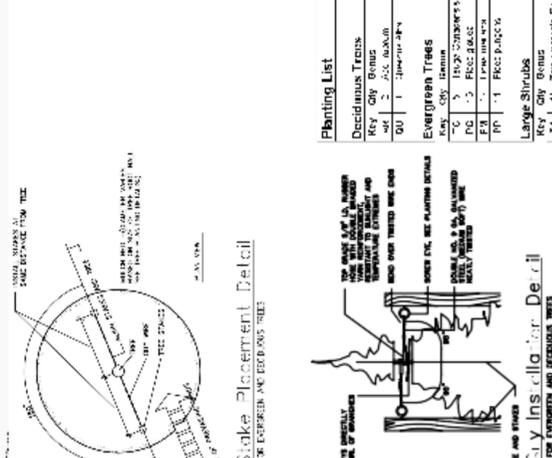
- The contractor shall verify the location of all underground utilities prior to construction.
- All trees shall be watered and mulched with a minimum of 2 inches of mulch.
- Planting shall conform to the specs as shown on the drawings and 20' of stake height. All trees shall be planted with a minimum of 2' of stake height and shall be planted with a minimum of 2' of stake height. All trees shall be planted with a minimum of 2' of stake height.
- Evergreen trees shall be planted with a minimum of 2' of stake height.
- Planting shall conform to the specs as shown on the drawings and 20' of stake height. All trees shall be planted with a minimum of 2' of stake height.
- Planting shall conform to the specs as shown on the drawings and 20' of stake height. All trees shall be planted with a minimum of 2' of stake height.
- Planting shall conform to the specs as shown on the drawings and 20' of stake height. All trees shall be planted with a minimum of 2' of stake height.

LANDSCAPE LEGEND

- DECIDUOUS: ALL SPECIES
- CONIFEROUS: ALL SPECIES
- SHRUBS: ALL SPECIES
- LANDSCAPE: ALL SPECIES

PLANTING LIST

Deciduous Trees	Quantity	Common Name	Plant Height	Root Ball
QU	2	QUERCUS	2.5'	B.E.E.
FR	1	FRAXINUS	2.5'	B.E.E.
EU	1	EUONYMUS	2.5'	B.E.E.
LA	1	LARIX	2.5'	B.E.E.
PR	1	PRUNUS	2.5'	B.E.E.



LANDSCAPE PLAN

Client: **LAKELAND BUILDING CONCEPTS**
 6680 WOODBURN ROAD
 P.O. BOX 831
 LANSING, MI 48143
 PHONE: 313-288-5646

Client: **STORAGE FACILITY**
 HAMBURG TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN
 PRELIMINARY SITE PLAN
 LANDSCAPE PLAN

DATE: 06/17/2022

Scale: 1" = 40' FEET

Author: 19139

Checked: JRL

Approved: JRL

Date: 06/17/2022

© 2022

LIVINGSTON ENGINEERING
 CIVIL ENGINEERING SURVEYING
 3800 S. OLD US. 23, BRIGHTON, MI 48114
 PHONE: (810) 225-7100
 FAX: (810) 225-7899
 www.livingstoneng.com

LE



TRANSMITTAL

TO: Hamburg Township
P.O. Box 157
Hamburg, MI 48139

DATE: June 22, 2022

*civil engineering
surveying
planning
site development
construction services*

ATTN: Planning and Zoning Department

RE: Storage Facility
10776 Hall Road

We are transmitting the following items:

COPIES	DESCRIPTION
3	Full size Site Plan
1	Check for review fees
1	Application

These are transmitted as checked below:

- D As requested
- D For your use or information
- D Please review and return by:
- 00 For your review and comment
- 00 For your approval (and signature)
- D Acknowledge receipt of enclosures

REMARKS:

SIGNED:



Hugo J. Ceron, P.E.

6. **OWNER/PROPRIETOR INFORMATION:**

Name: Lakeland Building Concepts Phone Number(s): (734) 216-5949
Email: _____ Address: 9680 Kress Road
City: Lakeland State: MI Zip: 4_8_1_4_3

7. **APPLICANT:**

Name: Hvso L.Moll (L.v.....-f01 c'.*J19;-1.....,11) Phone Number(s): &110/ 2:is-: ::.00
Email: f.lv qp@. L.v.....-cfc:r.£"1,1.col¾ Address: 3.3 S: oJJ V.5'. 2 3
City: gl'l(h+nn State: /lt::: Zip: '1 11!!!

8. **DESIGNER INFORMATION:**

Name: Hugo Ceron (Livingston Engineering) Phone Number(s): ---(8-1-'0-')--=2=2=5'---7'---1-'---0=--'0'-----
Email: Hugo@LivingstonEng.com Address: 3300 S. Old U.S. 23
City: Brighton State: MI Zip: 4..,8 1,_,1,_,4,

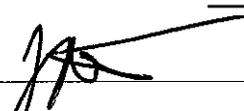
9. **SPECIAL USE PERMIT:**

Is a Special Use Permit required for this project? No Yes
IF YES, Attach Special Use Permit Application Form with this site plan review application form

APPLICANT CERTIFICATION:

I hereby certify that all structures and uses for which this application is made shall conform to the Ordinances of Hamburg Township, Livingston County and the State of Michigan. All information submitted as a part of the site plan application is to my knowledge accurate. If the information is determined either now or in the future to be inaccurate any permits granted for the incorrect information shall be void and any structures built or uses approved may be in violation of the required ordinances and must otherwise be brought into compliance with all regulations.

I further agree that any deviation from the plans submitted or the breach of any additional safeguards, conditions or requirements the Hamburg Township may impose in granting this application shall constitute a violation of the Ordinance and invalidate the permit granted.

PROPERTY OWNERS SIGNATURE:  DATE: _____

*If an agent submits the project to the Township for the property owner a letter authorizing must be submitted.

PRELIMINARY & FINAL SITE PLAN
CHECKLIST

Each preliminary & Final Site Plan submitted for review shall provide the following information at the time of application.

___ **A. General Information**

- &Z)** 1. Name and address of the proprietor and proof of ownership, developer, and registered engineer, registered surveyor, registered architect, registered landscape architect, or registered community planner who prepared the site plan.
2. Date of plan preparation, north arrow, and scale of plan, which shall not be greater than one inch equals twenty feet (1" = 20') nor less than one inch equals two hundred feet (1" = 200').
3. Full legal description of parcel and dimensions of all lot and property lines showing the relationship to abutting properties, and in which district the subject property and abutting properties are located.
4. Area map showing the relationship of the parcel to the surrounding area within one-half mile.
- __J 5. The location and description of all existing structures within one hundred feet (100') of the parcel.

___ **B. Physical Information**

1. Proposed plans for site grading, surface drainage, water supply and sewage disposal.
2. The location of existing and proposed landscaping, buffer areas, fences, or walls on the parcel.
3. Existing and proposed structure information including the following:
- a. Footprint location, dimensions and setbacks.
 - b. Finished floor and grade line elevations.
 - c. Elevations drawings that illustrate building design, size, height, windows and doors, and describe construction materials. Elevations shall be provided for all sides visible from an existing or proposed public street or a residential zoning district.
 - d. The Planning Commission may require a color rendering of the building elevation required in paragraph c.
 - e. Proposed materials and colors shall be specified on the site plan. Color chips or samples shall also be submitted at or prior to the Planning Commission meeting to review the site plan. These elevations, colors and materials shall be considered part of the approved site plan.
4. The location and dimensions of all existing and proposed streets, driveways, sidewalks, service lanes and other vehicular and pedestrian circulation features within and adjacent to the parcel.
5. The location, dimensions, and numbers of off-street parking and loading spaces.

6. Location of existing and proposed service facilities above and below ground, including:
 - a. Well sites.
 - b. Septic systems and other wastewater treatment systems. The location of the septic tank and drain field (soil absorption system) should be clearly distinguished.
 - c. Chemical and fuel storage tanks and containers.
 - d. Storage, loading, and disposal areas for chemicals, hazardous substances, salt and fuels.
 - e. Water mains, hydrants, pump houses, standpipes, and building services and sizes.
 - f. Sanitary sewers and pumping stations.
 - g. Stormwater control facilities and structures including storm sewers, swales, retention and detention basins, drainage ways and other facilities, including calculations for sizes.
 - h. Location of all easements.

7. Any other pertinent physical features.

---C. Natural Features

1. Map of existing topography at two-foot (2') contour intervals with existing surface drainage indicated.

2. Soil characteristics of the parcel to at least the detail provided by the U.S. Soil Conservation Service "Soil Survey of Livingston County, Michigan."

3. On parcels of more than one acre, existing topography with a maximum contour interval of two feet indicated. Topography on the site and beyond the site for a distance of 100 feet in all directions should be indicated. Grading plan, showing finished contours at a maximum interval of two feet, correlated with existing contours so as to clearly indicate required cutting, filling and grading.

4. Location of existing drainage courses, including lakes, ponds, rivers and streams, and all elevations.

- ;;ZJ** 5. Location of existing wetlands, delineated under the requirements of section 3.6, Wetland Determination. A Michigan Department of Natural Resources (MDNR) permit shall be required for activities in a regulated wetland or an inland lake or stream. A copy of any correspondence with and applications to the MDNR shall be submitted with the site plan application. The Planning Commission shall not grant final site plan approval until all necessary permits have been obtained.

6. Location of natural resource features, including woodlands and areas with slopes greater than 10 percent (one foot of vertical elevation for every 10 feet of horizontal distance).

- ;;ZJ** 7. Location of the required 50 foot natural features setback.

8. Storm water management systems and facilities will preserve the natural drainage characteristics and enhance the aesthetics of the site to the maximum extent feasible, with the development not substantially reducing the natural retention of storage capacity of any wetland, water body, or water course, or cause alterations which could increase flooding or water pollution on or off site.

9. Wastewater treatment systems, including on-site septic systems will be located to minimize any potential degradation of surface water or groundwater quality.
10. Sites which include storage of hazardous materials or waste, fuels, salt, or chemicals will be designed to prevent spills and discharges or polluting materials to the surface of the ground, groundwater, or nearby water bodies.

-- D. **Natural Features Impact Statement.** The purpose of a Natural Features Impact Statement (NFIS) is to provide the Township with information regarding the impact of a proposed project on the physical, natural, social, and economic environment of the community. A complete report shall be required with all site plan applications. The Zoning Administrator (ZA) has the discretion to modify this requirement based on the specific application. When required the report will be reviewed by the ZA and Hamburg Environmental Review Board (HERB). The HERB may issue an Advisory Report to the Zoning Administrator for review by the Planning Commission. Contained in the Advisory Report will be a summary of the NFIS and appropriate comments and recommendations. The Advisory Report and the required site walk will be used to assist Zoning Ordinance Hamburg Township, Livingston County, Michigan, the Township Board and Planning Commission. The written NFIS will include the following information:

LJ 1. Name (s) and address (es) of person(s) responsible for preparation of the impact assessment and a brief statement of any relevant qualifications. The HERB may recommend a qualified individual to prepare the NFIS if deemed appropriate.

LJ2. An impact assessment checklist on a form provided by the Township shall be completed and placed at the beginning of the document.

LJ 3. Map (s) and a written description/analysis of the project site including all existing structures, manmade facilities, and natural features. The analysis shall also include information for areas within 50 feet of the property. An aerial photograph or drawing may be used to delineate these areas.

Description of existing natural features: A description of the environmental characteristics of the site prior to development shall be provide in the form of written documentation and a site inventory map identifying the location of natural features consistent with subparagraph C of this section. In addition, dominant tree species shall be listed and all species greater than 16 inches caliper or greater. As defined in Article 2.00, natural features include but are not limited to: topography, soils, geology, ground water, wetlands, watercourses, plants and animals (including aquatic species), habitat, and scenery.

LJ 5. Impact on natural features: A written description of the impact on the identified existing natural features shall be provided. The report shall also provide a natural features protection plan, which identifies on a map the natural features potentially affected. Where disturbance of natural features both during and after construction is proposed, a written analysis of alternative plans, which were considered, shall be provided to justify the proposed plan. The HERB may recommend a mitigation plan be required which will describe how disturbed natural features were relocated or replace. (See Article 2.00 for complete definition of terms)

6. Impact on storm water management: Description of natural drainage patterns and soil infiltration and unsaturated soil capacity. A description of changes to site drainage and storm water

management facilities to be installed in compliance with the Township Storm Water Ordinance. Description of measures to control soil erosion and sedimentation during grading and construction operations and until a permanent ground cover is established. Recommendations for such measures may be obtained from the County Soil Conservation Service.

D7. Special Provisions: Provide a general description of any existing deed restrictions, protective covenants, master deed or association bylaws as they relate to the protection of natural features. Zoning Ordinance Hamburg Township, Livingston County, Michigan

D 8. Information Sources: A list of all sources of information contained in the NFIS, if any shall be provided.

J 9. Previous Submittals: Any impact assessment previously submitted relative to the site and proposed development, which fulfills the above requirements (and contains accurate information of the site) may be submitted as the required Impact Assessment.

PHONE: 810-231-1000
FAX: 810-231-4295



P.O. Box 157
10405 Merrill Road
Hamburg, Michigan 48139-0157

To: Lakeland Building Concepts
From: Scott Pacheco, AICP
CC: Chris Madigan, AICP; File;
Date: July 8, 2022
Re: Completeness review for Preliminary Site Plan for New Storage Units on Hall Road.

On July 7, 2022 a preliminary site plan application to allow a new indoor and outdoor storage facility with 113,180 square foot of indoor space and approximately 145,180 square foot of fenced in outdoor storage space at TID 15-25-400-014 on Hall was submitted. The Hamburg Township Planning and Zoning Department has reviewed the plans and the following items are needed:

Prior to Planning Commission review of the Special Use Permit and Preliminary Site Plan Review:

- A special use permit application is required for storage facilities and outdoor storage associated with an allowed in the GI zoning district.
- Electronic copies of the plans are required. When these electronic copies are received they will be forwarded to the interested agencies for review. When the responses from these agencies are received they will be reviewed and additional information may be necessary.
- On your site location map please provide the following information:
 - The location of the existing adjacent parcels and the existing structures on the adjacent parcels along with the current zoning designations. This is helpful to show the Planning Commissioners the distance from the proposed development to existing sites and structures in the adjacent areas.
- The Data Table on sheet 1 of the project plans does not include the actual setbacks please include the actual project setbacks in this table.
 - Also it appear from this table that the entire property is being used for this project, as the numbers used for the lot area and the lot coverage are for the entire site.
 - If that is the case staff would suggest showing the proposed new roadway extended to the west side of the subject site.
 - If that is not the case and the west side of the site will be divided off from the proposed storage facility than the location of the new property line should be shown on the site plan and the number in this table should reflect the proposed property and a statement that a land division application will be processed if the project is approved should be include on the plan.
- On page 2 it appears there are some trees in the northeast corner of the site and directly to the south of the existing concrete pad on the site that will be removed as a part of this

project. Either on this plan or on the landscape plan please provide a statement that state the approximate number of trees and the location of the trees that will be removed as a part of this project. Also provide a statement that all other existing trees will remain.

- On page 3 and page 6 of the project plans what does the dash black line on the west side of the development depict.
 - If it is not part of this project please remove to reduce confusion.
 - If it is part of this project please clearly identify the line.
- The proposed landscaping plan (page 6) does not meet the greenbelt and buffer landscaping requirements of sections 36-187 and 36-281 of the code.
 - Staff would suggest that you provide plans showing landscaping and a continuous wall design that to meet the regulations of the code (Sections 36-187 and 36-281)
 - All uses permitted in this district shall be conducted in completely enclosed buildings, except that outdoor storage yards shall be completely enclosed by a solid fence or wall between six (6) and eight (8) feet in height.
 - No structure shall be located less than one hundred (100) feet from any residential district.
 - Where this district abuts a residential district, there shall be provided either a landscape buffer strip designed in accordance with the provisions of Section 26-281 or a fence between six (6) and eight (8) feet in height as determined and approved by the Planning Commission.
 - The landscape buffer requirements for Industrial to Residential Districts are a 50' buffer area with a 6-foot-high continuous masonry wall and 1 canopy tree, 2 evergreen trees and 4 shrubs per each 20 linear feet along the property line, rounded upward.(section 36-281)
 - There is no landscape buffer requirements between industrial and industrial districts.
 - Every lot in this district shall provide a landscaped buffer strip of at least fifteen (15) feet in depth, measured from the front lot line, within the prescribed front yard setback. The buffer strip shall be composed of trees and/or foliage.
 - 1 canopy tree and 4 shrubs per 40 linear feet of frontage (section 36-187(F))
 - If you do not want to meet the landscape or wall/fence requirements you can request a waiver of the requirements from the Planning Commission. If you choose to request a waiver please provide a table labeled Landscape Waiver on the proposed landscape plan (page 6) showing the proposed landscaping and fencing vs the required landscaping and fencing. The Planning Commission would need to make the finding that the project meets the following standards:
 - Waivers and modifications. The planning commission may waive or modify the fencing or landscape buffering requirements upon a determination that a solid fence or landscaping buffer will not be necessary or effective for screening. In making such a determination, the following shall be considered:
 - Need for security;
 - Abutting district or existing use;
 - Extent that existing natural vegetation provides the desired screening;
 - Topography which would eliminate the benefits of required landscaping;

- Building heights and views in relation to existing topography and vegetation as well as views from adjacent uses;
- Similar conditions existing such that no-good purpose would be served by providing the required landscaping plan.

Staff Concerns:

Staff is concerned that because of the location of the site it is not an appropriate location for a storage facility of this size and magnitude, especially with the large outdoor storage area. The project would not be compatible with the master plan and does not comply with the future land use designation of the master plan. This project would not be harmonious with the intended character of the general vicinity or the intended future uses in the area. If this project were to be developed it would likely be hazardous or disturbing to the future nearby uses.

Staff does not believe this project would meet the standards 1, 2 and 3 for special use permit application or standard d for site plan review applications.

36-36 (C): Special Land Use Permit Basis of determinations.

The Township Planning Commission shall review the proposed special use in terms of the standards stated within this chapter and shall establish that such use and the proposed location:

- (1) *Compatibility with the master plan will be harmonious and in accordance with the general objectives or any specific objectives of the Hamburg Township master plan.*
- (2) *Compatibility with surrounding area will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, will not change the essential character of the area, and will not be hazardous or disturbing to existing or future nearby uses. In determining whether a special land use will be compatible and not create a significant detrimental impact, as compared to the impacts of permitted uses, consideration shall be given to the degree of impact the special land use may have on adjacent property, as compared with the expected value to the community. The following types of impacts shall be considered:*
 - a. Use activities, processes, materials, equipment or conditions of operations;*
 - b. Vehicular circulation and parking area;*
 - c. Outdoor activity, storage and work areas;*
 - d. Hours of operation;*
 - e. Production of traffic, noise, vibration, smoke, fumes, odors, dust, glare, and light;*
 - f. Impacts on adjacent property values; and*
 - g. The relative ease by which the impacts above will be mitigated.*
- (3) *Improvement to the immediate vicinity will be an improvement in relation to property in the immediate vicinity and to the Township as a whole.*

Article III Site Plan Review Sec. 36-73 (7) Standards for Site Plan Review

In the review of all site plans, the zoning administrator and the planning commission shall endeavor to ensure the following:

- d. The proposed development will be harmonious with existing and future uses in the immediate area and the community.*

Sincerely,

Scott Pacheco, AICP
Township Planner
Hamburg Township



HAMBURG TOWNSHIP PUBLIC SAFETY FIRE DIVISION

10100 VETERANS MEMORIAL DRIVE
P.O. Box 157 ♦ HAMBURG, MI 48139-0157
PHONE: 810-222-1100 ♦ FAX: 810-231-9401
E-MAIL: HTFD@HAMBURG.MI.US
DEPUTY DIRECTOR JEFF NEWTON
DEPUTY FIRE CHIEF JORDAN ZERNICK

To: Hamburg Twp. Zoning

From: Deputy Chief, Jordan Zernick

CC: Director Rick Duffany, Deputy Director Jeff Newton

Subject: Preliminary Site Plan Review (10776 Hall Rd. Storage Facility)

Date: August 3, 2022

I have completed the plan review of the Preliminary Site Plan submittal for the proposed Storage Facility located in Hamburg Township. The review was based on the applicable Fire Code and Hamburg Township Ordinance Requirements.

The plans are approved as submitted with the following requirements, revisions and clarification:

1. All road and drive isles shall maintain a clear width of a minimum of 20 ft. and a vertical clearance of 13 ft. 6 inches at all times.
2. Building plans to be submitted for the climate controlled storage facility.
3. Interior floor plans and building plans to be submitted for the proposed 40x25 office building.
4. Office building shall be required to have a 3200 series Knox Box placed on the building. Location to be approved by the Fire Code official.
5. Any alterations to these submitted plans shall required the submittal of As Built plans. Plans shall be submitted directly to the Hamburg Township Fire Department.

This approval is subject to field inspection. This approval shall be valid for one year. If construction has not begun within 12 months of the date on this letter the plans must be resubmitted for approval. This approval does not exempt the project from complying with all applicable codes. Additional submittals and approvals may be required.

Deputy Chief Jordan Zernick



August 10, 2022

Mr. Chris Madigan
Hamburg Township
P.O. Box 157
Hamburg, Michigan 48139

Re: Hall Road Self Storage
Preliminary Site Plan Review

Dear Mr. Madigan:

We have reviewed the plans for the reference project dated Jun 17, 2022, as prepared by Livingston Engineer. We offer the following comments for your consideration:

1. A Livingston County Health Department permit is required for the proposed well and septic, and the abandonment of the existing.
2. A Livingston County Road Commission permit is required for the proposed entrance modifications
3. The scale of Sheet 4 is incorrectly listed at 1"=30'. Based on the other drawings, we assume the scale is 1"=50'. The petitioner should verify.
4. We have the following comments on the stormwater detention calculations:
 - a. In 11.D.2 - the allowable runoff should be based on 0.2 CFS / acre.
 - b. The calculation in 11.D.6 is incorrect and should be updated.
 - c. The time of concentration should be justified
 - d. Volume calculations for the detention basin should be provided.
5. For the final site plan, the petitioner should include a stormwater management narrative, conveyance calculations, and outlet control calculations.
6. A 50' right of way is proposed for the road along the north edge of the property. Section 26-81 of the Hamburg Ordinances indicates a private road right of way should be 60' for roads with ditches or 50' for roads with curb and gutter. As the proposed road does not include curb and gutter, the right of way or road should be modified as applicable.

Mr. Chris Madigan
August 10, 2022

IMEG # 22005788.00
Page 2 of 2

In summary, we do not recommend approval of the preliminary site plan..

Please contact me at 734.657.4925 with any questions.

Sincerely,

Ted L. Erickson, P.E.
Associate Principal



Hi Chris,

The proprietor or the proprietor's engineer will need to submit a commercial driveway approach application for a detailed review and issuance of a commercial driveway approach permit.

I completed a conceptual review of the approach shown on the plans dated June 17, 2022 and offer the following comments.

- The width of the approach at the neck needs to be 30 feet to meet our standard, it can taper down to meet the Township's standard width outside of the Hall Road right-of-way.
- Acceleration and deceleration tapers need to be provided at the approach. The tapers should be 50 feet in length and the radii of the approach should be offset 12 feet from the edge of Hall Road.
- Truck turning movements will need to be shown on the plan.

Once we receive the commercial approach application and I review the engineered plans, I will email a review letter to you. Please let me know if you have any questions.

Thanks,

Kim Hiller, P.E.

Utilities and Permits Engineer
Livingston County Road Commission
3535 Grand Oaks Drive
Howell, MI 48843
Ph. (517) 546-4250
khiller@livingstonroads.org
Office Hours: M-F 7:00 AM – 3:30 PM

To: Planning Commissioners

From: Scott Pacheco, AICP

Date: August 17, 2022

Agenda

Item: 7 b

Re: ZMA/ZTA21-001 Village Center Zoning Map and Zoning Text Amendment

On June 15, 2022 the initial draft of the ZMA/ZTA21-001 was presented to the Planning Commission for the initial review. The proposed draft ZMA and ZTA 21-001 are created to implement the full effects of the Village Center Master Plan (VCMP) and to guide future growth and development in the Village area. The Zoning regulations are designed to allow development through site plan review as long as specific design and other regulations can be met. The regulations are designed to allow development as long as the development is designed to blend into the neighborhood and be compatible with the Village Character intended in the area. This will allow developers more sureties if they wish to develop sites within the Village area, with the hope to expediate the review processes for development types that are appropriate and will be a benefit to the community.

At this initial meeting the Planning Commissioners where tasked with reviewing the draft Zoning Map Amendment and Zoning Text Amendment and to provide comments to staff to be discussed at tonight's meeting. The following staff report list the comments from the PC members in **bold** followed by staff recommendations.

Jeff Muck (Planning Commission Chair):

- **I am all for changes/regulations that allow development through site plan review as long as specific design and other regulations can be met.**

The draft ZTA21-001 and the ZMA21-001 was created to allow development in the Village Center Area as long as specific regulations can be met through site plan review. The regulations have been created to help curate a village character throughout the area.

Joyce Priebe:

- **Are so many additional zoning district such as Core/village gateway, Village downtown, necessary? What is the benefit?**

This comment was made by multiple Planning Commissioner. The main reasoning for the multiple zoning districts is to allow differ building types in the different areas of the Village Center area of Hamburg Township. The propose of these multiple districts is to create a very specific appearance in the different areas of the Village Center. These

different areas and building types are proposed in an attempt to create a sense of place for the area.

For example, the building types in the Village Commercial-Downtown (VC-D) zoning district (Village Historic Future Land Use District) which is on Hamburg Road between the Lakelands Trail and Pearl Street should have a specific village downtown appearance. While the building types in the Village Commercial Core/Gateway (VC-CG) zoning districts which is in specific areas along M-36 of the Village Center area can be allowed to have more flexibility in the commercial design as these areas will have designs that are more automobile oriented. The VC-CG can utilize the building types allowed in the VC-D area or could utilize a more hybrid strip center design depending on the location of the commercial buildings.

VC-D Example Building Types:



VC-CG Example Building Types





The two village residential districts the VR-L and VR-H also are created to allow different types of building designs in the different areas of the Village Center. The VR-L district is created to buffer the existing single-family residential districts south of Strawberry Lake Road and north of the Village Center area and east to the Hiawatha Beach Subdivision. The building types allowed in the VR-L districts include single family homes, two-four unit homes, and cottage courts. The architecture of all of these building types should have a single family home appearance regardless of the number of units. While the VR-H district allows the building types that are allowed in the VR-L district it also allows for higher density multi-family and multi-plex residential developments and allows more flexibility in the building designs of the smaller two and four unit homes when appropriate for the area.

Example Duplex in VR-L



Example Duplexes in VR-H



Example Quadplex in VR-L



Example Quadplex in VR-H



John Hamlin:

- The VR2 district is referred to as both VR and VR2. Confusing, should be one or the other.

In an attempt to reduce confusion over the Zoning Classification the Zoning Districts in the Village Center Area; the residential districts names have be revised to Village Residential-Lower Density (VR-L) and Village Residential-Higher Density (VR-H) and the commercial district names have been changed to Village Commercial-Transition (VC-T), Village Commercial-Downtown (VC-D) and Village Commercial-Gateway/Core (VC-GC).

- **Are the terms “VC commercial” and “VC residential” defined somewhere? If not they should be if used in the ordinance.**

Village Center Commercial and Village Center Residential is used in the draft zoning in reference to the Village Residential Zoning Districts (VR-L and VR-H) vs the Village Commercial Zoning Districts (VC-T, VC-D, and VC-GC). The proposed changes to the district names should clarify these items.

- **Seems like more districts than we need. Could Core or Gateway be eliminated?**

Village Commercial Core and Gateway has been combined into a single zoning district (VC-CG). See comments on this issue under Joyce Piebe’s comments on pages 1-3.

- **Table C: Boat sales, vehicle sales, and rentals are pretty much the same intensity. Why the different permitting requirements (permitted use, special use, etc.)?**

These regulations where created prior to me being employed by the Township. I would suggest that the Township take a detailed look at these regulations in 2023 and make suggestions on how these regulations may be amended to better represent and combine the uses.

- **Section 7.6.25 Open Air: what are LI of VI districts?**

LI and GI districts are Light Industrial (LI) and General Industrial (GI) Zoning Districts.

- **Section 7.8.6.1 1. I: Table with AT&T building is confusing**



What this picture attempts to show is more of a strip center design with the buildings with minimal setbacks from the roadways and the parking to the rear of the structures. On larger lots there may be another commercial structure behind the parking area at the back on the lot.

- **I’m not in favor of *regulating* architectural/design features of buildings-like roof pitches, overhang and trim specifications, requiring duplexes to look like single family homes. I’d rather see as recommendations.**

The Village Center Master plan was approved with many architectural and design regulations in an attempt to create a sense of place in the Village Center Area.

To allow more flexibility in the regulations a Planning Commission waiver section has been added based on this comment. The waiver will allow the Planning Commission to waive any of the design regulations as long as the following standards are met:

- There is a unique or irregular characteristic of the lot that does not allow the

development to meet the regulations of this section of the code or approval of the waiver will not result in development that is incompatible with or will negatively impact existing or potential future development in the vicinity of the property to be developed.

- The waiver will result in a superior development when compared with what could be achieved through the strict application of the requirements of this section.
- A lesser waiver will not accomplish the same purpose as the requested waiver
- The development is designed to meet the standards under section 7.8.6.1 (6).
- **Requirements for significant front glazing and 12' interior heights will result in less energy efficient buildings.**

Reasons for front glazing requirements:

Currently Zoning Regulations and Master Plan Recommendations:

Site Plan Review Standard I

4. *Building walls over 100 feet in length shall be broken up with a combination of the following: varying building lines, windows, architectural accents and trees.*

5. *Building entrances shall utilize windows, canopies and awnings; provide unity of scale, texture, and color; and provide a sense of place.*

Additional District Regulations (i) VC and VR Districts

The first floor of front facades shall include at least 30 percent windows. The approximate size, shape, orientation and spacing shall match that of buildings on adjacent lots.

Village Center Master Plan

Village Core/Village Gateway/Village Historic

- *For commercial buildings, a minimum of 70 percent of the front façade on the ground floor shall be transparent.*
- *For commercial buildings with parking in the rear, a minimum 40 percent of the rear façade shall be transparent. And an entrance point must be provided.*

Two main reasons for requiring windows in commercial structure are to create a uniform and pleasing appearance to the building and to create a commercial space that is more customer oriented.

Windows requirements on storefront are used to create building that have a more customer friendly façade. A place with commercial windows looks more pleasing to the eye than somewhere with small windows.

Many times if there are small or no windows in a storefront potential customer will not go into the store for two main reasons. One the customer is unsure of what the store is selling and the second is because the customer is not sure about the safety of the store space. Large windows allow commercial businesses to advertise by showing their products and will likely bring in more business than stores without windows or with small windows. Large window also provide potential customers with a safe feel they know what is in the space they are entering, prior to entering it.

Window also provide for more pedestrian friendly storefronts, people are more likely to walk from store to store when there are windows into the building. Walking past large wall spaces without windows make pedestrians feel confined and uncomfortable, large

window spaces provide a sense of space, making walking by these spaces more pleasing to pedestrians.

Many zoning codes require a minimum front glazing on building when the code has been designed to create a sense of place such as in a downtown area:

City of Chelsea:

Windows Regulations in Commercial Districts

(1) For front and side façades facing a public street, parking area, or pedestrian cut-through or side alley:

- a) Windows and doors shall comprise at least 50 percent (50%) of the first-floor façade for front façades and 35 percent (35%) of the first floor for side façades.
- b) Windows shall comprise at least 35 percent (35%) of the total façade area above the first floor.
- c) Windows above the first floor shall be vertical in proportion, with a height to width ratio of at least two (2) to one (1).

(2) For rear façades facing a public street or parking area, windows shall comprise at least 20 percent (20%) of the total façade area. All other rear façades are encouraged, but not required, to meet this standard.

(3) Double-hung or fixed windows are preferred for all retail applications. Accordion or folding doors and sliding windows may be permitted for ground floor uses to provide indoor-outdoor service, providing adequate sidewalk clearance is provided.

City of Ann Arbor:

In their downtown overlay:

A minimum of 60% of the street-level facade shall be transparent windows or glazing. Glass shall not be mirrored, reflective or darkened and shall be considered transparent if it has a transparency higher than 80% and external reflectance of less than 15%. The transparent windows or glazing shall offer visibility into the inside of the building, meaning that the area inside the building within 4 feet from the surface of the window glass (from the bottom of the window to 8 feet above the Floor) is at least 75% open to perpendicular view

Reasoning for Main Floor Ceiling height in commercial stores:

Village Center Master Plan

Village Core/ Village Gateway/ Village Historic

Height: A minimum one story height of 18 feet and a maximum overall height of 35 feet unless determined by the Township additional height is appropriate. Commercial buildings shall have a minimum first floor interior height of 12 feet although 15 is preferred.

The two main reasons for requiring a common ceiling heights and larger ceiling heights for new first floor commercial spaces are similar to the reasons for glazing requirements. The first reason is to create a common design between separate buildings and the second is to foster customer use and support of businesses within the Township. “According to multiple studies, physical space leaves more room for holistic thinking. In a retail store,

high ceilings play a role in the creative process—like imagining where new holiday decor would fit in your home or how a set of patio furniture would look on your deck. More space means a more open-minded shopper. This also leads to a better shopping experience with customers feeling more safe and comfortable.

Ron Muir:

- **We specify gateways at Merrill/M36, M36/Fire Station Rd, M36/Hamburg Rd at CVS, and M36/coming to blinker light. These are generally entrances into the village center. Should we consider a gateway from Strawberry Lake north to downtown (ahead of transition)? I am not sure how this would be done with the existing buildings but there is empty land on the southwest corner.**

The proposed Village Commercial-Core/Gateway District (VC-CG) locations are proposed as they were designated in the Village Center Master Plan. There is not a location for this use coming from the south into the Downtown along Hamburg Road because of the nature of the existing development in that area and because there is not a major thoroughfare like M-36 in that area. The transition from the single family homes south of strawberry lake road to the Downtown area is much more subtle and utilized the Village Commercial-Transition district which allows more commercial uses within building that have a more residential appearance.

- **7.4.12.1 Is VR2 same as VC shown on Draft Zoning map? The heading for this section has two VC-10's in it.**

The zoning district names have been changed and this has been corrected.

- **Should we consider roadside farm stand and community supported agricultural on the permitted use table? Maybe special use?**
- **7.6.4 I thought C1 and C2 were confusing or conflicting.**

Hopefully the zoning district name changes have eliminated any confusion in this section.

- **7.6.25 B What is LI and VI and is it the wrong designation?**

This has been corrected to LI and GI.

- **Does the new zoning create non conformances? For example, 7.8.6 are the current lots in VR-2 currently at least 80 ft wide?**

The proposed zoning regulations are for the most part are less restrictive than the existing zoning of the properties as a part of this Zoning Text Amendment. For example most of the land proposed to be zoned VR-2 in the proposed ZTA is currently zoned RA-Medium Density Residential. The VR-2 zoning district is less restrictive than the RA zoning District see the table below:

District	Minimum Lot Area (Sq. Ft.)	Minimum Lot Width At Street (Feet)	Maximum Lot Coverage Buildings /Parking (%)	Minimum Yard Setback (Feet)			Maximum Building Height		Additional Regulations Section 7.7
B. RA-Medium Density Residential	43,560	125	35/40	25	10	30	2.5	35	Yes
1. VR-L-Village Residential-Lower Density	Residential without sanitary sewer and multi-family residential 21,780 ^{9*} Single Family and Duplex residential with sanitary sewer: 14,000 ^{8,9*}	80	45/60	20	10	25	2.5	35	7.8.6.1

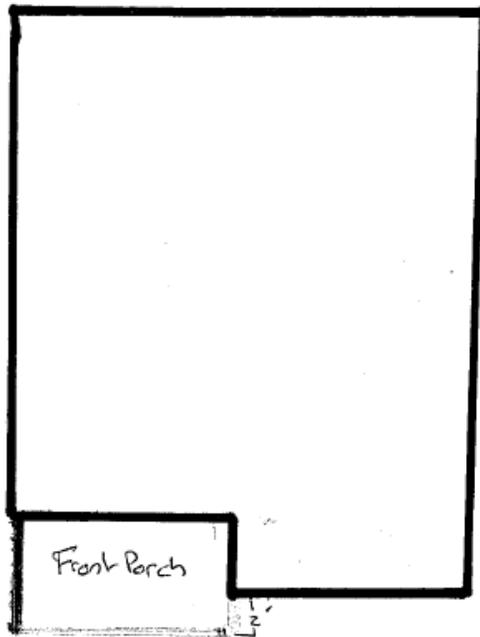
That being said any time new zoning districts and regulations are created it is possible that non-conformances are created. For Example, when the WRF zoning district was created with the minimum lot size of 1 acre, I would imagine that more than 500 to 1,000 properties within this zoning district did not meet this regulation. These non-conformances are considered legal nonconforming situations and are addressed under Article X. Nonconforming Lots, Buildings, Structure, Uses and Sites.

- **7.8.6 14. Garages on alley. Would it be possible to have alleys wide enough for garbage trucks? This would keep the unsightly bins and trash off the front street. Maybe alley has to be one way.**

The intent of the Alley would be to allow garbage trucks within these spaces. I will work with the Township Engineer to make sure the regulations for alleys allows room for Garage Vehicles. And the following item has been added to this section of the code *“Should be designed to allow garage pickup along the alleyways when possible.”*

- **7.8.6.2 B I (pg 59) I don’t understand what “extend at least 2 feet from the front elevation of the primary structure” means**

This requirement allows front porches as shown in the picture below:



The requirement guarantees that the front elevation has some variation to break up the building mass and allows the front porch to be the prominent design element on the front of the home.

- **7.8.6.2 B vi (pg 60) I think overhangs should be 12 in min instead of 4 to better define the roof.**

I also think that larger overhangs provide a design element that enhances that appearance of a home. The drawbacks of larger overhangs are the additional construction costs. Under section 36-230 yard encroachments eave can project 24" into any setback.

- **Porches should be designed so there is no middle pole(s) to detract from the front view of the structure.**

I am unclear on what is meant by middle poles, see pictures of front porches with poles:





- **Open space 5 (pg 65) Will public parking be provided or do they park somewhere else and walk in.**

Under the regulations there is not a specific parking requirement for a common open space area. The parking regulations will be provided for the development. Many times, on-street parking will be proposed along parks.

To provide more control over the parking near open spaces but to also allow flexibility when providing parking is not possible or necessary the following wording was added to the proposed open space regulations *“when possible on-street parking should be provided adjacent to required open space areas”*

Victor Leabu:

- **Extend the Village Gateway district to the eastern boundary of the township on the south side of M-36.**

I agree that this change will better match the Future Land Use map in the VCMP. The reason I did not do this originally is I had heard that the VCMP proposed to much commercial area and thought that these lots may be better utilized under the VR-H zoning.

- **7.6.2 (L) Conforming Lots of Record is confusing.**

I agree that these regulations are confusing. They where originally created as the Planning Commissioners and Township Board members that where in place when these regulations where approved wanted to have more discretionary control over Accessory Dwelling Units. I would suggest that the Township take a detailed look at these regulations in 2023 and make suggestions on how to eliminate some of the discretionary review processes required.

- **7.8.6.1 (3)(B)(i)(3) 20 feet height on light fixture is too high.**

3. Outdoor lighting shall not be greater than twenty (20) feet in height in commercial districts and fifteen (15) feet in height in residential districts.

The village center master plan states that there should be maximum height of 20' for light poles in the Village Gateway, Core and Downtown districts. I would be amenable to reducing this height. Also I have proposed that no street lighting be required in the VR-2

zoning districts to provide a greater buffer between the other Village Center Districts and the surrounding single family zoning.

- **7.5.1 Cottage Houses should be added to the Residential Tables.**

Yes, cottage courts have been added to the table.

- **7.8.6.Footnote 14 a 10' setback for garages may be to much.**

Garage are encouraged to be either alley loaded or to the rear of the primary dwelling. Garages accessed from alleys may have a 0-foot setback from the alley. Garage entirely to the rear of the primary structure can have a 5-foot side and rear yard setbacks. All garages shall be setback a minimum of ten (10) feet behind the front elevation of the principal structure. On corner lots, garages that face the secondary roadway may be setback the same distance as the principal structure on the secondary roadway.

The VCMP under the village residential district was written to state “Front loaded garages are discouraged. Any front loaded garage must be recessed a minimum of 10 feet.

Under footnote 12 of the current code front facing garages in the VC and VR districts shall be setback a minimum of five feet behind the front building line of the principal structure.

This requirement has been moved to 7.8.6.1(2)(B)(viii). This allows a waiver from the requirement when appropriate.

- **7.8.6.1 (2)(C)(v) 12' ceiling height for commercial is too height.**

Shall have a minimum first floor height interior height of 12 feet.

This was also brought up by John Hamlin and it is discussed on pages 7-8 of this report.

- **We need a graphic design guide book.**

Need further explanation of this comment.

- **Developer should be able to choose to have Planning Commission Plan Review if they choose to.**

This code does not change the ability of the developer to submit for a General Planned Unit Development in the Village Center Area. Also a Planning Commission waiver process has been added to this ZTA that would allow the PC to waive the design requirements with approval of a site plan and if the project meets some additional discretionary standards.

RECOMMENDATION:

Staff suggests that the Planning Commission review of the draft regulations, the comments from the other Planning Commissions and the staff report for tonight’s meeting and discuss the comments make recommendations and suggested changes to the draft ZMA and ZTA and direct staff to work with the appropriate consultants to prepare the map and diagrams necessary and make the final edits to the draft ZMA and ZTA. Once this is complete the staff should then notice the final version of the draft ZMA and ZTA for a future public Planning Commission hearing.

EXHIBITS

Exhibit A: Revised Draft ZTA21-001 Village Center Regulations

Exhibit B: Planning Commissioner Comments

ARTICLE 7.00

DISTRICT REGULATIONS

Section 7.1. Establishment of Districts

The Township is hereby divided into the following zoning districts as shown on the Zoning District Map:

RAA	-	Low Density Rural Residential District
RA	-	Medium Density Residential District
RB	-	High Density Residential District
WFR	-	Waterfront Residential District
NR	-	Natural River Residential District
MHP	-	Mobile Home Park Residential District
NS	-	Neighborhood Service District
CS	-	Community Service District
LI	-	Limited Industrial District
GI	-	General Industrial District
MD	-	Mixed Development District
VC	-	Village Center District
VR	-	Village Residential District
PPFR	-	Public and Private Recreational Facilities District
Village Center Districts		
VR-L	-	Village Residential- Lower Density
VR-H	-	Village Residential-Higher Density
VC-T	-	Village Commercial-Transition
VC-D	-	Village Commercial- Downtown
VC-CG	-	Village Commercial -Core/Gateway

Section 7.2. Zoning District Map

7.2.1. Identified. The zoning districts as provided in Section 7.1. are bounded and defined as shown on the map entitled "Zoning District Map of Hamburg Township." The Zoning district Map, along with all notations, references, and other explanatory information, shall accompany and be made part of this Ordinance.

7.2.2. Authority. Regardless of the existence of purported copies of the Zoning District Map which may be published, a true and current copy of the Zoning District Map available for public inspection shall be located in the office of the Township Clerk. The Clerk's copy shall be the final authority as to the current zoning status of any land, parcel, lot, district, use, building, or structure in the Township.

7.2.3. Interpretation of District Boundaries. Where uncertainty exists with respect to the boundaries of any of the districts indicated on the Zoning District Map, the following rules shall apply:

- A. A boundary indicated as approximately following the centerline of a highway, alley, or easement shall be construed as following such centerline.
- B. A boundary indicated approximately following a recorded lot line or the line bounding a parcel shall be construed as following such line.
- C. A boundary indicated as approximately following a municipal boundary line of a city, village, or township shall be construed as following such line.
- D. A boundary indicated as following a railroad line shall be construed as being located midway in the right-of-way.
- E. A boundary indicated as following a shoreline shall be construed as following such shoreline, and in the event of change in the shoreline shall be construed as following the shoreline existing at the time the interpretation is made.
- F. The boundary indicated as following the centerline of a stream or river, canal, lake or other body of water shall be construed as following such centerline.
- G. A boundary indicated as parallel to, or an extension of, features in paragraphs A-F preceding shall be so construed.
- H. A distance not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.
- I. Where a physical or cultural feature existing on the ground is at variance with that shown on the Official Zoning Map or any other circumstances not covered by A-H preceding, the Board of Appeals shall interpret the location of the zoning district boundary.
- J. Where a district boundary line divides a lot which is in single ownership at the time of adoption of this Ordinance, the Board of Appeals may permit an extension of the regulations for either portion of the lot to the nearest lot line, but not to exceed fifty (50) feet beyond the district line into the remaining portion of the lot.

Section 7.3. Application of District Regulations

The regulations herein established within each zoning district shall be the minimum regulations for promoting and protecting the public health, safety, and general welfare and shall be uniform for each class of land, buildings, structure, or uses throughout each district. Wherever the requirements of this Ordinance are at variance with the requirements of any other adopted rules or regulations, ordinances, deed restrictions, or covenants, the most restrictive or those imposing the higher standards shall govern. Except as hereinafter provided, district regulations shall be applied in the following manner:

7.3.1. No building shall hereafter be erected, altered, or moved, nor shall any building or premises hereafter be used for any purpose other than is permitted in the district in which said building or

premises is located, except by appeal as herein described by this Ordinance. Uses for enterprises or purposes that are contrary to federal, state or local laws or ordinances are prohibited.

- A. **Permitted Uses.** Uses shall be permitted by right only if specifically listed as principal permitted uses in the various zoning districts or are similar to such listed uses. All other uses are prohibited.
- B. **Accessory Uses and Buildings.** Accessory uses are permitted as listed in the various zoning districts or as similar to such listed uses, and only if such uses are clearly incidental to the permitted principal uses. Other accessory uses not listed are permitted if customarily incidental to any principal use. In addition to any provisions applied to a specific accessory use, the provision of Section 8.1 must also be met.
- C. **Special Uses.** Special uses are permitted as listed or if similar to the listed special uses. In addition to any provisions applied to a specific special use, the provisions of Section 3.5 must also be met.

7.3.2. No building shall hereafter be erected or altered except by appeal as herein described by this Ordinance, to:

- A. Exceed the height limit specified for the district in which such building is located.
- B. Occupy a greater percentage of lot area than is specified for the district in which such building is located.
- C. Intrude upon the required front, rear, or side yards, as specified for the district in which such building is located.
- D. Accommodate or house a greater number of families than is specified for the district in which such building is located.

7.3.3. No lot area shall be so reduced or diminished that yards and other open spaces shall be smaller than specified, nor shall the density of population be increased in any manner except in conformity with the area regulations, nor shall the area of any lot be reduced below the minimum requirements herein established for the district in which such lot is located.

7.3.4. No part of a yard or other open space required for any building for the purposes of compliance with the provisions of this Ordinance shall be included as a part of a yard or other open space similarly required for another building.

7.3.5. Every building erected, altered, or moved shall be located on a lot of record as defined herein, and except in the case of approved multiple dwelling, commercial, and industrial developments, there shall be no more than one (1) principal building and its permitted accessory structures located on each lot in any district.

Section 7.4. Intent of Districts

The intent and purpose of each district are set forth as follows:

7.4.1. RAA-Low Density Rural Residential District. The purpose of this district is to provide open land areas for residential and agricultural properties of a rural character that are presently without public water and sewerage facilities and are likely to remain without such services for an extended period of time. It is also the purpose of this District to protect and stabilize the essential characteristics of these areas in order to promote and encourage suitable environments for low density family life, until such time as it may be in the public interest to promote urban development of a greater intensity requiring higher levels of public services and utilities. The requirements of this district are designed to permit the safe and healthful use of on-site water supply and waste disposal.

7.4.2. RA-Medium Density Residential District. The purpose of this district is to provide a stable and sound environment for single-family detached dwellings with suitable open space at a medium density. The requirements of this District are designed to protect the medium density residential character of development by restricting uses and activities which are not beneficial or appropriate in such an area, and by permitting construction and occupancy of single-family dwellings on fringes of higher density urban development and may be served by public sewerage systems and other appropriate urban facilities and services in the future. However, the requirements of this district are designed to permit the safe and healthful use of on-site water supply and waste disposal. There is no intent to promote by these regulations a district of lower quality and desirability than in the RAA-Residential District, although a higher density of population is permitted herein.

7.4.3. RB-High Density Residential District. The purpose of this district is to provide a stable and sound environment with suitable open space at a high density. The requirements of this district are designed to protect the single-family residential character of development by restricting those uses and activities, which are not beneficial or appropriate in such an area, and to promote high density development by permitting the construction and occupancy of single-family dwellings on relatively small-sized lots. These districts will generally be located adjacent to the highest concentrations of urban development and shall be served by public water and sewerage systems and other appropriate urban facilities and services. There is no intent to promote by these regulations a district of lower quality and desirability than other single-family residential districts, although a higher density of population is permitted herein.

7.4.4. WFR-Waterfront Residential District. The purpose of this district is to accommodate all types of single-family housing, including seasonal homes, and other permitted use on or near waterfront, woodland, or other resort or vacation areas. The requirements of this district are established to allow development to be located on, near, or in these areas only when streets, utilities and other necessary public services are provided at adequate urban standards.

7.4.5. NR-Natural River Residential District. Refer to Section 7.8.1

7.4.6. MHP-Mobile Home Park Residential District. The purpose of this district is to provide for the development of mobile home parks which are an asset to the community. The requirements of this

district are established to allow the use of mobile homes located in a mobile home park regulated by the Mobile Home Commission Act, P.A. 419 of 1976, and this Ordinance. All uses permitted in MHP-Mobile Home Park Residential District shall comply with the Mobile Home Commission Act, P.A. 419 of 1976 and the current Mobile Home Code adopted by the Mobile Home Commission. In addition to the rules and standards of the Mobile Home Code, supplemental conditions shall apply to all uses permitted in the district by this Ordinance.

7.4.7. NS-Neighborhood Service District. It is the purpose of this district to provide for convenient retail and personal service establishments which cater to the day-to-day needs of families residing within immediately accessible neighborhoods. The requirements of this district are designed to accommodate a major portion of existing neighborhood commercial development, but at the same time to limit future commercial development to centers which can be economically supported by adjacent neighborhoods, and which have a minimum impact upon the residential character of surrounding development. It is the basic intent of this district to encourage future commercial development within planned centers and community service districts rather than in scattered locations through the residential area, but also to provide for those necessary services which are most appropriately and conveniently located in close proximity to residential neighborhoods.

7.4.8. CS-Community Service District. The purpose of this district is to accommodate the wide range of retail, business, and personal service establishments which are intended to serve a number of neighborhoods, an entire community, or larger geographical areas of the Township. The provisions for this district are designed to encourage commercial development of various related types of centers which can be economically supported by the community and the surrounding area. These districts will be conveniently located in relation to the highest concentrations of urban development and on or near major thoroughfares to provide access to the outlying areas which they will serve. Planned community and regional shopping centers with adequate circulation and off-street parking facilities will be encouraged.

7.4.9. LI-Limited Industrial District. The purpose of this district is to provide for the location of light manufacturing, wholesale activities, warehouses, research and development centers, office facilities, and accessory activities. Uses permitted in this district generate minimal noise, glare, odor, dust fumes, heat radiation, vibration, air and water pollutants, or other harmful or obnoxious matter. Uses permitted in this district are characterized by minimal use, storage, collection or by-production of toxic or hazardous materials; minimal use and storage of on-site fuels; minimal use of water; minimal combustion activities, ovens or vats; and minimal use of large processing equipment and bulk products. Uses which involve the storage or handling of explosive or highly inflammable gases or liquids are not intended in this district. The district is designed to create a low density development with spacious yards to provide attractive settings as well as to help insure compatibility with nonindustrial neighboring lots

7.4.10. GI-General Industrial District. The purpose of this district is to provide for a broad range of manufacturing, wholesale activities, warehouses, research and development centers, office facilities, and accessory activities. While uses permitted in this district could create greater environmental disturbances than uses permitted in limited industrial districts, it is the intent of this district to protect neighboring properties and the Township as a whole. The district is designed to permit more intensive industrial uses on larger lots than in limited industrial while still insuring compatibility with non-industrial neighboring lots. Outdoor storage of materials and equipment is often a characteristic of these uses

7.4.11. MD-Mixed Development District. The purpose of this district is to provide for various types of commercial, office, industrial, research, warehousing, and housing uses that are compatible with one another. The lands included in this district are those suited for uses characterized by low land coverage, the absence of objectionable external effects, large setbacks, attractive building architecture, and large landscaped park-like areas. The purpose of the district is to provide suitable sites for such uses, while making certain that such uses will be compatible with adjacent or surrounding districts. To these ends, development is limited to a low concentration, external effects are minimized, and permitted uses are limited to those which are adapted to an environment of this nature. The regulations are also designed to stabilize and protect the essential characteristics of the district by excluding uses which would have a detrimental effect upon the orderly development and functioning of the district.

7.4.12. VC Village Center District. The purpose of this districts is to encourage development and redevelopment which is consistent with the traditional architecture, mixture of uses and compact layout of a traditional village. The requirements of this District are designed to permit a variety of retail, office, housing, and service uses which are subject to review by the Planning Commission. More specifically, the Village Center Zoning District is intended to achieve the following objectives:

- A. Implement recommendations of the Master Plan including the Hamburg Village Plan, and other sub-area plans;
- B. Encourage development which is consistent with the density and design of existing Old Hamburg Village development;
- C. Provide a land use transition between the village area and the more rural areas of the township;
- D. Establish a complimentary and integrated mixture of employment, shopping, entertainment and civic uses which create a walkable village with less reliance on automobile travel;
- E. Create a distinct community center and focal point in the township;
- F. Help ensure a consistent architectural theme without restricting innovative design;
- G. Integrate public gathering places;
- H. Promote long term viability in the established village area;
- I. Reduce traffic conflict points along M-36 by using a system of internal streets and access;
- J. Permit narrower streets and on-street parking on internal streets not intended to function as through streets;
- K. Enable development and redevelopment to occur in a manner that will be compatible with the existing and new village environment; and,

L. Promote a concentration of commercial uses, and other higher intensity non-industrial uses rather than permitting extending a commercial strip along M-36 with all its inherent traffic congestion, compromise of public safety environmental threats and poor aesthetics.

7.4.13. VR Village Residential District. The purpose of this district is to encourage development and redevelopment which is consistent with the historic architecture, and compact layout of a traditional neighborhood. The requirements of this District are designed to permit a variety of residential densities and housing types. More specifically, the Village Residential Zoning District is intended to achieve the following objectives:

A. Implement recommendations of the Master Plan including the M-36 Corridor Plan the Hamburg Village Plan, and other sub-area plans;

B. Encourage development which is consistent with the density and design of existing Old Hamburg Village development;

C. Provide a land use transition between the village area and the more rural areas of the township;

D. Create a distinct community center and focal point in the township;

E. Help ensure a consistent architectural theme without restricting innovative design;

F. Integrate public gathering places;

G. Promote long term viability in the established village area;

H. Reduce traffic conflict points along M-36 by using a system of internal streets and access;

I. Permit narrower streets and on-street parking on internal streets not intended to function as through streets; and,

J. Enable development in a manner that will be compatible with the existing and new village environment.

7.4.11. PPRF Public and Private Recreational Facilities District The purpose of this district is to encourage preservation of property for public and private recreational uses.

7.4.12. VC Village Center Districts. The purpose of these districts is to encourage development and redevelopment which is consistent with the traditional architecture, mixture of uses and compact layout of a traditional village. The requirements of these Districts are designed to permit a variety of retail, office, housing, and service uses which are subject to review by the Planning Commission. More specifically, the Village Center Zoning District is intended to achieve the following objectives:

A. Implement recommendations of the Master Plan including the M-36 Corridor Plan the Hamburg Village Center Plan, and other sub-area plans;

B. Encourage development which is consistent with the density and design of existing Old Hamburg Village development;

C. Provide a land use transition between the village area and the more rural areas of the township;

D. Establish a complimentary and integrated mixture of employment, shopping, entertainment and civic uses which create a walkable village with less reliance on automobile travel;

- E. Create a distinct community center and focal point in the township;
- F. Help ensure a consistent architectural theme without restricting innovative design;
- G. Integrate public gathering places;
- H. Promote long term viability in the established village area;
- I. Reduce traffic conflict points along M-36 by using a system of internal streets and access;
- J. Permit narrower streets and on-street parking on internal streets not intended to function as through streets;
- K. Enable development and redevelopment to occur in a manner that will be compatible with the existing and new village environment; and,
- L. Promote a concentration of commercial uses, higher density residential uses and other higher intensity non-industrial uses rather than permitting extending a commercial strip along M-36 with all its inherent traffic congestion, or allowing higher density residential projects in more rural areas on the community, compromise of public safety environmental threats and poor aesthetics.

7.4.12.1 VR-L/VR-H Village Residential Lower and Higher Density Districts. The purpose of the Village Residential Districts is to provide a variety of predominantly residential uses which include different housing opportunities while providing services such as parks, schools and convenience shops designed to encourage walking and biking minimizing the impact of the automobile. The intent is to create high quality residential neighborhoods, which are integrated with other neighborhoods, as well as other districts.

The Village Residential-Lower Density District will act as a transition area between the more densely designed Village Center Areas and the property to the south across strawberry lake road and to the north-east of the Village Center. Although two-four unit structures are allow within this district the structures within this districts should maintain a traditional single family residential appearance.

The Village Residential-Higher Density District will allow higher density residential development to be located in an area of the township where the infrastructures is appropriate for the density. Also, the residential density is designed to support the commercial development in the Village Center Area. Allowing for a more walkable Village Center and Downtown area.

7.4.12.2 VC-T- Village Commercial-Transition District The purpose of the Village Transition District is to encourage and direct adaptive re-use of the existing buildings and homes while integrating with existing residential uses. The district should connect to neighboring residential streets. The intent is to allow for low intensity commercial uses while maintaining the residential character of the neighborhood.

7.4.12.3 VC-D- Village Commercial-Downtown District The purpose of the Village Downtown District is to provide for small neighborhood-oriented retail uses and services. The district should connect to neighboring residential streets, creating a walkable traditional village neighbor. The intent is to allow for commercial uses while creating a pedestrian connection to adjacent neighborhoods and open space.

7.4.12.4 VC-CG- Village Commercial-Core/Gateway District The purpose of the Village Core/Village Gateway Districts is to provide for community-wide commercial and retail uses while integrating with smaller scale shops. These districts should connect to neighboring residential streets. The intent is to allow for commercial uses while creating a pedestrian connection to adjacent neighborhoods and open space.

Section 7.5. Uses in Districts

Permitted, accessory, and special uses for each district are set forth in the Permitted Use Tables in Section 7.5.1, of this Ordinance. Unless otherwise stated, minimum area, height, and bulk regulations for each permitted or special use are set forth in Section 7.7.1.

7.5.1. Permitted Use Table

In the case of a use is not specifically mentioned, the requirements for a use which is so mentioned and similar in character, as determined by the zoning administrator, to the use not listed shall apply.

A. Residential Use Table

Residential Uses	RAA	RA	WFR	NR	RB	MHP	PPRF	NS	CS	LI	GI	MD	VC-CG	VC-D	VC-T	VE	VR-L	VR-H	VR	Use Standards
Single-family dwelling	P	P	P	P	P			S	S				S	S	P	P	P	P	P	7.6.1/7.6.4
Accessory Dwelling Units	P	P	P	P	P										P	P	P	P	P	7.6.2
Farming	P	P					P													7.6.3
Roadside Farm Stand	P	P					P													
Community Supported Agricultural	P	P																		
Raising of horses	P	P	P	S			P													7.6.3
Raising of Poultry	P	P	P	S			P													7.6.3
Two Family Dwellings		S			S			S	S				P	P	P	P	P	P	S	7.6.4
Multi-Family Dwellings								S	S			S	P	P		P	S	P	S	7.6.4
Apartments								S	S			S	P	P		S	S	P	S	7.6.4
Mobile Home Parks						P														7.6.5
Live Work Unit								P	P			P	P	P	P	P	S	S	S	7.6.6
Accessory Short-Term Rental Unit	P	P	P	P	P							-	P	P	P	P	P	P	P	7.6.22
Primary Short-Term Rental Unit	P	P	P	P	P							-	P	P	P	P	P	P	P	7.6.22
Cottage Courts															P		P	P		

B. Public/Institutional/Recreational Use Table

Public/ Institutional/Recreation Uses	RAA	RA	WFR	NR	RB	MHP	PPRF	NS	CS	LI	GI	MD	VC-CG	VC-D	VC-T	VC	VR-L	VR-H	VR	Use Standards	
Government Buildings	S	S	S	S	S			P	P			P	P	P	P	P				S	
Schools	S	S	S	S	S				P				S	S	S	P	S	S	S		7.6.7
Public and private cemeteries	S						S														7.6.8
Radio or television stations or transmitters	S						S														7.6.9
Airfields and Helipads	S						S														7.6.10
Public or private golf courses	S	S	S	S			S														7.6.11
Public or private recreation clubs	S	S	S	S			S														7.6.11
Religious Institutions	S	S	S	S				P	P				S	S	S	S				S	
Essential Services	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	7.6.12
Hospitals and Medical Centers	S																				
Nursing or Convalescent Homes	S												S			S		S			
Public and Private Parks and Open Space	S	S	S	S	P																
Collection Bins								P	P	P	P								P		7.6.13
Private Indoor Recreation Facilities							S		P				S	S							
Outdoor Recreation Facilities							S		P							P					7.6.14
Private and Public Campground and Lodges	S						S														7.6.15
Gun/Archery Ranges and Hunt Clubs							S														7.6.16
Off-road vehicle and go-cart courses							S														7.6.16
Small Scale Alternative Energy Systems	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	7.6.37
Medium Scale Alternative Energy Systems	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	7.6.37
Large Scale Alternative Energy Susters										S	S										7.6.37

C. Commercial Use Table

Commercial Uses	RAA	RA	WFR	NR	RD	MHP	PPRF	NS	CS	LI	GI	MD	VC-CG	VC-D	VC-T	VC	VR-L	VR-H	VR	Use Standards
Home Occupations	P	P	P	P	P											P			P	7.6.17
Minor Agricultural Commercial and Tourism Use	P																			7.6.18
Major Agricultural Commercial and Tourism Uses	S																			7.6.18
State Licenced Child Family Day Care Home	P	P	P	P	P										P		P	P	P	
State licensed Adult Family Care Home	P	P	P	P	P										P		P	P	P	
Group day care homes	S	S	S	S	S										S		S	S	S	7.6.19
Small and Large Adult Foster Care	S	S	S	S	S			S	S						S		S	S	S	7.6.20
Child Care or Day Care Centers								S	S				S		P	P				7.6.19
Kennels	S							S	S											7.6.21
Firewood Sales	P	P						P	P											7.6.23
Outdoor Drive-in Theaters	S																			7.6.24
Wholesale Stores									P	P	P									
Department Stores									P				P							
Retail Stores								P	P			P	P	P	P	P				
Food and Beverage Stores								P	P			P	P	P	P	P				
Restaurants w/o drive thru								P	P			P	P			P				
Service Businesses								P	P			P	P	P	P	P				
Business and Professional Offices < 10,000 sq ft								P	P				P	P	P					
Business and Professional Offices >10,000 sq ft								P	P	P	P	P	P			P				
Banks and Financial Institutions w/o drive-thru								P	P	P	P	P	P	P		P				
Small Repair Shop								P	P	P	P		P							
Open Air busninesses								S	S	P	P		S		P	P				7.6.25
Dry Cleaner								S	P				P		P	P				7.6.26
Laundry Mat								S	P				P		P	P				7.6.27
Drive-thru Establishments								S	S				S			S				7.6.28
Gasoline Service Station								S	S	P	P		S			S				7.6.29
Marinas								S	P											7.6.30
Boat Sale and Service								S	P	P	P		P			P				7.6.31
Motor Vehicle Sales									S	P	P	S	S			S				7.6.32
Motor Vehicle and Trailer Rental									S	P	P	S	S			S				7.6.33
Service Studio (music, dance, matial arts, yoga ecx..)								P	P			-	P	P	P	P				
Funeral Homes/Mortuaries									P	P	P		P	P	P	P				
Auto and Truck Washes									S				S			S				
Minor Automobile Repair									S	P	P		S	S		S				7.6.34
Major Automobile Repair									S	P	P		S			S				7.6.34
Lumber Yard and Building Suplies									S	P	P									
Greenhouses/ Nursery/Garden or Feed Center								S				S	S			S				
Apartments								S	S			S	P	P		S	S	P	S	7.6.4
Motels									P				P			P				

D. Industrial Use Table

Industrial Uses	RAA	RA	WFR	NR	RB	MHP		NS	CS	LI	GI	MD	VC-CG	VC-D	VC-T	VG	VR-L	VR-H	VR	Use Standards
Motor Frieght Depots and Terminals											S									7.6.35
Warehouses and Distribution Centers										P	P	P								
Manufacturing/Processing/ Assembly of goods										P	P	S								
Printing/ Publishing and Related Activities										P	P	S								
Research and Testing Facilities										P	P	S								
Landscaping/Building and Other Contractor's Establishments											P									
Constrcution and Farm Equipment Sales											P									
Manufacturing of stone or tile											P									
Concrete or concrete products manufacturing											S									
Asphalt of Other Bituminous Plant											S									
Storage of Petroleum, chemical products, flammable liquides or gasses											S									
Landfills, Incinerators, or Junk yards											S									
Quarries and Sand and Gravel Pits											S									
Storage Facilities											S									
Adult Buisnesses											S									7.6.36

Section 7.6 Specific Use Regulations. The following are supplemental regulations for specific uses.

Intent: It is the intent of the Township to allow specific uses as an allowed use if certain regulations are met. These regulations are created to promote the general health, safety, and welfare of Hamburg Township citizens by providing multiple housing types, preserving the appearance and character of the township, and protecting the neighboring properties from potential nuisances. The regulations provide minimum standards for the placement, operation, and maintenance for the allowed use within the Township to ensure that the uses remain clean and safe and do not create hazards to citizens, pedestrians or to vehicular traffic.

Purpose: The purpose of this section is to provide a clear understanding of the expectations for the following specific uses for operators, local residents, other businesses, and local officials.

7.6.1 Single-Family Dwellings: Single-family dwelling (site built), mobile home, modular housing, or prefabricated housing located outside a mobile home park or mobile home subdivision.

- A. Hamburg Township does not have a minimum square footage requirement. The maximum dwelling size is only restricted by the lot setbacks and lot coverage regulations in Section 7.7.1. Each such dwelling unit shall comply with any state construction code requirements for minimum square footage.
- B. Each such dwelling unit shall be firmly attached to a permanent foundation constructed on the site in accordance with the Michigan State Construction Code Commission. All dwellings shall be securely anchored to the foundation in order to prevent displacement during windstorms.
- C. Dwelling units shall not be installed with attached wheels. Additionally, no dwelling shall have any exposed towing mechanism, undercarriage, or chassis.
- D. Each such dwelling unit shall be connected to a public sewer and water supply or to such private facilities approved by the local health department.
- E. All dwellings shall be aesthetically compatible in design and appearance with other residences in the vicinity. All homes shall have a roof overhang of not less than six inches on all sides. Steps shall also be required for exterior door areas or to porches connected to areas with doors where there is a difference in elevation. The compatibility of design and appearance shall be determined in the first instance by the Township Zoning Administrator. Any determination of compatibility shall be based upon the character, design, and appearance of one or more residential dwellings located outside of mobile home parks within two thousand (2,000) ft. of the subject dwelling where such area is developed with dwellings to the extent of not less than 20 percent of the lots situated within said area; or, where said area is not so developed, by the character, design, and appearance of one or more residential dwellings located outside of mobile home parks throughout the Township. The foregoing shall not be construed to prohibit innovative design concepts involving such matters as solar energy, view, unique land contour, or relief from the common or standard designed home.
- F. Additions to such dwelling unit shall be constructed with similar quality, materials and workmanship as the original structure.
- G. The foregoing standards shall not apply to a mobile home located in a licensed mobile home park except to the extent required by state or federal law or otherwise specifically required in this Ordinance and pertaining to such parks. Mobile homes which do not conform to the standards of this section shall not be used for dwelling purposes within the Township unless located within a

mobile home park or a mobile home subdivision district for such uses, or unless used as a temporary residence as otherwise provided in this Ordinance.

7.6.2 Accessory Dwelling Units:

- A. The principal dwelling or the accessory dwelling unit must be declared the main residence of the owner of the property.
- B. The accessory dwelling unit shall be a maximum of forty (40) percent of the gross floor area of the principle structure, not to exceed 1,000 square feet.
- C. **Unless stated elsewhere in the code** the number of off-street parking spaces for the accessory dwelling unit shall be not less than one (1) and shall not block the required parking for the main residence.
- D. The accessory dwelling unit shall have a maximum of two bedrooms.
- E. The occupancy of the accessory dwelling unit shall be no more than ~~two (2)~~ four (4) persons.
- F. Accessory dwelling units and the principal structure must be connected to sewer if available.
- G. Access to an attached accessory dwelling unit shall be limited to a common entrance foyer or exterior entrance to be located on the side or rear of the building;
- H. Detached accessory dwelling must be located closer to the principal residence on the subject site than the principal residence on an adjacent property.
- I. **Unless stated elsewhere in the code** the principal residence and the accessory dwelling unit shall share the same vehicular access to the property.
- J. Detached Accessory Dwelling Units shall not be permitted on lots within the Waterfront Residential and Natural Rivers Districts that abuts a waterbody or have access to a waterbody.
- K. All zoning district bulk and setback requirements shall apply to the site.
- L. Accessory dwelling units are allowed on conforming lots of record in the following circumstances (See Table 1):
 1. In the Low Density Residential (RAA), Medium Density Residential (RA), Village Center ~~Village Center (VC)~~, Village Commercial-Transition (VC-T) and Village Residential Districts (VR-L and VR-H) with review and approval by the Zoning Administrative under 7.6.2 (N).
 2. Attached units in the Waterfront Residential (WRF) and Natural Rivers (NR) districts with review and approval by the Zoning Administrative under 7.6.2 (N).
 3. Detached units in the Waterfront Residential (WRF) and Natural Rivers (NR) districts on lots greater than two (2) acres with review and approval by the Zoning Administrative under 7.6.2 (N).
 4. Detached units in the Waterfront Residential (WRF) and Natural Rivers (NR) districts on lots less than two (2) acres with review and approval by the Planning Commission under Section 7.6.2 (N).
- M. Accessory dwelling are allowed on a non-conforming lots of record in the following circumstances (See Table 1):
 1. In the Low Density Residential (RAA), Medium Density Residential (RA), ~~Village Center (VC)~~, Village Commercial-Transition (VC-T) and Village Residential Districts (VR-L and VR-H) with Planning Commission review and approval under Section 7.6.2 (N).
 2. In Waterfront (WFR) and Natural River (NR) with the following requirements:
 - a. Attached accessory units with Planning Commission review and approval under Section 7.6.2 (N).

- b. Detached units shall require Special use approval under Section 3.5.
- c. Accessory dwelling units are subject Section 9.8, Common Use (Keyhole) Ordinance.
- d. The accessory dwelling unit must meet the requirements under Section 7.6.2 (N).

Table 1:

ADU Reviewing Body ZA: Zoning Administrator PC: Planning Commission SUP: Special Use Permit

Zoning District	Conforming Lots	Non-Conforming Lots
Low Density Residential (RAA)	ZA	PC
Medium Density Residential (RA)	ZA	PC
Water Front Residential (WFR)	ZA/PC	PC/SUP**
Natural Rivers (NR)	ZA/PC*	PC/SUP**
Village Commercial-Transition (VC-T)	ZA	PC
Village Residential (VR-L and VR-H)	ZA	PC

*ZA approval for attached ADUs on conforming lots and detached ADUs on conforming lot greater than 2 acres
 ** PC approval of attached ADUs on Non-conforming lots and SUP approval of Detached ADUs on non-conforming lots.

- N. Accessory dwelling units shall be reviewed to ensure compliance to the following standards:
 1. Architectural design, style and appearance of the principal residential building must be maintained; In considering this factor the existing facade, roof pitch, building materials, colors and windows of an attached or detached accessory dwelling unit shall be consistent with the principal structure;
 2. The proposed development does not impair the existing views, block access to light and air, or infringe on the privacy of neighbors in a substantial fashion. In considering this factor, decision makers shall balance the importance of minimizing impacts on neighboring properties and the applicant’s ability to develop the property.
 3. The proposed development is compatible with existing land uses in the area, would not be detrimental to the safety or convenience of vehicular or pedestrian traffic.
- O. If public water and sewer are not available to the residence, the use of private water and septic systems for the accessory dwelling unit shall be subject to the approval of the County Health Department. The accessory dwelling unit shall comply with all applicable housing, building, fire and health code requirements.
- P. The Zoning Administrator may defer a decision on an ADU application to the Planning Commission for any reason. A decision by the zoning administrator on an ADU application is appeals to the Planning Commission.
- Q. Private restrictions include but are not limited to deed restrictions, condominium master deed restrictions, neighborhood association bylaws, and covenant deeds. The interpretation and enforcement of the private restriction is the sole responsibility of the private parties involved.

Application Procedure

- A. The applicant shall submit the following information for review:
 1. A plat plan showing the location of the proposed accessory dwelling unit, lot identification (address and property number), size of lot, dimension of lot lines, existing improvements

on the lot, location of structures on adjacent lots, abutting streets, driveways, and parking areas.

2. Sufficient architectural drawings or clear photographs to show the exterior building alterations proposed.
 3. Interior floor plans showing the floor area of the proposed accessory dwelling unit and the primary dwelling.
 4. Any additional information deemed necessary by the township for review.
- B. Prior to granting approval, the approving body must determine that a proposed accessory dwelling unit meets the standards in Section 7.6.2 (N).

Duration and Revocation

- A. The approval of an accessory dwelling unit shall expire within one (1) year after the date of such approval, unless a Land Use Permit has been issued and construction has commenced.
- B. The permit and any other form of approval for an accessory dwelling unit issued shall be subject to revocation by the Township upon a finding by the Township or its lawfully authorized designee, that there is in fact noncompliance with the conditions and requirements contained in Section 7.6.2.

7.6.3 Farming:

- A. General and specialized farming and agricultural activities:
1. Minimum lot size shall be ten (10) acres.
 2. No building housing animals shall be located nearer than seventy-five (75) feet from any property line.
- B. Raising and keeping of horses and other domestic animals:
1. Must be an accessory use to a primary use on the subject property or to a primary use on a contiguous lots under the same ownership.
 2. Minimum lot size shall be two (2) acres.
 3. Two (2) horses or large domestic animals are permitted on parcels meeting the minimum lot size. For each additional horse or large domestic animal, two (2) additional acres shall be required.
 4. Animals must be kept within a fenced area which shall be located no nearer than one hundred (100) feet from any water body. This requirement shall not apply to a water body which is located entirely within the subject property and is not connected to any water body off the subject property.
 5. The setback standards per section 9.9, Natural Features Setback Requirements, shall apply to all districts.
 6. No building housing animals shall be located nearer than seventy-five (75) feet from any property line.
 7. Animals shall be maintained and accommodated in a manner so as not to pose a nuisance to adjoining property or a hazard to water quality and public health, safety, and welfare. Where necessary to protect water quality and public health, safety and welfare, the Zoning Administrator may require additional setbacks or buffer strips from property lines or adjacent water bodies.
- C. Raising and keeping of poultry:
1. Must be an accessory use to a primary use on the subject property or to a primary use on a contiguous lots under the same ownership.
 2. In the Waterfront Residential (WFR) or Natural River (NR) zoning districts the raising and

- keeping of poultry shall only be permitted on lots greater than 2.0 acres.
3. Animals must be kept within a fenced area which shall be located no nearer than one hundred feet (100) from any water body. This requirement shall not apply to a water body which is located entirely within the subject property and is not connected to any water body off the subject property.
 4. On parcels two (2) acres or less, a maximum of eight (8) poultry animals are permitted.
 5. On parcels greater than two (2) acres, 16 poultry animals are permitted. For each additional one (1) acre over two acre, 16 additional poultry animals are permitted.
 6. Roosters shall only be permitted on parcels greater than two (2) acres.
 7. Poultry must be located within the required rear yard in an enclosed structure.
 8. The setback standards per Section 9.9, Natural Features Setback Requirements, shall apply to all districts.
 9. Animals shall be maintained and accommodated in a manner so as not to pose a nuisance to adjoining property or a hazard to water quality and public health, safety, and welfare. Where necessary to protect water quality and public health, safety and welfare, the Zoning Administrator may require additional setbacks or buffer strips from property lines or adjacent water bodies.
 10. Poultry must be kept and cared for under sanitary conditions; poultry shall not become excessively noisy, odorous, dangerous, or in any way disruptive to the character of the area in which they are kept, or otherwise become a public nuisance.
 11. On lots over ten (10) acres additional poultry may be permitted with approval of a Special Use Permit per section 3.5.
 12. Private restrictions on the use of property shall remain enforceable and take precedence over these additional district regulations. Private restrictions include but are not limited to deed restrictions, condominium master deed restrictions, neighborhood association bylaws, and covenant deeds. The interpretation of private restrictions is the sole responsibility of the private parties involved.

7.6.4. Single Family Dwellings/ Two Family Dwellings/ Multiple Family Dwellings/Apartments in the NS ~~and~~, CS, VC-CG, and VC-D Zoning Districts: The following conditions shall apply to all buildings containing residential uses ~~in the NS, CS and VC Districts:~~

- A. Single Family Dwellings, Two Family Dwellings, and buildings consisting solely of Multiple Family Dwelling are prohibited.
- B. The gross square footage available for dwelling units within a building or structure shall not exceed the gross square footage available for business occupancy within the building.
- C. When a building is used for both business and residential occupancy, the uses shall be located as follows:
 1. Dwelling units may only occupy areas above the first story **or shall be located to the rear of the business use and shall not be if** located on the same story as a business, ~~office or parking~~ use.
 2. No business, ~~office or parking~~ use shall be located on the same story **to the rear of a residential use** or above any ~~story that contains a~~ residential use.
- D. Each building that contains a business and a residential use shall provide and maintain an enclosed entrance to the interior for the exclusive use of the occupants of the residential portion of the building that is separate from the access commonly used for business activity.
- E. All accessory structures, such as garages or storage sheds, related to the dwelling units shall

be so designated on the site plan and subject to approval by the Planning Commission.

- F. **Unless stated elsewhere in the code** a parking area shall be reserved on the same lot or parcel as the principal building and designated for the exclusive use of the dwelling unit occupants, unless shared parking is approved by the Planning Commission as a part of the site plan review. ~~Two (2) parking spaces shall be required for each dwelling unit.~~
- G. The conversion of an approved dwelling unit to a use permitted for the zoning district in Section 7.5.1 shall not require special use approval. The conversion of an approved dwelling unit to another use shall be considered an immediate and a complete abandonment of the residential use. **If the zoning district requires a Special Use Permit for the residential use proposed** no residential occupancy shall be allowed following such a conversion unless a **new** special use approval is approved by the Township.

7.6.5 Mobile Home Park: All uses permitted in Mobile Home Park Residential (MHP) shall comply with the Mobile Home Commission Act, P.A. 419 of 1976 and the current Mobile Home Code in effect.

- A. Each mobile home site shall have front and rear yards of not less than ten (10) feet each.
- B. A minimum of twenty (20) feet shall be maintained between mobile homes.
- C. The mobile home park shall be developed with sites averaging 5500 sq ft per mobile home unit. This 5500 sq ft for any one site may be reduced by 20 percent provided that the individual site shall be equal to at least 4400 sq ft. For each square foot of land gained through the reduction of a site below 5500 sq ft, at least an equal amount of land shall be dedicated as open space, but in no case shall the open and distance requirements be less than that required by the Mobile Home Code.
- D. A landscape buffer shall be required along those boundaries of the mobile home park which abut a district other than MHP. For mobile home parks of less than twenty-five (25) sites, a fifteen (15) foot unoccupied landscaped buffer strip shall be provided. For mobile home parks of twenty-five (25) sites or more, a twenty-five (25) foot unoccupied landscaped buffer strip shall be provided. The ten (10) foot setback between mobile home park boundaries and a mobile home required by the Mobile Home Code may be included as part of the landscape buffer strip. The selection, spacing, and size of plant material shall be such as to create, within a five-year period from the date of planting, a horizontal obscuring effect for the entire length of the entire buffer, and a vertical obscuring effect of no less than ten (10) feet.
- E. Each mobile home park shall have two paved accesses at least, one of which shall be to a major arterial street.
- F. Upon completion of construction of all buildings and site improvements represented on the approved mobile home park construction plans and specifications, the developer, owner, or operation of the park, in conjunction with an architect or engineer, shall submit final plans and specifications, prepared in accordance with Rule 913 of the Mobile Home Code, to the Zoning Administrator.

7.6.6 Live Work Units: Live Work Units are allowed in the **MD**, NS, CS and **Village Center Commercial** district with site plan review under Article 4 and in the **Village Center Residential** districts with a Special Use Permit approval under 3.5.

- A. In the **MD**, NS, CS and **Village Center Commercial** district only Live-above and Live-behind units are allowed. A minimum of 50% of the square footage of the building shall be used for the commercial use. The commercial use shall be a use allowed in the zoning district the unit is located.

- B. In the **Village Center Residential** districts only Live-In front units are allowed. A minimum of 50% of the square footage of the building shall be used for the residential use. **The commercial use shall be a use allowed in the NS zoning district. Only businesses allowed under Section ____ Home occupations are allowed and must meet the Home Occupation regulations existing for item __ and item __ under this section.**

7.6.7 Schools including Public or Private Elementary, Junior, or Senior High Schools, and Institutions of Higher Education

- A. Schools and educational institutions shall be subject to the minimum requirements of the District in which they are located and the following additional standards.
- B. Minimum lot size shall be five (5) acres.
- C. No building shall be located nearer than one hundred (100) feet from any property line.
- D. Such use shall be located with frontage on a hard surface public street having a right-of-way of at least sixty-six (66) feet.

7.6.8 Public and private cemeteries

- A. Minimum lot size shall be twenty (20) acres.
- B. Building shall be setback at least one hundred (100) feet from the property line.

7.6.9 Radio or television stations or transmitters

- A. Minimum lot size shall be five (5) acres.

7.6.10 Aircraft Landing Fields including Airfields and Hellipads

- A. A specific duration of such use and further conditions as deemed necessary and appropriate by the Planning Commission to protect the public health, safety, convenience, and general welfare.

7.6.11 Public and Private Golf Courses, Recreation Clubs, and Standalone Parks (excluding hunt clubs)

- A. No building associated with such uses shall be located nearer than fifty (50) feet from any property line adjacent to a residential zoning districts.

7.6.12 Essential Services

- A. Essential services shall be permitted as authorized and regulated by law and other ordinances of the Township. The construction of buildings associated with essential services shall be subject to the provisions of article 4, site plan review. Otherwise, the construction, maintenance, and alteration of essential services shall be exempt from the provisions of this ordinance.
- B. In the Natural Rivers (NR) District Essential Services except within existing rights-of-way, new electric transmission lines of 30 KV or higher shall not be located within the District or to cross the Huron River without the written permission of the State of Michigan.
- C. In the Natural Rivers (NR) District wherever feasible, all electrical and telephone transmission lines shall be placed underground.

7.6.13 Collection Bins

- A. Collection bins shall be fabricated of durable and waterproof materials.

- B. Collection bins are required to be placed on a paved or concrete surface.
- C. Collection bins must be level and stable.
- D. Collection bins shall be locked with a tamper resistant locking mechanism so contents cannot be accessed by anyone other than those responsible for retrieval of the contents. Collection bins shall be tightly covered at all times to prevent the harboring of rodents and the scattering of debris.
- E. Collection bins shall be maintained in good condition and appearance with no structural damage, holes, visible rust, or graffiti. The area surrounding the bin shall be maintained free from any overflow items, furniture, rubbish, debris, hazardous materials, and noxious odors.
- F. Collection bins shall be no larger than 84 inches high, 60 inches wide and 60 inches deep.
- G. No more than two collection bins shall be allowed per property.
- H. Collection bins shall not be permitted:
 - 1. On any **residentially zoned lot**, unimproved lot or on a parcel that is not currently used or occupied or where the principal building or structure has been closed or unoccupied for more than thirty (30) days.
 - 2. Within a landscaped area.
 - 3. Within the required main building setbacks for the zoning district.
 - 4. Within a parking space required as a part of the approved site plan or required to meet the parking requirements for the principal building or structure.
 - 5. Within one thousand (1,000) feet of another collection bin on a separate property as measured along a straight line from one bin to the other.
 - 6. Within five hundred (500) feet from the property line of any lot used or zoned for residential purposes or within fifty (50) feet of any entrance driveway.
 - 7. Within a designated fire lane, or adjacent to a handicap parking space.
- I. Collection bins shall not cause a visual obstruction to vehicular or pedestrian traffic as determined by the township, or block access to required parking, emergency vehicle routes, building entrances or exits, easements, pedestrian walkways and dumpsters or trash enclosure areas.
- J. Collection bins located in the **Village Center Commercial** districts shall only be located on properties with direct access to M-36.
- K. Collection bins shall prominently display the following information in at least one-half inch typeface and no larger than one inch typeface:
 - 1. Name, address, email, and 24-hour telephone number of the person responsible for servicing and maintaining the collection bin.
 - 2. The type of material that may be deposited.
 - 3. The frequency of pickup.
 - 4. A notice that no materials shall be left outside the collection bin.
 - 5. If the collection bin is owned and operated by a for-profit or a not for profit company.
- L. Collection bins may include a 6 square foot sign on two sides of the collection bin in addition to the information required in 7.6.13 (K). The sign must be flat, either painted directly on the bin or affixed flat to the bin and projecting no more than 2 inches from the side of the bin.

7.6.14 Private Indoor and Outdoor Recreation Facilities

Private outdoor recreational areas and indoor recreational buildings, are uses such as: recreational fields, rinks or courts, including football, baseball, batting cages, soccer, tennis, basketball, ice skating, swimming pools, animal racing, go cart courses, gun ranges and similar activities, and

uses accessory to the above uses, such as refreshment stands, maintenance buildings, office for management functions, spectator seating, rest rooms, and service areas.

- A. The site size shall be adequate to accommodate the intended uses(s), parking, and extensive buffer areas without significant impact on nearby properties in terms of noise, traffic, lighting glare, views, odors, trespassing, and dust blowing debris, as determined by the Planning Commission. The applicant shall provide documentation the site size is adequate using national facility standards.
- B. All ingress and egress shall be along a County Road.
- C. No building shall be located within one hundred (100) feet of a property line.
- D. All buildings shall be setback one hundred (100) feet from the edge of any wetland or the shoreline of any lake, pond, river or stream.
- E. Off-road vehicle and go-cart courses, Fun and Archery Ranges and Hunt Clubs are only allowed in the PPRF district and are subject to the additional conditions:
 1. Any such site shall be located in a predominantly undeveloped area so as to minimize any adverse effects on the adjacent properties due to reasons of dust, odor and noise. Any such site shall have a minimum area of at least eighty (80) acres. All activity shall be setback a minimum of one hundred twenty five (125) feet from any lot line.
 2. The hours of operation shall also be set by the Planning Commission to minimize any adverse effects on adjacent properties.
 3. All ingress and egress shall be along a County Road

7.6.15 Public or private campgrounds and lodges,

Public and Private Campground and Lodges including campgrounds for travel trailers, tent campers, motor homes, tents, and cabins, subject to the following:

- A. Minimum lot size shall be twenty (20) acres.
- B. All ingress and egress shall be along a County Road.
- C. Development features including the principal and accessory buildings and structures shall be located and related to minimize adverse effects on adjacent properties. Minimum setbacks for any buildings, structures or use areas shall be two hundred (200) feet from any property line abutting a residential district.
- D. Each campsite shall be at least five hundred (500) square feet in size.
- E. If there is public sewer and water available to the site it shall be provided to the campground. If public sewer and water are not provided the Planning Commission shall consider the impacts as a part of the special use permit.

7.6.16 Off-road vehicle and go-cart courses, Gun and archery ranges, and hunt clubs:

- A. Any such site shall be located in a predominantly undeveloped area so as to minimize any adverse effects on the adjacent properties due to reasons of dust, odor and noise. Any such site shall have a minimum area of at least eighty (80) acres. All activity shall be setback a minimum of one hundred twenty five (125) feet from any lot line.
- B. The hours of operation shall also be set by the Planning Commission to minimize any adverse affects on adjacent properties.
- C. All ingress and egress shall be along a County Road.

7.6.17 Home Occupations Home occupations are occupations allowed as an accessory use clearly incidental and secondary to the primary use of the dwelling unit for dwelling purposes, carried on

by the immediate family members inhabiting the dwelling unit. Typical home occupations may include but are not limited to hairdressing, accounting, home gardening, real estate and insurance sales, appliance and motor repair, and professional offices.

General Requirements. The following requirements shall apply to all home occupations:

- A. The home occupation shall involve no more than the equivalent of one on site full time employee other than members of the immediate family residing on the premises.
- B. A home occupation shall not endanger or infringe upon the health, safety, welfare, or enjoyment of any other persons in the area, by reason of noise, vibration, glare, fumes, odor, unsanitary or unsightly conditions, electrical interference, fire hazard, traffic, or parking congestion.
- C. No structural alterations or additions which will alter the residential character of the structure in terms of the use or appearance shall be permitted to accommodate a home occupation.
- D. All home occupation activities shall be conducted indoors, except gardening which may be conducted outdoors.
- E. Only customary domestic or household equipment, or equipment judged by the Zoning Administrator not to be injurious or a nuisance to the surrounding neighborhood shall be permitted.
- F. There shall be no external evidence of such occupations except a small announcement sign as specified per Section 18.8. Plants used in a gardening home occupation may be grown outside only for the time period which is required for full growth.
- G. A family day care home as defined by this Ordinance shall be permitted as a home occupation with any Residential District provided all provisions of state are met.
- H. The home occupation shall utilize no more than twenty-five (25) percent of the total floor area on site.
- I. The home occupations shall not have more than two customers and/or delivery vehicles on-site at one time, excluding the vehicles of the occupants of the home. Shipments or deliveries by vehicles having more than two (2) axles are prohibited.
- J. The home occupation may offer for sale any article or service which is incidental to services performed or articles produced on the premises.
- K. If the Home Occupation includes customers an employee additional onsite parking shall be required, except in the VC district when on-street parking is provided.

7.6.18 Agricultural Commercial/ Tourism Business.

Minor Agricultural Commercial/Tourism Business Type Allowed.

- A. Seasonal outdoor mazes of agricultural origin such as straw bales or corn.
- B. Direct marketing of agricultural products or agricultural related products at a Farm Market, on-site farm market.
- C. U-pick Operations, Pumpkin patches and Christmas tree lots.
- D. Stables with up to 6 horses.
- E. Greenhouses

- F. The processing, storage, and retail or wholesale marketing of agricultural products into a value-added agricultural product in a farming operation if at least fifty percent (50%) of the stored, processed, or merchandised products are produced by the farm operator.
- G. Organized meeting space for weddings, parties, or events with attendance 40 or less.
- H. Uses 1 through 7 listed above may include any or all of the following ancillary agriculturally related uses and some non-agriculturally related uses so long as the general agricultural character of the farm is maintained.
 - 1. Value-added agricultural products or activities such as educational tours of processing facilities, etc.
 - 2. Bakeries selling baked goods containing some products grown on site
 - 3. Playgrounds or equipment typical of a school playground, such as slides, swings, etc. (not including motorized vehicles or rides).
 - 4. Petting farms, animal display, and pony rides.
 - 5. Wagon, sleigh, and hayrides.
 - 6. Nature trails.
 - 7. Open air or covered picnic area with restrooms.
 - 8. Educational classes, lectures, seminars.
 - 9. Historical agricultural exhibits.
 - 10. Kitchen facilities, for the processing, cooking, and/or baking of goods containing at least 25% produce grown on site.
 - 11. Gift shops for the sale of agricultural products and agriculturally related products. Gift shops for the sale of non-agriculturally related products such as antiques or crafts, are limited to twenty-five percent (25%) of gross sales.

Major Agricultural Commercial/Tourism Business Type Allowed.

- A. All Minor Agricultural Commercial/Tourism Business Types Allowed.
- B. Cider mills or wineries.
- C. Stables with more than 6 horses.
- D. Restaurant operations related to the agricultural use of the site.
- E. Small scale entertainment venue or amphitheater.
- F. Family Oriented animated events (e.g., fun houses, haunted houses and hay rides, or similar uses)
- G. Organized meeting space for weddings, parties, or events with attendance greater than 40.
- H. Overnight Facilities

Supplemental Regulations – All Agricultural Commercial/Tourism Business Types. The following are required for all Major and Minor Agricultural Commercial/Tourism Business Type uses:

- A. Must be an accessory use to a residential use of the property.

- B. Buffer plantings may be required along the property line where there is an abutting residentially zoned property. Greenbelt transition strips are intended to screen views of the proposed operation from the adjacent home or property. Buffer plantings shall meet the standards of Section 9.4.6 Greenbelts and Buffer Zones.
- C. Must provide off-street parking to accommodate use as outlined in Article 10 Off Street Parking and Loading.
 - 1. Parking facilities may be located on a grass or gravel area for seasonal uses such as farm markets, u-pick operations, and agricultural mazes.
 - 2. All parking areas shall be defined by either gravel, cut lawn, sand, or other visible marking.
 - 3. All parking areas shall be located in such a manner to avoid traffic hazards associated with entering and exiting the public roadway.
 - 4. Paved or unpaved parking areas shall not be located in required setbacks or buffer areas.
 - 5. Paved or gravel parking areas must meet all storm water management design and landscape screening requirements as set forth in this Zoning Ordinance.
- D. Hours of operation shall be limited to between 8:00 am and 11 pm. No amplified music shall be allowed after 10 pm; setup and cleanup of the event and workers and attendees to the event shall not arrive or leave the site before or after the hours of operation.
- E. Signs must meet the regulations for the zoning district. (Article 18)
- F. All other local, state, and federal regulations apply.

Supplemental Regulations – Minor Agricultural Commercial/Tourism Business Types. The following are required for all Minor Agricultural Commercial/Tourism Business Type uses:

- A. Minimum lot area of ten (10) acres.
- B. All uses permitted by this section shall be accessed on any public road within the Township with the approval of the Livingston County Road Commission of MDOT for ingress and egress to the site.
- C. A fifty (50)-foot open buffer shall be provided on all sides between the nearest location of the activity to the nearest adjacent residential property. Agricultural Commercial/Tourism Business activities shall not be allowed within this buffer area. Where possible, crops shall remain within this buffer area to help maintain the agricultural character of the site.
- D. No structure used for the indoor commercial aspect of the approved uses shall have an indoor commercial space larger than 1000 square feet except stables.

Supplemental Regulations – Major Agricultural Commercial/Tourism Business Types. The following are required for all Major Agricultural Commercial/Tourism Business Type uses:

- A. Minimum lot area of 40 acres
- B. All uses permitted by this section shall be accessed on a public Arterial roadway within the Township with the condition that the increase in traffic shall not create a nuisance, to nearby residents by way of traffic or noise or increase the public cost in maintaining the roadway.

- C. A one hundred (100)-foot open buffer shall be provided on all sides between the nearest location of the activity to the nearest adjacent residential property. Agricultural Commercial/Tourism Business activities shall not be allowed within this buffer area. Where possible, crops shall remain within this buffer area to help maintain the agricultural character of the site.
- D. Agricultural Commercial/Tourism Business that hold weddings, outdoor and indoor concerts and other events with attendance greater than 40 people shall meet the following regulations:
1. Maximum duration: No more than 20 events shall be allowed on a site per calendar year.
 2. Noise: Events shall be required to meet the regulations of the Hamburg Township Noise Ordinance.
 3. Number of Attendees: Events shall be limited to a maximum of 150 persons, or the maximum occupancy of the space where the event is held, whichever is less.
 4. Distance to neighboring structures: If an event is held outdoors all temporary structures and outdoor venues shall meet the open buffer setback listed above.
 5. Clean-Up. Adequate site and surrounding area clean-up shall be done within 48 hours following the event.
 6. Lighting. All exterior lighting shall be so installed that the surface of the source of light shall not be visible from the nearest residential district boundary and it shall be so arranged to reflect light away from any residential use. In no case shall any lighting become a nuisance as regulated in the Township Nuisance Ordinance. Lighting shall meet the applicable requirements under Section 9.11, Outdoor Lighting.
 7. Yearly Approval: In addition to the initial Special Land Use Permit, the owners of the establishment shall submit a land use permit application on a yearly basis which includes the following information for the Zoning Administrator to review. Should the Zoning Administrator deem necessary, the yearly application may be sent to the Planning Commission for consideration.
 - a. A list of the approximate dates that the venue will be used for events including the type of event,
 - b. A plot plan that depicts the location of all event venues, bathroom facilities, parking, drop off areas, and any other information deemed by the Zoning Administrator to be necessary in the review of the project,
 - c. The name and phone number of a contact person that will be at the events.
 - d. A signed agreement with the property owner of any land to be used for off-site parking.
 - e. Any of the requirements in a-d above may be altered, as necessary, to meet the requirements of the special use permit process. (Hamburg Zoning Ordinance, Section 3.5).

Planning Commission Waiver the Planning Commission shall have the ability to waive or modify any of the regulations in this section, provided that the following criteria are met. A waiver granted under this section shall apply for the lifespan of the business in question, but shall not be transferable to any other business or premises.

- A. The applicant provides all requested information and pays all applicable application and review

fees, to be determined by the Township Board Fee Schedule.

- B. The proposed Commercial/ Agricultural Tourism Business does not endanger the public health, safety, and welfare of the community.
- C. A Commercial/ Agricultural Tourism Business that meets the required regulations of this Article would not meet the needs of the use on the subject site.
- D. The Commercial/ Agricultural Tourism Business utilizes a well thought out layout, high quality materials and design.
- E. The Commercial/ Agricultural Tourism Business shall be in harmony and consistent with the architecture of the surrounding building and relate to the features of these building in terms of location, scale, size, color, lettering, materials, and texture.
- F. The Commercial/ Agricultural Tourism Business shall be consistent with the character of the surrounding area.
- G. The Commercial/ Agricultural Tourism Business shall not be a nuisance to any residential uses.

Application requirements:

- A. The following additional operation information must also be provided as applicable:
 - 1. Ownership of the property.
 - 2. Months (season) of operation.
 - 3. Hours of operation.
 - 4. Anticipated number of retail customers.
 - 5. Maintenance plan for disposal, etc.
 - 6. Any proposed signs.
 - 7. Any proposed lighting.
 - 8. Maximum number of employees at any one (1) time.
 - 9. Restroom facilities.
 - 10. Verification that all outside agency permits have been granted, i.e. federal, state and local permits.
 - 11. Plot Plan showing all areas of the property to be used, including all structures and parking areas on site must be clearly identified.

Annual Review: The Planning Commission has the authority to require that a special land use permit or a waiver granted for an agricultural commercial or tourism business to be reviewed annually by the Planning Commission at a regularly-scheduled meeting. The evaluation will review any violations of the special use permit or waiver, other zoning violations, whether the violations have been resolved or are recurring, and complaints by neighboring property owners. If violations of the special use permit or waiver continue the approvals may be revoked by the Planning Commission. To ensure that the special land use or activity authorized shall continue to be:

- A. Compatible with adjacent uses of land, the natural environment, the capacities of public services and facilities affected by the land use, and

- B. Consistent with the public health, safety, and welfare of the local unit of government.

7.6.19 Child Care Facilities except Family Day Care Homes: Group day care homes, child care centers, and day care centers shall be subject to the minimum requirements of the District in which they are located and State licensing requirements.

- A. The number of children permitted for child care centers and day care centers shall not exceed one child per five hundred (500) square feet of usable lot area, unless a smaller area is determined to be adequate through the special use permit process. The number of children permitted for child care centers and group day care homes shall be subject to the provisions of State licensing requirements.
- B. A fenced play area of one hundred (100) square feet per child shall be provided, unless a smaller area is determined to be adequate through the special use permit process. The size of the outdoors play area for child care centers and group day care homes shall be subject to the provisions of State licensing requirements.
- C. If a special use permit is required the Planning Commission shall determine through the special use permit process (Section 3.5) if the size of the subject property and the size of the fenced play area are adequate for the proposed use on the property. In making this determination the Planning Commission may consider the characteristics of the proposed use, the subject property, the surrounding properties and any other factors that may have an impact of the proposed use. Some characteristics to consider may including but are not limited to: the number and age of the children to be cared for; the number of employees; the use of the subject site and surrounding properties; and the size, location, layout, of the site improvement both on the subject site and on the surrounding properties.
- D. The site shall be designed to minimize nuisance to adjoining property and protect the safety of children using the facility.

7.6.20 Adult Care Facilities except Adult Family Care Homes: Adult Foster Care Large and/or Small Group Home: Adult Foster Care Large and/or Small Group Home shall be subject to the minimum requirements of the District in which they are located and State licensing requirements.

- A. The lot shall be at least 1,500 feet from any other state licensed residential facility.
- B. Minimum lot size shall meet the requirement of the district, but in no case shall be less than one acre in size.
- C. The required buffer zone "C", as described in Section 9.4.6 (E), shall be provided around the perimeter of the property.
- D. The applicant shall demonstrate to the satisfaction of the Planning Commission that adequate off-street parking will be provided.

7.6.21 Kennels:

- A. Kennels in the RAA district
 1. A kennel must be an accessory use to a single-family home on the subject site.
 2. The parcel of land upon which such activity is conducted, shall be no less than ten (10) acres in area.

3. All enclosures for breeding, rearing, shelter, or other uses in connection with harboring of pets, shall be hard surfaces and provided with proper drains for washing with water pressure.
 4. All breeding areas, runs, and shelter areas shall be set back from the road right-of-way and from the adjoining property lines a minimum of two hundred (200) feet.
 5. The entire facility including breeding areas, shelters, and runs shall be enclosed by a visual screen and sound reducing wall or fence not less than six (6) feet in height.
- B. Kennels in the NS Zoning District:
1. Kennels shall be accessory to another business such as a pet supplies store, pet grooming studio or veterinary clinic.
 2. Kennels shall only be used for daily pet care and/or short term overnight stays no greater than 10 days. Kennels shall not be used for breeding.
 3. If any outdoor space is proposed to be used as a part of the Kennel use it shall be depicted as a part of the approval process. If there is an outdoor animal play area it shall be enclosed by a fence or wall not less than four (4) feet in height.

7.6.22 Short Term Rental Development Standards

- A. There are three types of short-term rental units Accessory Short-Term Rental Units, Primary Short-Term Rental Units, and Bed and Breakfast Short-Term Rental Units. Short-term rental units must apply for a Land Use Permit under Article 3 Section 3.3 Land Use Permits.
- B. All short-term rental units shall meet the following regulations:
1. If there is an accessory dwelling unit on the subject site only one of the dwelling units can be used as a short-term rental unit. The accessory dwelling unit regulations in Section 7.6.2 shall be met.
 2. Maximum occupancy of 2 persons per bedroom plus an additional 2 persons per floor level with livable space.
 3. One off street parking space is required per bedroom. In the VC or VR districts if there is on-street parking along a property line of the subject property it may be counted for the required parking. If the short-term rental unit is hosted the hosts parking space must be unobstructed by the guest parking spaces.
 4. Noise during quiet hours 10:00 p.m. to 7:00 a.m. must be limited to that which does not disturb the quiet, comfort or repose of a reasonable person of normal sensitivities. The regulations of the Preach of Peace Ordinance shall apply.
 5. No Fireworks are allowed.
 6. No tents, recreation or other vehicles, or boats can be used as short-term rentals.
 7. Subject property shall have on site garbage service.
 8. A local agent shall be designated. The local agent shall be available 24 hours a day while the unit is rented out. The local agent shall live within 45 minutes of the short-term rental unit.
 9. If advertised the advertisement shall include the permit number and maximum number of persons allowed.
 10. If there are more than 10 properties within 1000 feet of the subject property; only 30 percent of these properties may be used for short-term rentals. Of the allowed short-term rental units only 15% can be primary short-term rental units or bed and breakfast short-term rental units. If the subject property is greater than 10 acres this regulation does not apply. All approvals shall be granted on a first to apply basis.

11. The following information shall be posted within 10 feet of the primary door of an un-hosted short-term rental unit: The Name and phone number of the local agent; A plan of the property that shows the property lines, buildings and parking spaces with a statement about trespassing on neighboring sites; information about garbage pick-up; the total number of people allowed; and other rules including but not limited to the quiet hours, and no fireworks.
 12. An annual land use permit (Article 3, Section 3.3) is required for all short-term rental units. If an annual land use permit for an existing short-term rental unit is not applied for by the first day of February the existing short-term rental unit shall no longer be used as a short-term rental unit until a new land use permit is approved for that property.
- C. Accessory and Primary Short-Term Rental Units:
1. Maximum occupancy of 10 persons per unit. This number would include the host and their family if the STR is within the same building. If the STR is hosted and the STR unit or the Host is in an Accessory Dwelling Unit the Maximum Occupancy on the site may be up to 14 persons.
 2. Structures used as short-term rental units shall meet the required setbacks of the zoning district it is located in.
 3. Special events (section 8.4) are not allowed while the property is being used as a short-term rental unit.
- D. Bed and Breakfast Inn Short-Term Rental Units:
1. Dining facilities for the purpose of serving meals shall not exceed a seating capacity of two and a half (2.5) times the number of sleeping rooms in the bed and breakfast establishment. No restaurant shall be permitted. Food service shall be limited to food provided at no extra cost to the transient guests.
 2. The sale and/or display of merchandise of souvenirs of the inn and other local merchandise is allowed as long as it is accessory to the Bed and Breakfast Short Term Rental use.
 3. Bed and breakfast short-term rental units may not offer boating amenities, such as docking facilities, boat rental or boating tours, to guests. This provision shall not preclude the resident owner from docking or utilizing a boat for their own personal use.
 4. Bed and breakfast short-term rental units may be located in neighborhood service and community service zoning districts with approval of a Special Use Permit.
 5. Bed and breakfast short-term rental units may offer wedding and indoor concert events if approved as a part of their Special Use Permit.
 6. A structure utilized for a bed and breakfast-short-term rental unit must be located at least 200 feet from any adjacent residence, measured between principal structures.
 7. A structure utilized for a bed and breakfast short-term rental unit that is within 500 feet from the shoreline of any lake or river must be connected to a public sanitary sewer. A structure utilized for a bed and breakfast inn that is further than 500 feet from the shoreline of any lake or river. The sanitary septic system must be located further than 500 feet from a body of water. Ponds which are completely contained within the subject parcel and not contiguous to any off-site body of water may be within 500 feet of the structure utilized for a bed and breakfast inn and/or the sanitary septic system.

8. Bed and breakfast short-term rental units shall be limited to eight (8) guest sleeping rooms. The maximum occupancy of the Bed and Breakfast short-term rental unit shall be of 20 people including the host, their family, and other employees if staying at the site.
9. The parking areas shall not be located within the required yard setbacks. Landscape buffer strip, designed in accordance with Section 9.3, shall be provided between the parking lot and all adjacent residentially zoned land.
10. Bed and breakfast short-term rental units that want to hold wedding and indoor concert events shall meet the following regulations:
 - a. Maximum duration: No more than 20 events shall be allowed on a site per calendar year.
 - b. Location: Events shall not be allowed on property in or adjacent to any developed residential areas except on sites greater than 2 acres.
 - c. Noise: Events shall be required to meet the regulations of the Hamburg Township Breach of Peace Ordinance.
 - d. Hours of Operation: Events shall only take place between 8:00 am and 11 pm. No amplified music shall be allowed after 10 pm; setup and cleanup of the event and workers and attendees to the event shall not arrive or leave the site before or after the hours of operation.
 - e. Number of Attendees: Events shall be limited to a maximum of 150 persons, or the maximum occupancy of the space where the event is held, whichever is less.
 - f. Distance to neighboring structures: If an event is held outdoors all temporary structures and outdoor venues shall be at least 200 feet from an adjacent residential structure.
 - g. Parking: Parking may be provided, either on or off-site, and shall meet the requirements under Section 10.3.1 (7). If parking is provided off-site, a shuttle service must be provided.
 - h. Clean-Up. Adequate site and surrounding area clean-up shall be done within 48 hours following the event.
 - i. Lighting. All exterior lighting shall be so installed that the surface of the source of light shall not be visible from the nearest residential district boundary and it shall be so arranged to reflect light away from any residential use. In no case shall any lighting become a nuisance as regulated in the Township Nuisance Ordinance. Lighting shall meet the applicable requirements under Section 9.11 Outdoor Lighting.
 - j. Temporary Sign: One temporary sign may be allowed in addition to the signs allowed for bed and breakfast establishments in article 18 for the district in which they are located. The sign shall not exceed 8 square feet in size, shall only be placed on the private property where the event is being held, shall only be erected the day of the event and shall be removed within 24 hours following the event.
 - k. Yearly Approval: In addition to the initial Special Land Use Permit, the owners of the establishment shall submit a land use permit application on a yearly basis which includes the following information for the Zoning Administrator to review. Should the Zoning Administrator deem necessary,

the yearly application may be sent to the Planning Commission for consideration.

- i. A list of the approximate dates that the bed and breakfast will be used for events, including the type of event.
 - ii. a plot plan that depicts the location of all event venues, bathroom facilities, parking, drop off areas, and any other information deemed by the Zoning Administrator to be necessary in the review of the project.
 - iii. The name and phone number of a contact person that will be at the events.
 - iv. A signed agreement with the property owner of any land to be used for off-site parking.
1. Any of the requirements in a-k above may be altered, as necessary, to meet the requirements of the special use permit process. (Section 3.5).

7.6.23 Firewood Sales

- A. A land use permit renewable on an annual basis shall be secured from the Township Zoning Administrator.
- B. In the RAA and RA Districts, storage of firewood shall be restricted to the side and rear yards.
- C. All sales shall be conducted in a manner so as not to create a traffic hazard or a nuisance to neighboring properties.
- D. Adequate parking and ingress and egress to the premises shall be provided.
- E. Signs shall conform to the provisions of the District in which firewood sales are located.

7.6.24 Outdoor or drive-in theaters:

- A. Picture screens shall not be permitted to face a public roadway, shall be so located as to be out of view of any major thoroughfare, and shall not exceed sixty-five (65) feet in total height.
- B. A minimum yard of one hundred (100) feet shall separate such use from any public street used for access.
- C. Entrance and exit routes shall be located no nearer than 500 feet to the point of intersection of the right-of-way lines to two or more intersecting streets.
- D. The Planning Commission shall require such means of ingress and egress as will minimize congestion and hazards on the public streets adjacent to such uses.

7.6.25 Open Air Businesses

- A. Unless specified elsewhere in the ordinance any outdoor sales, **dinning**, storage or other activities associated with an allowed use in the NS, CS, **VC-CG** districts requires a special use permit.
- B. **Unless specified elsewhere in the ordinance any outdoor sales, dinning, storage or other activities associated with an allowed use in the LI or GI districts are permit with approval of a site plan.**
- C. **Unless specified elsewhere in the ordinance any outdoor sales and dinning associated with an allowed use in the VC-T and VC-D districts are permit with approval of a site plan.**
 - a. **Outdoor dining. Outdoor dining is permitted provided the following standards are met::**

- i. A clear pedestrian path of at least five feet wide shall be maintained. The Planning Commission may require a wider space in high traffic areas.
- ii. An outdoor trash receptacle shall be maintained by the business that utilizes the outdoor dining area.
- iii. The outdoor dining fixtures shall be maintained in good condition.
- iv. Any signage applied or printed on outdoor café umbrellas shall be counted toward the total permitted amount of wall signage.

7.6.26 Dry cleaning establishments

- A. Dike containment area for storage of hazardous materials.
- B. No connections to waste water discharge in work area and no floor drains.
- C. Dry to dry loop non-vent system equipment.
- D. Compliance with all State Health Department requirements.

7.6.27 Laundromats shall be connected to public sewer.

7.6.28 Drive-through establishments for the provisions of goods or services of a permitted use in the zoning district it is located (e.g., drive-through restaurant or drive-through bank):

- A. Ingress and egress points shall be located at least sixty (60) feet from the intersection of any two (2) streets (measured from the nearest right-of-way line or further if necessary based on the required traffic impact study).
- B. Any corner or double-frontage site shall be limited to one (1) entrance/exit drive for each separate public road frontage. A site with only one public road frontage shall be permitted no more than two (2) entrance/exit drives. Coordinated access with adjoining sites is encouraged, and may be required.
- C. Devices for the transmission of voices shall be so directed or muffled as to prevent sound from being audible beyond the boundaries of the site.

7.6.29 Gasoline service stations

- A. All activities, except those required to be performed at the service island, shall be conducted entirely within an enclosed building.
- B. Bumping, painting, major automobile repairs and outdoor storage of wrecked or dismantled vehicles are specifically prohibited.

7.6.30 Marinas

- A. Docking space shall be limited to the maximum number of boats allowed by the State of Michigan marina operating permit and the standards of the Township Common Use (Keyhole) regulations contained in Section 9.8.
- B. Access shall be provided only from the water and a major arterial road.
- C. All piers and wharves shall be setback a minimum of fifteen (15) feet from any side lot line, provided further that such piers and wharves shall be installed such that the boat moored is a minimum of six (6) feet from any side lot line as projected into the water.
- D. The number of public launches shall be limited to the number of parking spaces available for the storage of vehicles with boat trailers.

- E. Pump-out facilities shall be provided at the marina for disposal of refuse from boat holding tanks in a sanitary manner. Toilet facilities shall be provided meeting the requirements of the Livingston County Health Department.
- F. Refuse and garbage containers shall be provided and kept in clean and sanitary condition for the use of boat owners.
- G. Facilities shall be provided for the safe and sanitary disposal of oil and other engine fluids.
- H. Major repair or dismantling of boats shall be conducted within an enclosed building.
- I. All areas utilized for dry-docking/on-land storage of boats shall meet the requirements for boat dry-dock storage.
- J. Other related uses such as boat sales and service, food and beverage store, food and beverage service establishment or retail store may be located on the same site, provided such use is permitted in the zoning district and site meets the requirements for all applicable uses.

7.6.31 Boat sales and service

- A. Access shall be provided from a major arterial road.
- B. Repair or dismantling of boats shall be conducted within an enclosed building.
- C. All areas utilized for storage of boats shall be setback fifty (50) feet from any residential zoning district.
- D. All outdoor boat or trailer storage areas shall be screened from view of any abutting residentially zoned or used lands and the public road right-of-way by a continuous opaque visual barrier consisting of a row of evergreen trees or a masonry wall not less than six (6) feet in height, or other screening approved by the Planning Commission. The Planning Commission may allow up to three (3) boats located outdoors to be visible from the public right-of-way. The Planning Commission may require additional screening and setbacks where outdoor multi-level boat racks are proposed.

7.6.32 Motor Vehicles Sales

- A. Site shall be located along M-36 and shall not exceed 40,000 square feet in size in the VC district.
- B. Sales of motor vehicles shall be in conjunction with an indoor showroom and sales office in the CS and VC zoning district.
- C. No storage or display of vehicles shall be permitted in any landscape greenbelt area.
- D. All outdoor motor vehicle storage areas in the CS and VC zoning districts shall be screened from view of any abutting residentially zoned or used lands and the public road right-of-way by a continuous opaque visual barrier consisting of a row of evergreen trees or a masonry wall not less than six (6) feet in height, or other screening approved by the Planning Commission. The Planning Commission may allow up to three (3) motor vehicles located outdoors to be visible from the public right-of-way.
- E. Sites shall be limited to one access drive unless the site provides frontage on more than one street. Access may be provided through rear access drives in addition to a preliminary entrance.
- F. Parking and display areas shall be hard surfaced and shall be graded and drained to dispose of storm water without negatively impacting neighboring property. The Township Planning Commission may recommend a gravel surface for part of the display or storage area for low intensity activities.

- G. Plans shall include the layout for parking of display vehicles, and customer parking. Parking spaces shall include bumper blocks for the preservation of all greenbelt areas.
- H. Loudspeakers and paging systems shall be prohibited.
- I. The sales showroom building may include an area for vehicle repair, provided that the repair activity is incidental so the primary sales of vehicles. All work shall be constructed within a completely enclosed building.
- J. All washing of vehicles shall take place on site within an area that captures all runoff for treatment on site within an approved storm water management system approved by Hamburg Township.

7.6.33 Automobile, truck and trailer rental: The following regulations are for Automobile, truck and trailer rental in the CS and VC-CG district.

- A. Minimum lot area shall be one (1) acre.
- B. Minimum lot width shall be one hundred and fifty (150) feet.
- C. All areas utilized for storage of vehicles and trailer shall be setback fifty (50) feet from any residential zoning district.
- D. All stored rental vehicles and trailers shall be no closer to the front of the parcel than the front line of the principal building on the parcel, provided that in no case shall rental vehicles and trailers be stored in the required front yard.
- E. All vehicle storage areas shall be screened from view of any abutting residential area by a row of evergreen trees or a masonry wall or not less than six (6) feet in height, or other screening approved by the Planning Commission except that the Planning Commission may allow up to three (3) vehicles or trailers to be visible from the public right-of-way.
- F. A plan shall be provided that indicates the number, type, location and traffic circulation pattern of vehicles or trailers to be stored on the site for Planning Commission approval.
- G. Ingress and egress shall meet the spacing requirements of Section 10.8.5. Such use shall be limited to a single access point on a public or private road
- H. All washing of vehicles shall take place on site within an area that captures all runoff for treatment on site within an approved storm water management system approved by Hamburg Township.

7.6.34 Major and Minor Automobile Repair: The following regulations are for Automobile Repair in the CS, and VC-CG district.

- A. Major automobile repair may only be permitted as an accessory use to minor automobile repair, provided all of the standards below are satisfied.
- B. **Setbacks.** Side and rear yard setbacks for repair garages or other buildings shall be fifty (50) feet from and residentially zoned or used district.
- C. **Hours of Operation.** All minor automobile repair services shall be conducted entirely within an enclosed building and between the hours of 7:00 a.m. and 9:00 p.m.
- D. **Orientation of Open Bays.** Buildings shall be oriented so that open service bays do not face onto adjacent major thoroughfares or arterial roads unless screened by an adjoining lot or building.

- E. **Outdoor Storage.** There shall be no storage of vehicle components such as parts, trash, supplies or equipment outside of a building. Outdoor Storage associated with the Major Automobile Repair for the vehicles to be worked on is permitted but only for a period lasting no longer than seven (7) consecutive days. All vehicles awaiting repair must be completely screened by a 6-foot masonry wall with landscaping in front as described under screening. The amount of space dedicated to such outdoor storage areas cannot exceed the square footage of the principal building.
- F. **Curb Cuts.** M-36 is the major roadway through Hamburg Township and also serves as a regional thoroughfare. Driveways and curb cuts along M-36 are permitted only as necessary to access the Village. Shared access drives are required unless site conditions prohibit such collaboration.
- G. **Screening.** Where minor automobile repair establishments adjoin property located in any residentially zoned or used district, a solid, ornamental, masonry wall, six (6) feet in height, shall be erected and maintained along a shared lot line. In addition, all trash areas shall be enclosed on all sides by a required six (6)-foot masonry wall. Such walls shall be constructed of the same materials as that of the principal building, and be faced with either brick, decorative block, or pre-cast concrete formed into a decorative pattern and painted in the same color scheme as that of the principal building. All masonry walls shall be protected by a fixed curb or barrier to prevent vehicles from contacting the wall. The masonry wall may be required by the Planning Commission where the minor repair establishment adjoins a nonresidential use, such as a professional office building, clinic or day nursery, or a landscaped area of any other nonresidential use.
- H. **Outdoor Display.** The outdoor display and sale of merchandise shall be prohibited, unless specifically approved by the Planning Commission as a condition of the special land use permit.
- I. **Commercial Vehicles.** Tow trucks or other commercial vehicles that are on the premises for reasons other than typical customer activity shall be parked in non-required parking spaces and should not be parked in such a manner to be used as an advertisement.
- J. **Fire Safety.** All uses shall comply with the flammable liquid regulations promulgated by the fire safety board by authority conferred by Section 3 of Public Act No. 207 of 1941 (MCL 29.3c).
- K. **Engineering.** The installation and use of an oil-water separator with monitoring capabilities in the facility's storm water management system shall be required, as well as the use of best management practices for pollution prevention for automobile service operations, in order to protect surface water and groundwater quality, along with approval by the Township Engineer.
- L. **Modifications.** Any of the requirements in a-j above may be altered, as necessary, should the applicant demonstrate to the satisfaction of the Planning Commission justification for deviation from these use standards.

7.6.35 Motor freight depots and terminals

- A. Goods and/or trucks are stored only on a temporary basis and are clearly in transit and have not yet reached their final destination.

- B. Such activities shall not include the storage of scrap or junk materials; wrecked or partially dismantled vehicles; petroleum or other than in mobile carriers or for use on the premises.
- C. No building, temporary storage yard, or loading berth shall be located within fifty (50) feet of any rear or side property line or within one hundred (100) feet of any street right-of-way line.
- D. All temporary storage yards shall be enclosed by a well-maintained solid fence or masonry wall not less than six (6) feet in height.

7.6.36 Adult Businesses

- A. Purpose. In the development and execution of this chapter, it is recognized that there are some uses which, because of their very nature, have serious operational characteristics, particularly when concentrated or when one (1) or more of them are located in near proximity to residential zones, thereby having a deleterious effect upon adjacent areas. Regulation of these uses through location is necessary to ensure that the adverse effects of such uses will not contribute to the blighting or downgrading of the surrounding neighborhood. The provisions of this chapter are intended to prevent a concentration of these uses within any one area and to prevent deterioration or blighting of nearby residential neighborhoods.
- B. Restrictions on Location. All such businesses shall be limited to the GI District. No person shall use, establish, build, operate, or allow to be operated an adult business in any building or on any lands:
 - 1. Within 1,000 feet of another adult business.
 - 2. Within 500 feet from any residentially zoned lands, or single- or multi-family dwelling unit.
 - 3. Within 500 feet from any church or other religious institution.
 - 4. Within 500 feet of any public park or land zoned for such use.
 - 5. Within 500 feet of a school.The distance between an adult business and a church, school, public park, or a residential zoning district shall be measured in a straight line, without regard to intervening structures or objects, from the closest exterior wall of the adult business or building containing an adult business to the nearest property line of the protected use or residential or agricultural district.
- C. No person shall reside in or permit any person to reside in the premises of an adult business.
- D. Exceptions. The provisions of this section regarding massage parlors shall not apply to hospitals, sanitariums, nursing homes or medical clinics, or to the offices of a physician, surgeon, chiropractor, osteopath or physical therapist, or massage therapists duly licensed by the State.

7.6.37 Alternative Energy Systems (AES)

It is the intent of the Township to allow property owners to utilize alternative energy systems to reduce utility costs and to promote cleaner forms of energy creation. The regulations are created to protect and preserve the character of the community while still allowing for these alternative energy sources to be utilized.

- A. Application.
 - 1. Small Scale Alternative Energy Systems (SSAES) are allowed as an accessory use in all zoning districts as long as they can meet the regulations of Subsections 7.6.37 (B) and (C). If a SSAES cannot meet the regulations under Subsections 7.6.37 (B) and (C) an applicant can apply for a special use permit (SUP) under section 3.5.

2. Medium Scale Alternative Energy Systems (MSAES) are allowed as an accessory use to a development in all zoning districts with approval of a SUP under section 3.5.
 3. Large Scale Alternative Energy Systems (LSAES) may be permitted in the Light Industrial (LI) and General Industrial (GI) Zoning Districts with approval of a SUP under section 3.5.
 4. In order for the planning commission to approve a special use permit application for a SSAES, MSAES or LSAES; the AES shall meet the standards for SUP in section 3.5 and the regulations under Subsection 7.6.37 (B) and (D).
- B. All Alternative Energy Systems (AES). The following regulations are required for all AES:
1. AES shall be made of non-reflective materials and be a neutral color to blend into the area (i.e non-reflective white, tan, light grey or light blue)
 2. AES shall not cause any microwave, television, radio or navigation interference.
 3. AES shall have all transmission lines underground.
 4. AES shall be maintained and kept in a safe working condition.
 5. AES may not be used to display signage, including advertisements on the structure.
 6. Landscape screening shall be provided to screen the unit/units from adjacent properties and roadways when possible, in lieu of landscape screening the Zoning Administrator or Planning Commission may approve the use of a decorative fence. Landscape groundcover shall also be required in the area around the AES and as appropriate for the site.
 7. Wind Energy Systems (WES) shall have; automatic braking, governing, or a feathering system to prevent uncontrolled rotation or over speeding; lightning protection and if supported by guy wires, the wires shall be clearly visible to a height of at least six feet above the guy wire anchors.
- C. Alternative Energy Systems (AES) Regulations with Land Use Permit. The following AES are allowed with approval of a Land Use Permit (Section 3.3):
1. Small Scale Alternative Energy Systems (SSAES) All Small Scale Solar and Wind Energy Systems shall be subject to the following:
 - a. shall be an accessory use to a primary use of the property or of an adjacent property under the same ownership;
 - b. shall not include any lighting unless required by the FAA or other agency; and
 - c. shall be removed when not in use for over one hundred and eighty (180) days.
 2. Small Scale Solar Energy Systems (SSSES):
 - a. Roof or Building Mounted SSSES:
 - i. shall meet the setback for the building the located on;
 - ii. shall not extend beyond the peak of the roof; and
 - iii. shall extend no more than 5 feet above the surface it is mounted to.
 - b. Standalone SSSES shall meet the regulations for accessory buildings and structures under section 8.3.
 3. Small Scale Wind Energy Systems (SSWES):
 - a. Roof or Building Mounted SSWES:
 - i. shall meet the setback requirements for the building it is mounted to,
 - ii. shall extend no more than 10 feet above the peak of the roof,
 - iii. shall extend no more than 15 feet from the surface it is mounted to, and

- iv. shall not exceed four (4) roof or building mounted SSWES units on one lot.
 - b. Standalone SSWES:
 - i. shall meet the required setback for the primary structure or have a minimum setback of 1.5 time the height of the SSWES, whichever is greater,
 - ii. shall be no taller than 17 feet in height,
 - iii. shall have a clearance of 10 feet between the SSWES blades and the nearest standing or walking surface (i.e the ground, a deck, a rooftop patio, ect...), and
 - iv. shall not exceed one (1) standalone SSWES units on one lot.
- D. Alternative Energy Systems (AES) regulations with Special Use Permit (SUP): the following AES are allowed with approval of a SUP (Section 3.5).**
- 1. Small Scale Alternative Energy Systems (SSAES) require SUP approval if they do not meet the regulations under section 7.6.37 (C). The Planning Commission may approve a SUP only if the SSAES meets the following regulations:
 - a. SSAES that require a SUP:
 - i. shall be on a lot greater than 10 acres,
 - ii. shall cover no more than 10% of the lot area,
 - iii. shall meet the required setback for a primary structure or have a minimum setback of 1.5 time the height of the SSAES, whichever is greater,
 - iv. shall provide landscape screening to screen the unit from adjacent properties, in lieu of landscape screen the Planning Commission may approve the use of a decorative fence and
 - v. shall be removed if not in use for over one year.
 - b. Small Scale Solar Energy Systems (SSSES) that require a SUP shall be no taller than 25 feet in height for standalone SSSES and no greater than 45 feet in height measured from existing grade for roof or building mounted SSSES.
 - c. Small Scale Wind Energy Systems (SSWES) that request a SUP:
 - i. shall be no greater than fifty (50) feet in height; and
 - ii. shall have a minimum of 20 feet of clearance between the blades and the nearest walking or standing surfaces; and
 - iii. shall not exceed four SSWES per lot.
 - 2. Medium Scale Alternative Energy Systems (MSAES) require SUP approval or may be approved as a part of a Planned Unit Development in all zoning districts. The Planning Commission may approve the MSAES if it meets the following regulations:
 - a. All MSAES:
 - i. Shall be on a lot under common ownership and a maintenance agreement shall be in place for the maintenance of the MSAES.
 - ii. Shall meet the required setback for a primary structure or have a minimum setback of 1.5 time the height whichever is greater,
 - iii. May be located in the common open space area of a project if designed to be integrated into the use of the area and approved by the Planning Commission.
 - iv. Following the operational life of the project, the Applicant shall perform decommissioning and removal of the MSAES and all its components. The

- Applicant shall prepare a Decommissioning Plan and submit it to the Planning Commission for review and approval as part of the consideration of the Special Land Use Permit Application for the MSAES. Under this plan, all structures, concrete, piping, facilities, and other project related materials above grade and any structures up to three (3) feet below-grade shall be removed offsite for disposal. Any MSAES that is not operated for a continuous period of one hundred and eighty (180) days shall be considered abandoned and shall be removed under the Decommissioning Plan. The ground must be restored to its original or similar adjacent topography within three hundred sixty-five (365) days of abandonment or decommissioning.
- b. Medium Scale Solar Energy Systems (MSSSES) shall be no taller than 25 feet in height for standalone SSSSES and no greater than 45 feet measured from existing grade in height for roof or building mounted MSSSES
 - c. Medium Scale Wind Energy Systems MSWES):
 - i. shall be no greater than One Hundred (100) feet in height; and
 - ii. shall have a minimum of 15 feet of clearance between the blades and the nearest walking or standing surfaces; and
3. Large Scale Alternative Energy Systems (LSAES) require SUP approval and must be located in the Light Industrial (LI) or General Industrial (GI) Districts. The Planning Commission may approve a SUP only if the LSAES meets the following regulations:
- a. All LSAES:
 - i. Shall include a six (6) foot tall perimeter security fence to restrict unauthorized access is required as permitted in Section 8.15.
 - ii. Shall maintain a setback no smaller than 100 feet from a property line or be setback 1.5 times the height of the LSAES structure, whichever is greater.
 - iii. Following the operational life of the project, the Applicant shall perform decommissioning and removal of the LSAES and all its components. The Applicant shall prepare a Decommissioning Plan and submit it to the Planning Commission for review and approval prior as part of the Special Land Use Permit Application for the LSAES. Under this plan, all structures, concrete, piping, facilities, and other project related materials above grade and any structures up to three (3) feet below-grade shall be removed offsite for disposal. Any LSAES that is not operated for a continuous period of one hundred and eighty (180) days shall be considered abandoned and shall be removed under the Decommissioning Plan. The ground must be restored to its original or similar adjacent topography within three hundred sixty-five (365) days of abandonment or decommissioning.
 - iv. Once a LSAES is approved the Township shall have the right at any reasonable time and shall provide day of inspection notice to the Applicant to inspect the premises on which any LSAES is located for compliance with the terms of the approval. The Township may hire one or more consultants, with approval from the Applicant (which shall not be unreasonably withheld), to assist with inspections at the Applicant's or project owner's expense.

- b. Large Scale Solar Energy Systems (LSSSES) shall be no taller than 25 feet in height for standalone LSSSES and no greater than 45 feet measured from existing grade in height for roof or building mounted LSSSES
 - c. Large Scale Wind Energy Systems (LSWES) shall:
 - i. Be no greater than 300 feet in height:
 - ii. have a minimum of 30 feet of clearance between the blades and the nearest walking or standing surfaces; and
4. Additional Information that may be required by the Planning Commission for any Alternative Energy Systems (AES) that requires planning commission review. The following analysis and reports shall be prepared by qualified professionals.
- a. A four-season analysis of potential shadow flicker. The analysis shall identify the locations of shadow flicker that may be caused by the project and the expected durations of the flicker at these locations from sun-rise to sun-set over the course of a year. The analysis shall identify all areas where shadow flicker may affect occupants or users of the structures or properties. The analysis shall describe measures that will be taken to eliminate or mitigate adverse effects.
 - b. A visual impact simulation showing the completed AES from multiple angles, locations and scales.
 - c. A predictive noise modeling and analysis report showing sound levels at various distances. The modeling must show compliance with sound standards applicable to this ordinance. The modeling study shall use turbine locations identical to the site plans submitted with this application.
 - d. An environmental analysis identifying and assessing any potential impacts on the natural environment including, but not limited to wetlands and other fragile ecosystems, historical and cultural sites, and antiquities. The analysis shall identify all appropriate measures to minimize, eliminate or mitigate adverse the impacts identified and show those measures on the site plan, where applicable. The applicant shall identify and evaluate the significance of any net effects or concerns that will remain after mitigation efforts.
 - e. An Avian and Wildlife Impact Analysis by a third party qualified professional to identify and assess any potential impacts on wildlife and endangered species. The applicant shall take appropriate measures to minimize, eliminate or mitigate adverse impacts identified in the analysis, and shall show those measures on the site plan. The applicant shall evaluate the significance of any net effects or concerns that will remain after mitigation efforts. The analysis must show consultation and evaluation based on applicable U.S. Fish and Wildlife Service Land-Based Wind Energy Guidelines (2012 or latest version).
 - i. At a minimum, the analysis shall include a thorough review of existing information regarding species, potential habitats, and sites requiring special scrutiny (such as endangered or threatened species habitat or other known special habitat) in the vicinity of the project area. Where appropriate, surveys for bats, raptors, and general avian use should be conducted. The analysis shall include the potential effects on species listed under the federal Endangered Species Act and

- Michigan's endangered species protection laws (NREPA, Act 451 of 1994, Part 365).
- ii. The analysis shall indicate whether a post construction wildlife mortality study will be conducted and, if not, the reasons why such a study does not need to be conducted.
 - f. A decommissioning performance guarantee prior to the start of construction of the AES structure or structures for an amount necessary to accomplish the work specified in the decommissioning plan or if no decommissioning plan was required, the guarantee be for an amount deemed reasonably sufficient to restore the property to its previous condition prior to construction and operation of the AES. The performance guarantee shall meet the requirement under section 5.3 of this Ordinance.
5. Public inquiries and complaints. Because of the large cost of verifying compliance with the regulations; should an aggrieved property owner allege that an AES is not in compliance with the requirements, the procedure to address the allegation shall be as follows:
- a. Notify the township in writing regarding the concerns.
 - b. If the complaint is deemed sufficient by the township to warrant an investigation, the township will request the aggrieved property owner deposit funds in an amount sufficient to pay for any tests that may need to be conducted by an outside consultant to determine compliance with the requirements.
 - c. If the test indicates that the AES meets the approved requirements, the township will use the deposit to pay for the consultant fees.
 - d. If the AES is in violation of the approval requirements, the owner(s) shall reimburse the township for the consultant fees and take immediate action to bring the AES into compliance which may include ceasing operation of the AES until violations are corrected. The township will refund the deposit to the aggrieved property owner.

Section 7.7.1: Schedule of Area, Height, and Bulk Regulations

District	Minimum Lot Area (Sq.Ft.) ^{1,6*}	Minimum Lot Width At Street (Feet) ^{2*}	Maximum Lot Coverage Buildings /Parking (%) ^{7*}	Minimum Yard Setback (Feet) ^{4*}			Maximum Building Height		Additional Regulations Section 7.7	
				F ^{3*}	S ^{4*}	R	Stories	Feet		
A.	RAA-Low Density Rural Residential	87,120	200	20/20	30	20	35	2.5	35	Yes
B.	RA-Medium Density Residential	43,560	125	35/40	25	10	30	2.5	35	Yes
C.	RB-High Density Residential	10,000	70	35/40	25	8	30	2.5	35	No
D.	WFR-Waterfront Residential	43,560	125	35/40	25	10 ^{5*}	30	2.5	35	Yes
E.	NR-Natural River Residential	43,560	150	35/40	25	10	30	2.5	35	Yes
F.	MHP-Mobile Home Park Residential	See Section 7.6.5.						2.5	35	Yes
G.	NS-Neighborhood Service	10,000	80	40/75	25	20 ^{5*}	25	2.5	35	Yes
H.	CS-Community Service	43,560	150	40/75	30	20 ^{5*}	25	2.5	35	Yes
I.	LI-Limited Industrial	43,560	150	40/75	30	20	25	3	40	Yes
J.	GI-General Industrial	87,120	200	40/75	50	20	25	3	40	Yes
KN .	PPRF – Public & Private Recreational Facilities District	1,742,400	660	20/20	100	50	100	2.5	35	Yes
L	Village Center Districts (VCD)	See Section 7.8.6 Village Center District Regulations								

* See Footnote

Footnotes to 7.7.1 Schedule of Area, Height, and Bulk Regulations

1. Minimum lot areas are for all uses within District unless otherwise specified in Section 7.7.1, Schedule of Use Regulations. Minimum lot areas are exclusive of public street right-of-way or private road access easements.
2. Minimum lot widths are required along the street upon which lot principally fronts. On cul-de-sacs or where a curvilinear street pattern results in irregularly shaped lots with non-parallel side lot lines, the following minimum lot widths shall apply:

<u>District</u>	<u>Minimum Lot Width at Right-of-Way</u>	<u>Minimum Lot Width at Building Line</u>
RAA	64 feet	106 feet
RA, WFR	64 feet	100 feet
RB	60 Feet	70 Feet
RC	100 Feet	150 Feet
NR	80 Feet	150 Feet

3. On corner lots, both street yards shall provide the minimum front yard setback. The size of corner lots shall be large enough to accommodate both front yard setbacks and a building of a similar size to those on non-corner lots.
4. In any District, a principal building, all attached structures, fences, and accessory structures shall not be permitted within fifty (50) feet of the ordinary high-water mark of any body of water unless otherwise stated.

In the Natural River Residential (NR) zoning district in addition to required front, side, and rear yard setbacks, all new buildings and structures shall be required to be setback a minimum of 125 feet from the ordinary high-water mark, or if the ordinary high-water mark cannot be determined, the setback shall be from the river's edge. The 125 foot setback may be decreased ten (10) feet for every ten (10) foot rise in elevation to a minimum of seventy-five (75) feet from the ordinary high-water mark.

5. In the Water Front Residential (WFR) zoning district lots that have less than or equal to 60 feet lot widths shall be provided a reduced minimum side yard setback of 5 feet with an aggregate side yard setback of 15 feet.

In Neighborhood Service (NS) and Community Service (CS) Districts, a principal building may be constructed on or near the property line provided that the combination of the two side yards shall total twenty (20) feet and the building's side wall be a fire wall meeting building code. In all cases, one side yard shall be provided which is sufficient to permit the access of emergency vehicles to the rear of the building.

6. Lots shall contain a sufficient buildable site exclusive of any wetlands meeting the minimum zoning setback regulations plus off-street parking, septic disposal fields, well location and accessory building provisions.

7. The maximum lot coverage values are for the following:
 - a. Building Lot Coverage; the total footprint of buildings, divided by the site, excluding water bodies and wetlands.
 - b. Total Impervious Surface; the total footprint of buildings, parking, paved and gravel storage yards, driveways, streets, roads, and sidewalks, divided by the size of the site, excluding water bodies and wetlands.

Single family or two-family residential lots may have up to an additional ten (10) percent lot coverage after approval of a grading and drainage plan, prepared by a registered engineer or a registered Landscape Architect and approved by the Township Engineer.

Section 7.8 Additional District Regulations

7.8.1 NR-Natural Rivers District

- A. **Authority.** The Huron River is a designated Natural River (classification: County Scenic River). Authority for these provisions herein stated are granted by the provisions of Part 305 of the Environmental Protection Act beginning at 13A.30501
- B. **Purposes and Intent.** This ordinance is enacted to implement public objectives embodied in the Huron River Natural River Management Plan adopted by the Natural Resources Commission, and endorsed by Hamburg Township. These public objectives seek to preserve and enhance the values of the Huron River area as well as to promote the public health, safety and general welfare of this community and the state as a whole. These objectives are sought to be achieved through zoning of this unique scenic natural river area for the following stated purposes:
 1. To protect and enhance the values of the natural river in the interest of present and future generations;
 2. To protect the economic value of this scenic resource from unwise and disorderly development which may adversely pollute, destroy or otherwise impair its beneficial use and preservation;
 3. To prevent ecological and aesthetic damage which may result from overcrowding and overuse or unwise and disorderly development;
 4. To permit reasonable and compatible uses of land which complement the natural characteristics of the river and further the purposes of this Ordinance;
 5. To limit the intensity of use, density of population and type and amount of development in order to protect and enhance the natural river values, and thereby carefully guide the expenditure of funds for public improvements and services in an orderly fashion, in keeping with the character of the natural river area, the purposes for its designation, and the community as a whole;
 6. To conserve the river water, and prevent further degradation of its quality, purity, clarity and free-flowing condition;

7. To provide for the conservation of soil, of riverbed and banks of adjoining uplands;
8. To protect the natural flood water storage capacity of the river flood plain and to prevent flood damages and associated public relief expenditures created by improper construction of structures in the flood plain;
9. To protect and enhance fish, wildlife and their habitat;
10. To protect boating and recreational values and uses of the river;
11. To protect historic values of the river and adjoining uplands;
12. To protect individuals from investing funds in structures proposed for location on lands unsuited for such development because of high ground water, erosion, or vulnerability to flood damage; and
13. To provide for administrative relief from the terms of this ordinance where warranted and in accord with the standards contained herein.

C. Setbacks

1. **Setbacks and Lot Width.** Unplatted lots, new subdivisions, and condos in the NR District shall accommodate the building setbacks as set forth in this Ordinance, and shall have a minimum riparian width of 100 feet. Septic systems are required to be set back a minimum of 125 feet from the ordinary high-water mark of the Huron River.
2. **Building Setbacks.** New buildings and appurtenances on the Huron River mainstream will be required to set back a minimum of 125 feet from the ordinary high-water mark. Further,
 - a. New buildings and appurtenances must be setback at least 100 feet from the top of a bluff.
 - b. No buildings shall be placed on land that is in a floodway or a wetland.

D. Land Alteration

1. **Cutting and Filling.** Cutting or filling for building (including appurtenances) on the flood plain is prohibited. Cutting and filling for building on the upland shall meet all state, county and township regulations. Permits are required from the State of Michigan for dredging and filling for the construction of fish or wildlife ponds within 500 feet of the river. However, no lake shall be constructed within the Natural River District.
2. **Stormwater Runoff.** A stormwater runoff management system shall be intact for all stormwater runoff prior to the runoff reaching the ordinary high-water mark of the Huron

River or its tributaries to ensure the protection of the water courses from erosion and unnecessary degradation due to sedimentation.

3. **Earth Changing Activities.** All earth changes, including dredging, damming, cutting, filling and grading, within five hundred feet of the river's edge shall be done in accordance with the requirements of a permit issued by the local soil erosion and sedimentation control enforcement agency. In addition, commercial mining and an extraction of topsoil or subsurface sand, gravel, or minerals is not permitted within three hundred feet of the river's edge.
4. **Dredge and Fill Activities.** All dredge and fill activities and construction of permanent structure, including docks, lying below the ordinary high-water mark of the river are subject to the provisions required by the State of Michigan.

E. Building Design and Screening

1. **Use of Natural Materials and Colors.** Property owners are encouraged to use natural materials and natural unobtrusive colors in the construction of new or remodeling of existing buildings.
2. **Flood Plain Restrictions.** Township Ordinance Section 9.6.1 through Section 9.6.5 shall apply in the Natural River District with the exception that no structures (except accessory building/structures) shall be permitted in the floodplain of the Huron River in the Natural River District.
3. **Natural Vegetation Strip.** To minimize erosion, stabilize the riverbank, protect water quality, keep nutrients out of the water, maintain water temperature at natural levels, preserve fish and wildlife habitat, to screen man-made structures, and also to preserve aesthetic values of the natural river area, a natural vegetation strip shall be maintained on each parcel or lot between the river's edge and a line, each point of which is 100 feet on all privately owned land and on all publicly owned land horizontal from and perpendicular to the river's edge. This restricted, minimum cutting strip shall apply on each side of the mainstream. Within the natural vegetation strip, trees and shrubs may be selectively pruned or removed for harvest of merchantable timber, to achieve a filtered view of the river from the principal structure, and for reasonable private access to the river. Said pruning and removal activities:
 - a. Shall insure a live root system stays intact to provide for streambank stabilization and erosion control; and
 - b. Shall insure that any path to the river's edge is not greater than 10 feet in width, shall meander down to the river's edge in a matter which protects the soil and vegetation from erosion while also screening the principal structure and vehicles from a direct river view; and

- c. Shall require a detailed plan of the cutting and removing of vegetation be submitted to the environmental consultant for review if necessary. The environmental consultant shall make a recommendation to the Zoning Administrator who will then give final approval/disapproval within the vegetation strip; and
- d. All commercial lumbering in the Natural River District shall be required to file a one-thousand-dollar bond with the Township to be returned to said party following inspection of the property by the Zoning Administrator to insure repair of damaged trees and property.

Dead, diseased, unsafe or fallen trees and noxious plants and shrubs, including poison ivy, poison sumac, and poison oak, and other plants regarded as a common nuisance may be removed. Planting of perennial native species in the natural vegetation strip is encouraged, especially where exposed soil and steep slopes exist, and in reforestation efforts.

4. **Use of Pesticides, Herbicides, and Fertilizers.** Because of the potentially severe adverse effects on riverfront vegetation, fish, wildlife, and water quality from improper use of even small amounts of pesticides, herbicides, and fertilizers, their use on lands within the natural river area is prohibited except when utilized in accord with the advice and supervision of qualified specialist. No pesticides, herbicides, or fertilizers are allowed in the "vegetation strip" along the river.

F. Docks and Launches

1. **Docks.** Docks may be constructed not to exceed six (6) feet in width nor more than twenty (20) feet in length paralleling the river with no more than four (4) feet of the dock extending beyond the low water mark. Docks must be constructed in accordance with the rules of Act 346, P.A. 172. Docks must be constructed of materials that are not detrimental to the river and must have natural/unobtrusive colors used for coverings. Docks cannot impede the waterway of normal water traffic.
2. **Launches.** No public launches are allowed in residential areas into the river or its tributaries.

G. **Campgrounds and Picnic Areas.** On public land, no new structures associated with a campground or picnic area, except those necessary to protect the riverbank, will be permitted within three hundred (300) feet of the designated mainstream. Such structure shall be designed and constructed in such a manner as to further the purpose of this district.

H. **Archaeological Sites.** The identification, preservation, and interpretation of archaeological sites along the designated portions of the district, both by public agencies and local societies, is strongly encouraged.

7.8.2. NS-Neighborhood Service and CS-Community Service.

- A. All uses permitted in these districts including storage shall be conducted entirely within an enclosed structure unless otherwise specified herein.
- B. Where these districts abut a residential district, there shall be provided either a landscape buffer strip designed in accordance with the provisions of Section 9.3 or a fence between six (6) and eight (8) feet in height as determined and approved by the Planning Commission.

7.8.3 LI-Limited Industrial.

- A. Vehicular access to uses permitted in this district shall be provided from a paved street within or abutting such districts.
- B. Except as hereinafter provided, all uses permitted in this district shall be conducted in completely enclosed buildings.
 - 1. Outside storage of materials, products and equipment, including tank storage, shall be permitted, subject to special approval of the Planning Commission.
 - 2. Outdoor storage yards shall be completely enclosed by a solid fence or wall between six (6) or eight (8) feet in height.
 - 3. Outdoor display of finished goods for sale shall be permitted only as specified with permitted retail uses.
 - 4. No outside use of cranes, tanker loading or unloading facilities or rail transportation shall be permitted.
- C. No structure shall be located less than one hundred (100) feet from any residential district.
- D. Where this district abuts a residential district, there shall be provided either a landscape buffer strip designed in accordance with the provisions of Section 9.3 or a fence between six (6) and eight (8) feet in height as determined and approved by the Planning Commission.
- E. Every lot in this district shall provide a landscaped buffer strip of at least fifteen (15) feet in depth, measured from the front lot line, within the prescribed front yard setback. The buffer strip shall be composed of trees and/or foliage, pursuant to the Township Engineering and Design Standards.
- F. All shipping and receiving activities shall be located at the rear or side of the building. No on-site truck storage overnight shall be permitted, except in the rear yard.
- G. All piping, vents, ventilators, exhaust, refrigeration and cooling mechanisms shall be enclosed or maximally screened from view and insulated.

- H. No crude petroleum products or processing and no processing of raw materials including but not limited to logs, animal byproducts, pulp, petroleum, coal, and ores shall be permitted.
- I. Any light industrial use which in the judgment of the Planning Commission may have off-site impacts requiring the imposition of additional restrictions to lessen the impacts of noise, odor, vibration, smoke, glare, dust, fumes, radiation, explosion, heat, toxic contamination, or other nuisances, shall be subject to special approval.
- J. The Planning Commission may waive or modify the fencing or landscape buffering requirement upon a determination that a solid fence or landscaping buffer will not be necessary or effective for screening. In making such a determination, the following shall be considered
 - 1. Need for security;
 - 2. Abutting district or existing use;
 - 3. Extent that existing natural vegetation provides the desired screening;
 - 4. Topographic conditions which would eliminate the benefits of required solid fencing or landscape buffer;
 - 5. Building heights and views in relation to existing topography and vegetation as well as views from adjacent uses;
 - 6. Similar conditions existing such that no good purpose would be served by providing the required landscaping buffer or solid fence.

7.8.4 GI-General Industrial.

- A. Vehicular access to uses permitted in this district shall be provided from a paved street within or abutting such districts.
- B. All uses permitted in this district shall be conducted in completely enclosed buildings, except that outdoor storage yards shall be completely enclosed by a solid fence or wall between six (6) and eight (8) feet in height.
- C. No structure shall be located less than one hundred (100) feet from any residential district.
- D. Where this district abuts a residential district, there shall be provided either a landscape buffer strip designed in accordance with the provisions of Section 9.3 or a fence between six (6) and eight (8) feet in height as determined and approved by the Planning Commission.
- E. Every lot in this district shall provide a landscaped buffer strip of at least fifteen (15) feet in depth, measured from the front lot line, within the prescribed front yard setback. The buffer strip shall be composed of trees and/or foliage.
- F. The Planning Commission may waive or modify the fencing or landscape buffering requirement upon a determination that a solid fence or landscaping buffer will not be necessary or effective for screening. In making such a determination, the following shall be considered.
 - 1. Need for security;

2. Abutting district or existing use;
3. Extent that existing natural vegetation provides the desired screening;
4. Topographic conditions which would eliminate the benefits of required solid fencing or landscape buffer;
5. Building heights and views in relation to existing topography and vegetation as well as views from adjacent uses;
6. Similar conditions existing such that no good purpose would be served by providing the required landscaping buffer or solid fence.

7.8.5 ~~MD-Mixed Development District.~~

- ~~A. — Developments planned under the provisions of the MD District shall be homogeneous and uniform in nature and all reasonable attempts shall be included in such plans to protect the existing environmental quality of the site. Preservation of natural features such as slopes, stands of trees, animal sanctuaries and similar characteristics shall be considered when the site has such features present. Similarly, appropriate measures shall be suggested by the applicant to assure minimal negative impact upon adjacent land areas, residents, and property owners should the site plan be implemented.~~
- ~~B. — Outdoor storage or display shall be prohibited.~~
- ~~C. — The Planning Commission may permit the provision of landscaped area in lieu of and within the area which would otherwise provide for up to ten (10) percent of the total required parking spaces.~~
- ~~D. — Off-street parking areas shall not be permitted within the required front yard setback.~~
- ~~E. — Off-street loading areas shall not be visible from any public or private road.~~
- ~~F. — The Planning Commission may waive or modify the fencing or landscape buffering requirement upon a determination that a solid fence or landscaping buffer will not be necessary or effective for screening. In making such a determination, the following shall be considered:~~
- ~~1. — Need for security;~~
 - ~~2. — Abutting district or existing use;~~
 - ~~3. — Extent that existing natural vegetation provides the desired screening;~~
 - ~~4. — Topographic conditions which would eliminate the benefits of required solid fencing or landscape buffer;~~
 - ~~5. — Building heights and views in relation to existing topography and vegetation as well as views from adjacent uses;~~
 - ~~6. — Similar conditions existing such that no good purpose would be served by providing the required landscaping buffer or solid fence.~~

7.8.6 ~~VC and VR Village Center and Village Residential Districts Regulations.~~

L. Village Center District		Minimum Lot Area (Sq.Ft.) ^{1,613*}	Minimum Lot Width At Street (Feet)	Maximum Lot Coverage Buildings/ Parking (%) ^{7,11*}	Minimum Yard Setback (Feet)			Maximum Building Height		Additional Regulations Section 7.8
					F ^{3,12,15,16,17*}	S ^{4*}	R ^{14*}	Stories	Feet	
Village Residential										
1.	VR-L-Village Residential-Lower Density	Residential without sanitary sewer and multi-family residential 21,780 ^{9*} Single Family and Duplex residential with sanitary sewer: 14,000 ^{8,9*}	80	35/40 45/60	20	10	25	2.5	35	7.8.6.1
2.	VR-H-Village Residential-Higher Density	Residential without sanitary sewer and multi-family residential 21,780 ^{9*} Single Family and Duplex residential with sanitary sewer: 8,700 ^{8,9*}	60	45/50 55/70	15	5 min 15 ag	20	3	40	7.8.6.1
Village Commercial										
3.	VC-T-Village Commercial-Transition	8,700	60	45/50	20	10	25	2.5	Min: 18' Max: 35'	7.8.6.1
4.	VC-D-Village Commercial-Downtown	8,700	60	55/70	0 ^{16*}	5	15	2.5	40	7.8.6.1
5.	VC-CG-Village Commercial Core/Gateway	8,700	100	55/70	20	10	25	2.5	40	7.8.6.1

*See Footnotes 1-7 under section 7.7.1 and 8-17 below

8. For **multiple family** dwellings with sanitary sewer, the following maximum densities shall be allowed:

Housing type	Maximum dwelling units per acre	
	Village Residential-Lower Density (VR-L) Village Commercial-Transition (VC-T)	Village Residential-Higher Density (VR-H) Village Commercial-Core/Gateway (VC-CG) Village Commercial-Downtown (VC-D)

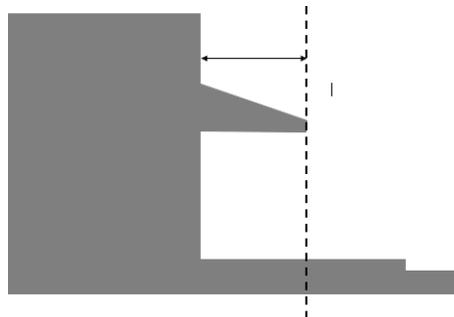
Apartments and Multi-Plex		
Cottage Courts	8	12
Two – Four Unit Dwellings	6	10
One Unit Dwelling	4	8

Housing type	Maximum dwelling units per acre	
	Village Center	Village Residential
Apartments	10	8
Multiple Family Dwellings	8	6
Duplexes	6	5

9. The minimum lot area for residential (single and multiple family) may be reduced by up to twenty-five (25) percent, provided that at least half the total area by which residential lots are reduced below the minimum lot size be provided as common open space, meeting the requirements of Section 7.8.6
10. ~~The minimum lot area for residential (single and multiple family) with sanitary sewer may be reduced to the sanitary sewer minimum lot size.~~
11. No building shall be greater than thirty thousand (30,000) square feet gross floor area except for a group of uses, each with individual pedestrian entrances.
12. ~~Unless required elsewhere in the code a Minimum of 50% of the front building elevation of the main structure shall be built to the front setback in all village center zoning districts. A lesser or greater setback may shall be required by the Zoning Administrator Planning Commission where the established front yard setbacks of adjacent buildings within the area is are either less than or greater than the required setback. The setback required by the Zoning Administrator shall take into account the setback pattern of buildings along the street where the new structure is proposed.(See Examples Below) twenty (20) feet where the average front yard setbacks for the adjacent buildings on either side of the proposed use is greater than twenty (20) feet the Planning Commission may permit a front yard setback above twenty (20) feet but not to exceed the average front yard setbacks for the adjacent buildings. For a structure with a garage door facing a public street or private road, the accessory garage building, or the front wall of the attached garage, shall be setback a minimum of five (105) feet behind the front building line of the principal structure. The build two line is not applicable to building along M-36 except within the Village Core zoning district.~~



13. The side yard setback shall be a minimum ten (10) feet except a zero (0) foot setback may be permitted where the building abuts another building which is separated by an approved fire wall.
14. Garage are encouraged to be either alley loaded or to the rear of the primary dwelling. Garages accessed from alleys may have a 0-foot setback from the alley. Garage entirely to the rear of the primary structure can have a 5-foot side and rear yard setbacks. All garages shall be setback a minimum of ten (10) feet behind the front elevation of the principal structure. On corner lots, garages that face the secondary roadway may be setback the same distance as the principal structure on the secondary roadway.
15. Commercial, Multi-Plex, and Multi-Unit Development in the Village Center Districts shall have public sanitary sewer and water.
16. Building may have an up to 10-foot front setback if they include a canopy, covered porch, open air business space or similar structure that has a 0-foot front setback.



- 17. Buildings, parking and other improvements unless otherwise allowed along M-36 shall be setback a minimum of 80 feet from the right-of-way for M-36.

7.8.6.1 Village Center Design Regulations. The Following regulations shall apply to site plans reviewed under Article 4.00, Site Plan Review, special uses reviewed under Section 3.5, Special Use Permits, subdivision plats reviewed under the Subdivision Control Ordinance, condominium projects reviewed under the Condominium Ordinance, new single dwelling and two dwelling homes, and additions greater than 50% of the size of the existing structure.

1. Building Types Village Center:

- A. Accessory Dwelling Unit. This Building Type is an accessory structure typically located at the rear of a lot. It typically provides either a small residential unit, home office space, or other small commercial or service use that may be above a garage or at ground level. Allowed in the VR-L, VR-H, and VC-T



- B. Single Unit House: This Building Type is a detached structure on a lot that incorporates a single unit. It is typically located within a primarily single-family residential neighborhood in a walkable urban setting, potentially near a neighborhood main street. Allowed in the VR-L, VR-H and VC-T



- C. Two-Four Unit House. This Building Type is a small- to medium-sized structure that consists of two to four units. This building type has the appearance of a medium to large single unit house and is appropriately scaled to fit within primarily single-family

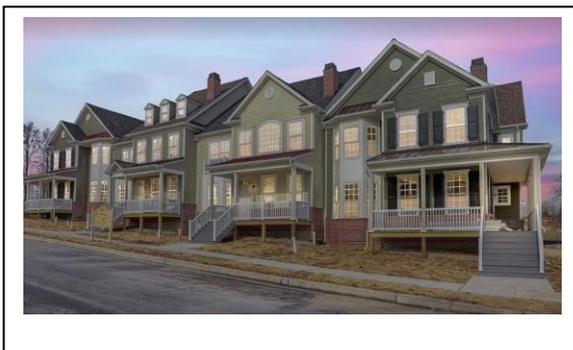
neighborhoods or medium-density neighborhoods. Allowed in the VR-L, VR-H and VC-T



D. Cottage Court (Residential Building Type). This Building Type consists of a series of small, detached structures, providing multiple units arranged to define a shared court that is typically perpendicular to the street. The shared court takes the place of a private rear yard and becomes an important community-enhancing element of this Type. This Type is appropriately-scaled to fit within primarily single-family or medium density neighborhoods. Allowed in the VR-L, VR-H, and VC-T



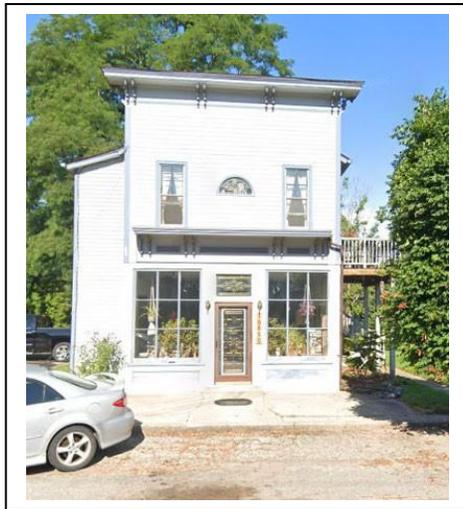
E. Multi-Unit Residential (Residential Building Type). This Building Type is a small- to medium-sized typically attached structure that consists of 2–8 rowhouses placed side-by-side or stacked dwelling units. This Type is typically located within medium-density neighborhoods or in a location that transitions from a primarily single-family neighborhood into a neighborhood main street. Allowed in the VR-H



F. Multi-Plex Residential (Multi-Family Residential Building Type). This Building Type is a medium structure that consists of 8–20 side-by-side and/or stacked dwelling units, typically with one shared entry or individual entries along the front. This Building Type should include materials and other design elements common in the other structures in the neighbor and the layout of the parking and roadways should be designed to make the development blend into their surroundings. Allowed in the VR-H, and VC-CG



G. Live/Work (Residential or Commercial Building Type Depending on the Zoning District) This Building Type is a small to medium-sized attached or detached structure that consists of dwelling units above and/or behind a flexible ground floor space that can be used for service, or retail uses. Both the ground-floor flex space and the unit above are owned by one entity. Allowed in VR-L, VR-H, VC-T, VC-CG and VC-D



H. Downtown Commercial (Commercial Building Type) This Building Type is a small- to-medium-sized structure, typically attached, intended to provide a vertical mix of uses with ground-floor retail, or service uses and upper-floor retail, service, office or residential uses. This Type makes up the primary component of the downtown main street. Allowed in VC-D and VC-CG



I. Large Commercial (Commercial Building Type). This Building Type is a medium- to large-sized structure, 1–3 stories tall, and built on a large lot that incorporates on-site parking. It can be used to provide a vertical mix of uses with ground-floor service, or retail uses and upper-floor retail, service, office or residential uses; or may be a single-use building. Allowed in the VC-CG districts.



Building Type	VR-L	VR-H	VC-T	VC-D	VC-C/G
Accessory Dwelling Units	X	X	X		
Single Unit House	X	X	X		
Two-Four Unit House	X	X	X		
Cottage Court	X	X	X		
Multi-Unit Residential		X			
Multi-Plex Residential		X			X
Live/Work Unit	X	X	X	X	X
Downtown Commercial				X	X
Large Commercial					X

2. Building Type Regulations

A. All Building Types

- i. The mass and proportion of structures shall be similar to structures on adjacent lots and on the opposite side of the street. Larger buildings may be broken-up with varying building lines and rooflines to provide a series of smaller scale sections which are individually similar in mass and proportion to surrounding structures.

- ii. Two or more of the following methods of articulation shall be used to provide visual interest and create a human scale. The following methods should be used to distinguish between individual spaces in a single larger building or distinguish between individual buildings along a street:
 - a. Providing a balcony, bay window, porch, patio, deck, or clearly defined entry for each interval.
 - b. Providing a lighting fixture, trellis, prominent ornamental tree or other landscape feature within each interval.
 - c. Providing architectural features such as setbacks, indentations, overhangs, projections, cornices, bays, canopies, building modulations, or awnings.
 - d. Use of material variations such as contrasting colors, brick or metal banding, or textural changes.
- iii. High quality materials shall be used for all building types (examples of material brick, stone, architectural masonry units, hardi-plank siding quality vinyl siding).
- iv. Roof lines shall be varied through two or more of the following methods. The maximum roof length without a variation shall be 80 feet:
 - a. Dormers: A projection from a sloping roof that contains a window.
 - b. Roof Line with Architectural Focal Point: A prominent rooftop feature such as a peak, tower, gable, dome, barrel vault or roof line trellis structure.
 - c. Roof Line Variation: The roof line articulated through a variation or step in roof height or detail, such as:
 - d. Projecting Cornice: Roof line articulated through a variation or step in cornice height or detail. Cornices must be located at or near the top of the wall or parapet.
 - e. Articulated Parapet: Roof line parapets shall incorporate angled curved or stepped detail elements.
 - f. Pitched Roof or Full Mansard: A roof with angled edges, with or without a defined ridgeline and extended eaves.
 - g. Terraced Roof: A roof line incorporating setbacks for balconies, roof gardens, or patios.
- v. Where an addition is being proposed for an existing building, the existing facade materials and design may be used on the addition, provided that the following criteria have been met:
 - a. The addition does not exceed fifty (50) percent of the existing building floor area; all new facades substantially constitute a continuation of the existing facades with respect to color, texture, size, height, and location of materials; and that the visual effect is to make the addition appear as part of the existing building.
 - b. If the addition exceeds fifty (50) percent of the existing building floor area, the entire building shall be brought into full compliance with the façade requirements above.
- vi. All developments shall provide pedestrian linkages between public and private pedestrian access points (trails, sidewalks, parking area, ext..) and the building entrances.
- vii. Buildings located on corner lots shall provide distinct and prominent

architectural features or site elements which reflect the importance of the building's corner location and creates a positive visual landmark. An entry feature or site landmark shall be required at corners designated for such a feature in the Hamburg Village master plan.

B. All Residential Building Types

- i. Where units have individual entrances on the ground floor of the front elevation or an elevation with street frontage a covered porch shall extend at least 40% of the width of the front elevation, have a minimum of 6 feet in depth, and extend at least 2 feet from the front elevation of the primary structure. Porches may encroach 2 feet into the front setback.
- ii. Where units have individual entrances on the ground floor and face the same direction as other units in the area, the units shall utilize varied roof pitches, building separations, offset facades, horizontal articulation, architectural elements such as bay windows, window treatments, dormers and balconies or varied colors or materials to provided visual interested and delineate the individual units.
- iii. The first floor of front facades shall include at least 30 percent windows. The approximate size, shape, orientation and spacing shall match that of buildings on adjacent lots.
- iv. The architectural features, materials, and building articulation shall be continued on all sides visible from a public street.
- v. Except for ADUs and units in two-four unit houses that are designed not to have access to the front of the structure:
 - a. all units shall have front access onto streets or common open space. Unit fronting onto parking areas are discouraged.
 - b. Pedestrian pathways shall connect from the sidewalk to the front porches on the primary street or from the common open space.
- vi. Overhangs shall be a minimum of 4-inches, roof pitches shall be a minimum of 4:12, and window and door trim shall be a minimum of 3 inches.
- vii. If driveways are provided shared driveways are encouraged. Driveways shall have a maximum width of 10 feet between the roadway and the front elevation of the primary structures where the driveway is provided to access parking for 2 unit or less.
- viii. Garage are encouraged to be either alley loaded or to the rear of the primary dwelling. Garages accessed from alleys may have a 0-foot setback from the alley. Garage entirely to the rear of the primary structure can have a 5-foot side and rear yard setbacks. All garages shall be setback a minimum of ten (10) feet behind the front elevation of the principal structure. On corner lots, garages that face the secondary roadway may be setback the same distance as the principal structure on the secondary roadway.
- ix. Unless stated elsewhere in the code a minimum of 500 square feet of private outdoor space shall be provided per unit.

C. All Commercial Building Types:

- i. Unless required elsewhere in the code and for building in the VT district that are designed to have a residential appearance, commercial structures shall have a minimum of 70 percent of the front façade of the ground floor be transparent.

- Building on corner lots shall have 50 percent of the secondary front façade of the ground floor be transparent.
- ii. Shall have a minimum of 30 percent of the front faced of the non-ground floor shall be transparent
 - iii. For commercial buildings with parking in the rear, a minimum 40 percent of the rear façade shall be transparent and an entrance point must be provided.
 - iv. Unless required elsewhere in the code, the front building elevation should extend a minimum of 50 percent of the primary and secondary street frontages.
 - v. Shall have a minimum first floor height interior height of 12 feet.
 - vi. For proposed alterations to commercial structures for which site plan review is not required under Article 4.00 on sites which contain commercial structures over fifty (50) years old, no exterior portion of any commercial building or structure (including walls, fences, light fixtures, steps, pavement, or other appurtenant features), or above ground utility structures shall be erected, altered, restored, moved or demolished without the review by the Zoning Administrator. The purpose of the Zoning Administrator review is to advise on actions which may or may not be compatible with the desirable historic, architectural or cultural aspects of the District. The Zoning Administrator may consider Standards for Rehabilitation and Guidelines for Rehabilitation of Historic Buildings prepared by the U.S. Department of Interior. Such standards are made part of this Ordinance.

The provisions of this section shall not be construed to prevent the ordinary maintenance or repair of any exterior feature. Further, the provisions of this section shall not prevent the construction, alteration, restoration or demolition of any feature which the Building Inspector certifies is required because of a threat to public safety.

The Zoning Administrator may direct the review under this section to the Planning Commission if deemed necessary.

- D. Accessory Dwelling Units are allowed on lots where the main building has a detached house or two-unit house building types and:
- i. Entrances shall be location off a side street, alley, or internal to the lot. The main entrance may not be through a garage or principal dwelling.
 - ii. When parking is provided onsite the parking may be accessed from the alley, side street or front street. On-site parking may be accessed from the front only when there is no adjacent alley or side street.
 - iii. Must meet the regulations for ADUs under section 36-238 except:
 - a. Neither the principal dwelling or the accessory dwelling unit need be declared the main residence of the owner of the property;
 - b. The required one parking space may be an on-street if there is an on-street parking spaces adjacent to the subject property; and
 - c. The principal residence and the accessory dwelling unit shall share the same vehicular access to the property except if the vehicular access for the ADU is from a different street than the principal residence or from an alley.

- E. Two to Four Unit House (Residential Building Type)
- i. Where a driveway is provided a single driveway access shall be provided unless the structure is on a corner lot or a pass-through lot than one driveway can be provided on each roadway.
 - ii. Two-four unit structures shall be designed to have an appearance similar to a single-family home, if the structure is on a corner or pass through lot the structure may utilize design elements to make each street frontage look like a separate home.
 1. Only a single entrance shall face the front of the structure. If more than one unit has access from the front of the structure the entrances shall be from a common interior space, otherwise the additional dwelling units shall have it entrance off the side or rear of the structure. If the two-four unit house is located on a corner lot and the structure is designed to front both of the roadways the structure may have one entrance from each street frontage.
- F. Cottage Court Development (Residential Building Type)
- i. Minimum overall property size shall be one acre
 - ii. Five unit minimum and twenty unit maximum.
 - iii. Maximum dwelling unit size 1,200 square feet of living space and 500 square foot of garage space.
 - iv. Units should face common open space when possible, a development may be designed to face a private roadway but it is discouraged.
 - v. A minimum of 150 square feet of private outdoor space shall be provided per unit.
 - vi. (Revise Sec 36-334 Parking Space Requirements to add cottage courts under multiple dwellings 1.5 per)
- G. Multi-Unit Residential
- i. Units shall have individual ground floor access.
 - ii. A minimum of 150 square feet of private outdoor space shall be provided per unit.
- H. Residential Multiplex
- i. Units access can be provided by a common area within the building.
 - ii. A minimum of 60 square feet of private outdoor space shall be provided per unit.
 - iii. Residential Multiplex buildings in the VC of VG district shall have commercial spaces on the main floor, facing all main streets.
- I. Live Work
- i. Residential Units in the VT, VR-2 and VR-10 district shall have the commercial space to the rear of the residential space. The commercial space can not exceed the size of the residential space.
 - ii. Commercial Units in the VT, VG, VC, and VD districts shall have the residential space either on the upper level or to the rear of the commercial space. The residential space can not exceed the size of the commercial space.
- J. Downtown Commercial
- i. Building frontages should extend a minimum of 75% of the primary street frontage.
 - ii. Provide a minimum of one entrance for every 75 feet of building frontage.

K. Large Commercial

- i. Non Residential Individual Developments shall have a minimum of 30 percent of the front façade of the ground floor shall be transparent

3. Streets/Pedestrian Improvements

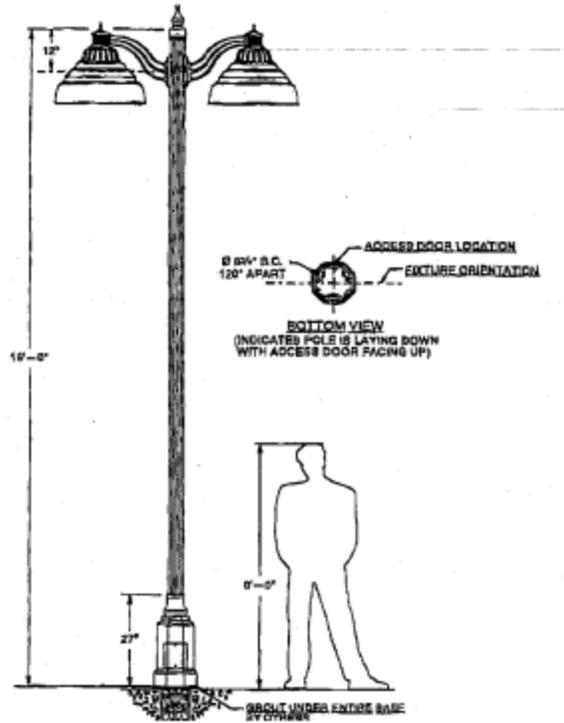
A. Street and access design. Streets and pedestrian improvements shall meet the following, with the acknowledgment that for any public streets, any more stringent standards of the county road commission or the Michigan Department of Transportation may apply where required.

- i. Access points to M-36 shall be spaced at least 500 feet apart.
- ii. Access points along streets or driveways intersecting with M-36 shall be setback at least 60 feet from the M-36 right-of-way line.
- iii. The Township may require shared access or connections between adjacent uses as a means to limit conflict points and preserve capacity along M-36 and on other streets.
- iv. Where possible access to commercial developments along M-36 shall be taken from secondary roadways. Also the orientation of the commercial development shall front the secondary roadways not M-36 when possible.
- v. The maximum length of blocks shall be 600 feet.
- vi. Street locations shall be similar to the location proposed in the Village Center Master Plan.
- vii. New roads, sidewalks, paths, and trails should connect to existing and future neighborhoods providing connections to adjacent properties. Roadway easements should encompass these improvements when possible and easements for future connections to adjacent parcels shall be extended to the property lines.
- viii. Sidewalks at least five (5) feet wide and at least seven (7) feet wide where directly abutting parking shall be provided along public streets and private roads.
- ix. The road network should provide multiple options for reaching Village amenities such as schools, parks, shops, and community facilities.
- x. Traffic calming measures such as intersection bulb outs to delineate parking and roadway medians, should be used to eliminate short cuts and support a desirable living environment.
- xi. The use of cul-de-sacs is discouraged, when possible.

B. Street Type Regulations

i. All Street Types

1. When Required deciduous canopy street trees and township approved village center street lighting poles shall be planted or placed 50 feet OC, or 100 feet OC if alternating on opposite site on the streets. These street trees and lighting poles shall be either between the sidewalk and the roadway or within five feet of the edge of the sidewalk if there is not landscaping strip between the roadway and the sidewalk.
2. A consistent type of pedestrian scale ornamental lighting (see example below) shall be provided along all sidewalks, within any off-street parking lots and along road frontages in the Village Center Area except for the area zoned Village Residential-Lower Density (VC-L).



- 3. Outdoor lighting shall not be greater than twenty (20) feet in height in commercial districts and fifteen (15) feet in height in residential districts.

Insert Picture of trees and fixtures spacing

- ii. Downtown Street: (Hamburg Road from The Lakeland Trail to Windcrest):
 - a. Minimum Dimensions: Two way 13' drive isles, 5' bike path on one side of street, 8' parallel parking on both sides of street, and 9.5' of pedestrian area on both sides of street.

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- iii. Main Street: The main street within the development
 - a. Minimum Dimensions: Two way 12' drive isles, 8' parallel parking on one side, 9' pedestrian area with a 5' sidewalk on both sides of street

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- iv. Secondary Street: Are those streets that intersect a main street and are designed to provide connections to other main streets.
 - a. Minimum Dimensions: Two way 12' drive isles, 9' pedestrian area with 5' sidewalk on at least one side based on pedestrian connections on surrounding roadways.



- v. Access Street: Are streets that either only intersect a secondary street or other access streets or that provide access to parking, loading or other service areas.
 - a. Minimum Dimension: Two way 10' drive isles, One way 12' drive isle sidewalks may be required based on the pedestrian connections on the roadways and other pedestrian areas in the surrounding areas.
 - vi. Alleyway: A narrow vehicular pathway that projects access to parking, loading or other service areas is not designed to handle vehicular traffic other than to access these items.
 - a. Minimum dimensions: One way 12' drive isle, two way 10' drive isles.
 - b. Should be designed to allow garage pickup along the alleyways when possible.
4. Parking Regulations: The following regulations are either in addition to or an exception to the parking regulations required under Article 10 Parking and Loading:
- A. Where a property is located on a street with public on-street parking the number of parking spaces required may be reduced by the number of on-street parking spaces provided adjacent to the subject property.
 - B. For commercial developments the amount of parking required may be reduced or eliminated entirely upon a finding that patrons will be able to walk to the use from nearby residential areas, patrons are parked at other uses and visiting several uses, and/or on-street parking or other public parking is available. Also on-site parking spaces shall not exceed the zoning code requirements under article 10.
 - C. Off street parking lots shall be located behind the front line of the principal building. Where this is not feasible or practical, the hearing body may permit off street parking within the front yard. Parking lots must be setback from any front lot line a minimum of twenty (20) feet.

- D. Where parking or loading areas abut an existing residential use or residentially zoned area, a six (6) foot tall masonry wall, which is consistent with building architecture and site design, shall be constructed between the parking lot or loading area and the adjacent residential use. The ~~Planning Commission approval body~~ may substitute the masonry wall with ~~one or more rows of six (6) foot tall evergreens~~; an approved landscape screen.
- E. Loading/unloading from secondary streets may be permitted by the ~~Planning Commission approval body~~ rather than the required on-site loading, upon demonstration by the applicant that through traffic flow and access to neighboring uses will not be disrupted.
5. Open Space
- A. Unless required elsewhere in the code any residential development which includes ten (10) or more dwelling units (ADU are not included) 15 percent of the overall lot square footage shall be designated as common open space.
- B. Unless required elsewhere in the code any commercial development greater than 10,000 square feet, 10 percent of the overall lot area shall be set aside as common open space.
- C. The following amenities are required within the required open space areas:
- A minimum of 30 (thirty) percent of the open space area shall be lawn;
 - A pedestrian pathway a minimum of five (5) feet in width and should be linked to the surrounding sidewalks or other adjacent pedestrian pathways;
 - Furniture, such as benches and/or low masonry seating walls;
 - two deciduous canopy trees (section 36-284 Landscape Standards) planted near the pedestrian pathways or furniture to provide shade for every 10,000 square feet of common open space;
 - when possible on-street parking should be provided adjacent to required open space areas:
- D. One of the following amendments is required for every 20,000 square foot of common open space; the Planning Commission shall determine if the mix of amenities is appropriate for the common open space if site plan review is required:
- Shade structures such as gazebos, pavilions or pergolas
 - Tot Lots;
 - Play Equipment;
 - Art Sculptures;
 - Fitness trails equipment;
 - Pedestrian entry monuments/gateways;
 - Water features, excluding required retention/detention ponds, (to be counted as two (2) amenities).
 - Tree groves/orchards;
 - Educational paths with plaques & monuments; and/or
 - Other similar features as approved by the Planning & Zoning Commission.
- E. Common open space shall be set aside by the developer through an irrevocable conveyance that is found acceptable by the Township.
- F. Common open space shall be used for social, recreational and/or natural preservation. Common open space within the village shall be of a distinct geometric shape, generally rectilinear or square. The common open space shall include landscaping, sidewalks, pedestrian benches and pedestrian scale lamp posts.
- G. On properties that abut M-36 an eighty (80) foot wide open space buffer (landscaped greenbelt) shall be provided, with at least two (2) rows of trees spaced no greater than

twenty-five (25) feet on center. Trees shall be a mixture of evergreen and canopy trees meeting the minimum plant size requirements of Section 9.4(Landscape Greenbelt). Provision of this open space buffer may be counted towards the common open space requirements.

6. Design Standards.

A. General: The overall design and mixture of uses shall be consistent with the intent of this district. Compatibility of uses shall be determined by the following

- i. The uses shall not create noise, dust, odors, fumes or other nuisances that will have an obnoxious effect on surrounding residences.
- ii. Traffic volumes generated by the use shall not have a negative impact on surrounding residential character. **The Township or other agency may require a traffic study.**
- iii. Architecture shall meet the requirements of Section 36.73(7).
- iv. Location and use of yards shall contribute to the continuation of open space areas within the immediate vicinity.
- v. Location and design of landscaping and pedestrian areas shall be compatible with and enhance the area pedestrian and open space network.
- vi. Location, size and types of architectural projections such as porches or awnings shall be compatible with other structures along the same block.
- vii. Location, scale and design of signs shall be consistent with the character of other signs, street elements structures and uses located along the same street.
- viii. Residential development shall be designed to be compatible with surrounding land uses, while providing a mixture of housing types to meet the varied needs of Township residents

B. Compatibility with Adjacent Uses: The proposal shall be designed, constructed, and maintained to be compatible with permitted uses on surrounding land to the extent that is reasonably feasible, giving consideration to economic and site conditions. Consideration may be given to:

- i. The location and screening of vehicular circulation and parking areas in relation to surrounding development, to the maximum extent feasible.
- ii. The location and screening of outdoor storage, outdoor activity and work areas, and mechanical equipment in relation to surrounding development.
- iii. The bulk, placement, and materials of construction of the proposed use in relation to surrounding development shall be compatible as determined by the general requirements listed in Section 36-187(i)(1)a.
- iv. Proposed site amenities.
- v. The site grading and stormwater drainage plan.

C. Transportation and Access: The proposed use shall be designed to minimize the impact of traffic generated by the use to the extent that is reasonably feasible, giving consideration to economic and site conditions. Consideration may be given to the following:

- i. Relationship between the proposed development and existing and proposed streets.
- ii. Estimated traffic generated by the proposed use.
- iii. Location and access to on-street parking.

- iv. Location and access to off-street parking.
- v. Provisions for vehicular traffic.
- vi. Continuation of the planned street network for the village.

D. Building architecture. In determining the appropriateness of buildings, design elements shall be evaluated in relation to existing and proposed surrounding buildings and uses. The design shall meet the standards of subsection (i)(1)g of this section

E. Emergency access. All buildings or groups of buildings shall be so arranged as to permit convenient and direct emergency vehicle access.

F. Health and safety concerns. Any use shall comply with applicable federal, state, county, and local health and pollution laws and regulations related to noise; dust, smoke and other air pollutants; vibration; glare and heat; fire and explosive hazards; gases; electromagnetic; radioactive materials; and toxic and hazardous materials. The planning commission may require an environmental impact study for special uses.

G. Screening. Off-street parking, outside refuse, storage areas, and mechanical and electrical equipment which are within sight of adjacent residential districts or public roads shall be adequately screened.

H. Appearance. Signs and other site features shall be designed and located on the site so that the proposed development is aesthetically pleasing and harmonious with nearby developments.

7. Planning Commission Waivers

A. The Planning Commission may grant a waiver from any of the Village Center Design Regulations in section 7.8.6.1 (1-5). The Planning Commission shall take the following into considerations when reviewing the waiver request:

- i. There is a unique or irregular characteristic of the lot that does not allow the development to meet the regulations of this section of the code or approval of the waiver will not result in development that is incompatible with or will negatively impact existing or potential future development in the vicinity of the property to be developed.
- ii. The waiver will result in a superior development when compared with what could be achieved through the strict application of the requirements of this section.
- iii. A lesser waiver will not accomplish the same purpose as the requested waiver
- iv. The development is designed to meet the standards under section 7.8.6.1 (6).

B. Application and Review Procedures. The applicant shall clearly identify all requested waivers on the application and site plan. The Planning Commission shall evaluate the requested waivers and approve, approve with conditions, or deny the waiver request.

Date: J 7-Z



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