



# Planning Commission

Larry Fox, Chairperson  
Michael Mitchell, Vice-Chairperson  
Tom Murphy, Secretary  
Summer L. McMullen, Trustee  
Sue Grissim, Commissioner  
Jim Mayer, Commissioner  
Matthew Eckman, Commissioner

## Planning Commission Meeting Agenda

Hartland Township Hall

Thursday, February 12, 2026

7:00 PM

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. 2026 Annual Planning Commission Organizational Meeting
  - a. Hartland Township Planning Commission Rules and Procedures (By-Laws)
  - b. Election of Officers
  - c. Committee Appointments
5. Approval of the Agenda
6. Approval of Meeting Minutes
  - a. Planning Commission Meeting Minutes of December 18, 2025
7. Call to Public
8. Old and New Business
  - a. Site Plan Application SP/PD #26-003 Chick-fil-A Planned Development (PD) Final Plan  
10587 Highland Road
- 9.. Public Hearing
  - a. Zoning Amendment #26-001 – Amendment to permit accessory dwelling units (ADU) in single family zoned districts.
10. Call to Public
11. Planner's Report
  - a. 2025 Year in Review
12. Committee Reports
13. Adjournment

# **Hartland Township Planning Commission Meeting Agenda Memorandum**

**Submitted By:** Troy Langer, Planning Director

**Subject:** Hartland Township Planning Commission Rules and Procedures (By-Laws)

**Date:** February 5, 2026

## **Recommended Action**

**Move to approve the Rules and Procedures (By-Laws)** as presented and dated February 12, 2026.

## **Discussion**

The Hartland Township Planning Commission Rules and Procedures (By-Laws) outline the duties of the Planning Commission, the administrative procedures, the various officers and committees, as well as the meetings, and so forth.

These By-Laws are reviewed annually, and often there are very little changes. There were no changes for 2026.



## **HARTLAND TOWNSHIP PLANNING COMMISSION RULES AND PROCEDURES (BY-LAWS)**

*Originally adopted December 16, 2010*

*Last Reviewed and Reaffirmed February 12, 2026*

### **I. INTRODUCTION**

The basic responsibilities of the Hartland Township Planning Commission are contained in the Michigan Planning Enabling Act, Public Act 33 of 2008 and the Michigan Zoning Enabling Act, Public Act 110 of 2006, each as amended. Each of these Acts grants specific jurisdiction to a Township Planning Commission in matters of land use planning and associated public concerns. These rules of procedure will be followed by the Hartland Township Planning Commission. Also presented are the general operating regulations for the Hartland Township Planning Commission. Regular meetings, special meetings, public records, agendas, quorum, disqualification, order of business and parliamentary procedures will be outlined.

### **II. DUTIES OF THE PLANNING COMMISSION**

The Planning Commission shall perform the following duties:

- Prepare, review and update the master plan (Township Comprehensive Plan) as a guide for development.
- Take such action on petitions, staff proposals and Township Board requests for amendments to the Zoning Ordinance as required.
- Take such action on petitions, staff proposals and Township Board requests for amendments to the master land use plan as required.
- Prepare an annual written report to the Township Board of the Planning Commission's operations and status of planning activities, including recommendations regarding actions by the Township Board related to planning and development.
- Prepare an annual work program and budget.
- Review subdivision and condominium proposals and recommend appropriate actions to the Township Board.
- Prepare special studies and plans, as deemed necessary by the Planning Commission or Township Board and for which appropriations of funds have been approved by the Township Board, as needed.
- Attend training sessions, conferences or meetings as needed to properly fulfill the duties of Planning Commissioner and for which appropriations of funds have been approved by the Township Board, as needed.
- Prepare a Capital Improvements Plan.
- Perform other duties and responsibilities or respond as requested by any Township Board or Commission.

### **III. RULES OF ADMINISTRATIVE PROCEDURE**

The following rules of procedure were adopted and are periodically reaffirmed by the Township Planning Commission to facilitate the performance of its duties and the exercising of its responsibilities, functions and powers.

#### **1.0 OFFICERS**

##### **A) ELECTION**

The Commission shall, at its first regular meeting of the calendar year, elect from among the voting members, a Chair, Vice-Chair, and Secretary. All elected officers are eligible for re-election.

##### **B) TENURE**

The Chair, Vice-Chair and Secretary shall take office immediately following their election and shall hold office for a term of one year or until their successors are elected and assume office.

##### **C) DUTIES OF THE CHAIR/VICE-CHAIR**

- The Chair shall preside at all meetings and perform such other duties as may be ordered by the Commission.
- The Chair shall appoint all committee members, for a term of one year. The Chair may reassign members or re-designate Committee members at his/her discretion. The Chair shall be an ex-officio member of all committees.
- All communications, petitions and reports shall be globally addressed to the Commission and delivered or mailed to the Township Hall attention the Chair or Township Planner.
- The Vice-Chair shall act in the capacity of the Chair in his/her absence. In the event the office of the Chair becomes vacant, the Vice-Chair shall succeed to this office for the unexpired term and the Commission shall select a successor to the office of Vice-Chair for the unexpired term.

##### **D) DUTIES OF THE SECRETARY**

The Secretary shall execute all documents in the name of the Commission, perform the duties listed below, and shall perform such other duties as the Commission may determine.

###### **1. MINUTES**

- The Secretary shall be responsible for the minutes and they will be maintained in suitable volumes at the Township Hall. Copies of the draft minutes will be provided to all voting Commission members in the packet of information with the agenda for the meeting in which they are to be approved. The minutes shall contain a brief synopsis of the meeting, including a complete restatement of all motions and record of votes, conditions or recommendations made on any action and record of attendance.
- After minutes from a previous meeting are approved by a majority of the Commission at subsequent meeting, they will be signed by the Secretary and forwarded to the Township Clerk.

- The minutes of the Commission meetings shall be filed in the office of the Township Clerk as a public record and no official action taken by the Commission at any meeting shall be validated or effective until a copy of the minutes of the meeting at which such action was taken shall be filed with the Township Clerk.
- The Township Clerk shall keep a record of the Commission transactions, findings, and determinations, which shall be a public record. These records shall be suitably filed in the offices of Hartland Township by the Clerk's office with a duplicate copy kept in the Planning Department's files. All meetings, minutes, records, documents, correspondence and other materials of the Planning Commission shall be open to public inspection in accordance with the Freedom of Information Act, except as may otherwise be provided by law.

## **2. CORRESPONDENCE**

When assigned, the Secretary shall be responsible for issuing formal written correspondence with other groups or persons, as directed by the Planning Commission. All communications, petitions, reports or other written materials received by the Secretary shall be brought to the attention of the Planning Commission.

## **3. RECORDING SECRETARY**

The Commission may appoint a Recording Secretary, who shall be an employee of the Commission and be reimbursed for his/her services by the Township. The Recording Secretary shall make a record of Commission proceedings and carry out other assignments as delegated from time to time by the Commission or Secretary. The Recording Secretary under the direction of the Secretary may execute any of the Secretary responsibilities defined above.

## **E) DUTIES OF THE TOWNSHIP BOARD REPRESENTATIVE**

The Township Board representative shall present the recommendations of the Planning Commission as required by the Zoning Ordinance, Subdivision Ordinance or other Ordinance to the Township Board prior to their consideration of such request. The representative will also update the Township Board of other efforts undertaken by the Planning Commission, such as subcommittee progress, ordinance revisions, etc.

## **F) DUTIES OF THE ZONING BOARD OF APPEALS REPRESENTATIVE**

The Planning Commission representative to the Zoning Board of Appeals shall report the actions of the Zoning Board of Appeals to the Planning Commission and update the Zoning Board of Appeals on actions by the Planning Commission that relate to the functions and duties of the Zoning Board of Appeals.

## **2.0 MEETINGS**

### **A) REGULAR MEETINGS**

The regular meetings of the Hartland Township Planning Commission will be held the second and fourth Thursdays of every month at a time to be determined by the Planning Commission at the meeting in which the regular meeting schedule is adopted or as otherwise designated by the Chair of the Planning Commission. When the regular meeting day falls on a legal holiday or when an occasion of special importance takes place, the Chair shall select a suitable alternative day in the same month. Prior

to the end of the year, the Chair will submit to the Planning Commission the regular meeting schedule for the upcoming year, for their approval. The adopted schedule will become the regular schedule of the subsequent year and will be posted at the Township Hall within ten (10) days after the first Planning Commission meeting of the New Year in accordance with the Open Meetings Act

Ideally, all meeting agendas will also be posted at the Township Hall at least one week prior to the meeting and will be provided to Hartland TV for advertisement on the local cable network. All meeting notices shall be in accordance with the Open Meetings Act.

**B) SPECIAL MEETINGS**

In addition to the bi-monthly regular meetings, the Commission may also periodically conduct special meetings. There are three kinds of Special Meetings that may be called by the Planning Commission. The various special meeting types are discussed below:

- **Special Meeting A:** A special meeting may be called to convenience applicants with matters before the Planning Commission for consideration, provided that the petitioners' application for special meeting shall be accompanied with appropriate fees, as established by resolution of the Hartland Township Board. The Planning Department shall give special meeting petitions to the applicant. Once the Planning Department verifies that the appropriate fees have been received, the Department shall forward the application to the Planning Commission Chair. The Chair shall give notice of the special meeting by means of notice delivered to each member at least seventy-two (72) hours prior to such meeting and shall state the purpose, item, and place of the meeting.
- **Special Meeting B:** A regular meeting called by the Chair or majority of the Planning Commissioners for the expressed purpose of addressing normal and typical business that comes before the Commission. For example, a special meeting may be called for urgent township business that cannot await action until the next regularly scheduled meeting. If a special meeting is required to satisfy statutory deadlines (such as required by the Subdivision Control Act), then additional applicant fees may be waived.
- **Work Session:** A work session is another form of special meeting held by the Planning Commission. Work sessions may be held for subcommittee meetings (fewer than three Planning Commission members present) or for a meeting of the full Commission for general discussion to further a specific purpose. Generally, discussion and action for items intended for Regular Meetings will not be acted on during a work session, especially since a quorum may not be present. In the interest of satisfying the Open Meetings Act, all work sessions involving the whole Planning Commission shall be duly advertised to permit the public to attend.

Notwithstanding the foregoing descriptions of the three types of special meetings held by the Planning Commission, a meeting shall be a legal meeting if enough members of the Planning Commission are present to constitute a quorum and minutes will be prepared.

**C) QUORUM**

Four (4) members shall constitute a quorum for the transaction of business and the taking of official action. Whenever a quorum is not present, those present may adjourn the meeting to another time and day, in accordance with the provisions of the Open Meetings Act, or hold the meeting to consider the matters on the agenda. No action shall be taken at a meeting at which a quorum is not present.

**D) VOTING**

An affirmative vote of the majority of the Planning Commission membership is required to adopt any part of the master plan or amendments to the plan (MCL 125.328). Unless required by statute, other actions or motions placed before the Planning Commission may be adopted by a majority vote of the membership in attendance, as long as a quorum is present. Voting shall be by voice vote; a roll call vote shall be required if requested by any commission member or directed by the Chair. Except in the case of conflict of interest, all Planning Commission members, including the Chair, shall vote on all matters.

Voting shall be recorded by verbal “yeas” and “nays” unless otherwise ordered by a PC member.

**E) NOTICE**

The Township Planner shall oversee the issuance of such notice as may be required by the Planning Commission, including Open meetings Act notices, as well as notice required for specific planning or zoning actions under the Michigan Planning Enabling Act of the Michigan Zoning Enabling Act. Verification of such notice shall be provided to the Planning Commission prior to the date and time of the public hearing.

**F) AGENDA**

The Chair with information and documentation provided by staff and consultants shall determine when items are to be placed on the agenda. The staff shall then prepare the agenda in its written form for distribution.

All regular and special meetings shall conduct business in the following order:

1. Call to Order
2. Pledge of Allegiance
3. Roll Call and Recognition of Visitors
4. Approval of Meeting Agenda
5. Approval of Minutes for past meetings or work sessions
6. Call to Public
7. Public Hearing(s)
8. Old and New Business
9. Call to Public
10. Planner’s Report
11. Committee Reports
  - Correspondence Received

- Committee Reports from Planning Commissioners
- Report from Township Board Representative
- Report of Zoning Board of Appeals Representative

12. Adjournment

Note: The agenda may be modified to include a work session following a brief recess of the regular meeting.

**G) PARLIAMENTARY PROCEDURES**

Except where otherwise specified, meetings shall be conducted according to *Robert's Rules of Order (21st CENTURY ROBERT'S RULES OF ORDER COPYRIGHT 1995)*, except to the extent contradicted by these rules and procedures, and with the exception that the Chair shall vote.

**H) MOTIONS**

The Chair or Recording Secretary shall repeat complex motions before a vote is taken. The names of the persons making the motion and its second shall be recorded in the meeting minutes. The meeting minutes shall show the count of the vote with the "nays" being identified.

**3.0 COMMITTEES**

In order to facilitate the orderly review of matters before the Commission, the following standing committees are created:

**A) SITE PLAN REVIEW COMMITTEE**

The Committee shall include three (3) Planning Commission members. The Committee will review site development plans as provided by the Township Zoning Ordinance in an informal manner through meeting with the developer/applicant. Upon receiving a complete application for an informal Site Plan Review, the Planning Department will schedule a meeting with the Site Plan Review Committee and the applicant. The Committee will update its findings and brief the Planning Commission when the informal review is complete. The makeup of the Committee may vary depending on the number of site plan reviews occurring and individual Planning Commissioner time constraints.

**B) OTHER COMMITTEES**

The Chair may appoint other committees from time to time, which serve to assist the Planning Commission in discharging its responsibilities.

**C) APPOINTMENTS AND VACANCIES**

The Chair shall make appointments to these committees. The length of appointment shall be for one (1) calendar year. These committees shall meet as needed to consider the referrals given to them by the Township Planner. The Committees will review applications and make their recommendations to the Planning Commission.

If a vacancy occurs on the Planning Commission that affects the standing committee appointments, the Chair shall appoint replacement members to complete the balance of the year.

## **4.0 PROCEDURE FOR PUBLIC PARTICIPATION**

A limit of three (3) minutes per participant during the call to the public shall be permitted for any written or oral statements. The unofficial policy of the Commission will be to accept public input during the meeting for topics under discussion. If necessary, the Chair may set time limits for public participation during any meeting to ensure an orderly meeting.

All public hearings must be held as part of a regular or special meeting of the Planning Commission. The following rules of procedure shall apply to public hearings held by the Planning Commission:

- Chair opens the public hearing and announces the subject.
- Chair summarizes the procedures/rules to be followed during the hearing.
- Township planner/engineer/other consultants present their report and recommendation.
- Applicant presents the main points of the application.
- Public at large is invited to speak in support or opposition to the application.
- Chair closes the public hearing and returns to the regular/special meeting.

To ensure everyone has the opportunity to speak, the Chair may elect to limit the time permitted to speak, except that the applicant may be permitted additional time as the Chairperson allows. The Chair may also elect to allow persons to speak only once, until all persons have had the opportunity to speak, at which time the chairperson, in his/her discretion, may permit additional comments.

All comments by the public, staff and the Planning Commission shall be directed to the Chair. All comments shall be related to the application under discussion; unrelated comments shall be ruled out of order.

## **5.0 CONFLICT OF INTEREST**

Planning Commission members shall declare a conflict of interest and abstain from participating in a hearing or deliberations on a request when:

- A)** The applicant is an immediate family member or relative;
- B)** The Planning Commission member has a business or financial interest in the property involved in the request or has a business or financial interest in the applicant's company, agency or association;
- C)** The Planning Commission member owns or has a financial interest in neighboring property. For purposes of this section, a neighboring property shall include any property falling within the notification radius for the proposed development, as required by the Zoning Ordinance or other applicable ordinance, or
- D)** There is a reasonable appearance of a conflict of interest, as determined by the Planning Commission member declaring such conflict.

The Planning Commission member declaring a conflict of interest shall state the nature of the conflict and whether he or she believes they could impartially consider the request before the commission. He or she should individually decide to abstain from any discussion or votes relative to the matter that is the subject of the conflict. The member declaring a conflict may absent him/herself from the room in which the discussion takes place, unless doing so would violate his or her constitutionally protected rights to

participate. He or she should not make any presentations to the Planning Commission as a representative of the proposal.

## **6.0 ANNUAL ORGANIZATIONAL MEETING**

An annual organizational meeting shall occur at the first regular meeting of the year for election of a Chair, Vice-Chair and Secretary.

## **7.0 PLANNING COMMISSION ASSISTANCE**

### **A) Duties of the Township Planner**

- Accept applications for matters to be reviewed by the Planning Commission and ensure that such applications are complete.
- Forward application materials to the Planning Commission at least one week prior to the meeting at which the matters will be considered.
- Inform the Planning Commission of administrative and enforcement actions taken on behalf of the Township related to the zoning or other appropriate ordinance.
- Prepare amendments to the Zoning Ordinance as directed by the Planning Commission.
- Attend regular Planning Commission Meetings and Work Sessions.
- Consult with the Planning Commission and other township officials concerning interpretation, procedural questions and other matters arising from the Zoning Ordinance.
- Prepare written reviews and recommendations, if appropriate, for all requests and development proposals to be considered by the Planning Commission.
- Meet with applicants, their representatives and/or township officials as needed to properly perform project reviews.
- Prepare an annual report regarding development activities and status of projects as they relate to the Planning Commission's duties as described.
- Perform other duties as directed by the Planning Commission.

### **B) Assistance From Other Professionals**

The Planning Commission may be assisted by other professional or township staff as needed, including the building inspector, township attorney, township engineer, consultants or other persons or agencies.

## **8.0 AMENDMENTS TO RULES AND PROCEDURES**

Amendments to these rules and procedures may be initiated by any member of the Planning Commission at any regular meeting and voted upon. To make certain the By-Laws reflect current Commission practice, it is recommended that they be reviewed and reaffirmed annually.

**Hartland Township Planning Commission By-Laws**

Originally approved Dec. 16, 2010; Last Reviewed and Reaffirmed February 12, 2026

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**Originally adopted by the Hartland Township Planning Commission at a regular meeting dated:**

- December 16, 2010

**Reviewed and reaffirmed by the Hartland Township Planning Commission at a regular meeting dated:**

- January 12, 2012
- February 14, 2013
- January 23, 2014
- January 15, 2015
- January 14, 2016
- January 12, 2017
- January 11, 2018
- February 14, 2019
- January 9, 2020
- January 7, 2021
- January 13, 2022
- January 12, 2023
- January 11, 2024
- January 23, 2025
- February 12, 2026

\_\_\_\_\_ - Chair

\_\_\_\_\_ - Vice-Chair

\_\_\_\_\_ - Secretary

HARTLAND TOWNSHIP PLANNING COMMISSION **DRAFT** MEETING MINUTES

DECEMBER 18, 2025– 7:00 PM

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**1. Call to Order:** Vice-Chair Mitchell called the meeting to order at 7:00 p.m.

**2. Pledge of Allegiance:**

**3. Roll Call and Recognition of Visitors:**

Present – Commissioners Eckman, Grissim, Mayer, McMullen, Mitchell, and Murphy

Absent – Chair Fox

**4. Approval of the Meeting Agenda:**

A Motion to approve the December 18, 2025, Planning Commission Meeting Agenda was made by Commissioner McMullen and seconded by Commissioner Eckman. Motion carried unanimously.

**5. Approval of Meeting Minutes**

a. Planning Commission Work Session Meeting Minutes of November 6, 2025

A Motion to approve the Planning Commission Work Session Meeting Minutes of November 6, 2025, was made by Commissioner Grissim and seconded by Commissioner Mayer. Motion carried unanimously.

**6. Call to the Public:**

None

**7. Public Hearing**

a. Site Plan Application #26-001 Proposed restaurant with drive-through service (Chick-fil-A) at 10587 Highland Road, Preliminary PD Site Plan

**Vice-Chair Mitchell opened the Public Hearing at 7:03 p.m. stating all noticing requirements have been met.**

Director Langer stated the following:

- Gave an overview of the location and scope of the project.
- Located east of US 23, north of M-59, on the east side of Hartland Road formerly the site of a Big Boy restaurant.
- Three points of access: in from Hartland Road, in and out with a right turn only onto M-59, in and out onto Rovey Drive.
- Building is proposed in the same location as the existing building with the addition of a double drive-through.
- Parking is planned to the north of the building as it was previously.
- Applicant chose to develop this site using the Planning Development process, a three-step process consisting of a Conceptual Review, a Preliminary Review, and a Final Review, all of which are heard before both the Planning Commission and the Township Board.

HARTLAND TOWNSHIP PLANNING COMMISSION **DRAFT** REGULAR MEETING MINUTES  
OCTOBER 9, 2025 – 7:00 PM

- Tonight is the Preliminary Review where the Planning Commission will make a recommendation to the Township Board. The Township Board will make the final decision.

The Applicant, Jordan Chapman of Chick-fil-A, and Leslie Accardo, Senior Project Manager , PEA Group, introduced themselves stating the following:

- Working to obtain easements for the drives mentioned above.
- Goal is to use as much of the infrastructure as possible, not including the building, but the drives, parking and landscaping.
- Intend to replace the monument sign but keep the retaining wall.
- Very similar building as was shown at the previous meetings but more of a square shape.
- Still planning for the three signs and a welcome sign at the front door.
- Keeping the parking lot islands but giving them a refreshed look.
- Likes this project layout.
- Location seems to be a better fit for the community.
- Displayed the proposed traffic flow turning movements.
- RTUs will be screened and not be visible from any public rights-of-way.

**Call to the Public**

None.

**Vice-Chair Mitchell closed the Public Hearing at 7:14 p.m.**

Vice-Chair Mitchell referred to the staff memorandum dated December 11, 2025.

**Eligibility Criteria (Section 3.1.18.B.)**

**Recognizable Benefits**

Vice-Chair Mitchell stated the applicant submitted four examples which are included in the packet.

**Minimum Size**

Vice-Chair Mitchell stated per the applicant, Chick-fil-A is requesting a waiver for the 20-acre requirement due to the redevelopment of a vacant parcel and associated site constraints.

**Use of Public Services**

Vice-Chair Mitchell stated the applicant is proposing no additional use of public services other than what is already provided at the site.

**Compatibility with Comprehensive Plan**

Vice-Chair Mitchell stated the proposed project appears to be consistent with the intent of the Commercial designation in the FLUM and Comprehensive Plan.

**Unified Control**

Vice-Chair Mitchell stated the proposed development will be leased by Chick-fil-A from a single ownership.

**Planned Development Design Standards (Section 3.1.18.C.)**

**Permitted Uses**

Vice-Chair Mitchell stated this was already covered.

**Residential Density**

Vice-Chair Mitchell stated this standard does not apply to the proposed project.

**Design Details**

Vice-Chair Mitchell stated the design details are provided for the proposed project via the submitted site plans, architectural drawings, and sign program.

**Minimum Yard Requirements**

Vice-Chair Mitchell stated they do not meet the front setback requirements from Hartland Road or Highland Road.

Director Langer stated the applicant is proposing to construct the building in the same location as the current building.

The Planning Commission briefly discussed the history of the former Big Boy structure and the past redevelopment of the abutting site and roadways.

**Other structures and setbacks - Drive-through Canopies**

Director Langer stated the following:

- Proposing two canopies; the east canopy complies with the setback, the west canopy does not.
- Canopies are treated like fuel island canopies.
- Advantage of a PD is the Planning Commission is able to grant some flexibility as part of that process.

Commissioner Eckman commented it is an interesting spot with the location of the retaining wall, you do not see much because of the wall. He thinks the setbacks are reasonable. If the building were moved to the north, the parking would be impacted. It is pretty much the same footprint as it is now except for the canopy. He likes it.

**Building Height**

Vice-Chair Mitchell stated they meet the requirement of 35 feet or less.

**Parking and Loading**

Director Langer stated for loading, most trucks do not come when a restaurant is at peak capacity, so a designated loading area is often not provided.

Director Langer stated the following regarding parking spaces:

- Required to have 52 parking spaces and 10 drive-through stacking spaces, they are providing 69 parking spaces and 42 drive-through stacking spaces.
- Applicant provided a letter explaining why the corporate standard requires more parking.

Commissioner Eckman asked if 42 stacking spaces is more than normal. The Applicant stated it is; the typical amount is 30 to 35.

Vice-Chair Mitchell stated the Applicant is proposing 69, nine by twenty-foot spaces, the standard is ten by twenty-foot spaces.

The Applicant stated they could not meet their corporate standards. In other communities the spaces are nine by eighteen.

Commissioner Mayer suggested they increase the size of the ten northernmost spaces to ten by twenty feet, losing one space, to allow for larger vehicles. The Applicant stated they can look at that.

Commissioner Eckman stated he thinks it is a market driven issue. It is not going to affect the neighbors or traffic flow; it will be an inconvenience for someone with a larger vehicle.

Commissioner Murphy stated he thinks Commissioner Mayer's suggestion is a creative idea.

#### **Landscaping**

Vice-Chair Mitchell stated this would be discussed later.

#### **Open Space**

Vice-Chair Mitchell stated 75% is permitted; they are proposing lot coverage of 6.98%.

#### **Natural Features**

Vice-Chair Mitchell stated it is a redevelopment of an existing commercial site.

#### **Sidewalks and Pedestrian Access**

Vice-Chair Mitchell stated there are 7-foot-wide sidewalks along the Highland Road and Hartland Road frontages, with a three-foot-wide sidewalk on all sides of the building.

#### **Requirements for Preliminary Review (Section 3.1.18.E.ii)**

##### **Sewer and Water**

Vice-Chair Mitchell stated they intend to utilize existing water and sewer.

##### **Stormwater and Drainage Systems**

Vice-Chair Mitchell stated the stormwater management plans will be required as part of the Construction Plan set.

##### **Traffic Impacts**

Vice-Chair Mitchell stated a Traffic Impact Study (TIS), was submitted. There is also a letter from Livingston County Road Commission (LCRC), he summarized if there are no changes they do not have any comments or require any revisions.

Director Langer mentioned one of the attachments was incorrectly listed as coming from the Michigan Department of Transportation (MDOT) but is from LCRC. The Applicant is currently working with MDOT. They have an access onto M-59, but this is a slight change in use from a sit-down restaurant to a fast-food restaurant with a drive-through. The Applicant has indicated in those conversations there have been no concerns. In the event that MDOT requires a change to the access

point to M-59, depending on the change, if it impacts the site in any way, the Applicant would have to come back to the Planning Commission with an amendment to their site plan.

### **Vehicular Circulation**

Vice-Chair Mitchell stated this was covered earlier.

Commissioner Murphy asked about the width of one of the access points. The Applicant stated they are the standard 24 feet. Commissioner Murphy asked if they could be wider and farther to the north. The Applicant suggested they could remove the island and stripe it to create a wider access area. Director Langer stated 24 feet complies with our standard as does the parking island. Sometimes the Fire Department requires an access to be 26 feet but not at this location.

Vice-Chair Mitchell asked if any internal signage is proposed to aid customers as they exit the site. The Applicant stated there currently is a sign at the Rovey Drive exit indicating access to M-59 is to the right. Commissioner Mayer stated at the previous meeting there was discussion about adding some off-site signage to help drivers understand what their options are for added safety. Commissioner McMullen also expressed concerns about the flow of traffic entering and leaving the site. The Applicant stated they understand the concerns. They closed one of the curb cuts to prevent drivers from making a U-turn to return to M-59, which is why it is designed the way it is; it also allowed the trash enclosure to be closer to the building for added safety for their staff.

The Planning Commission discussed various options and limitations for traffic entering and leaving the site.

### **Fiscal Impacts**

Vice-Chair Mitchell stated this was covered earlier.

### **Site Requirements**

#### **Fast-food and Drive-through Restaurants (Sec. 4.28)**

Vice-Chair Mitchell stated they meet the requirements.

#### **Outdoor Seating and Dining (Sec. 4.47)**

Vice-Chair Mitchell stated an outdoor seating area is planned with four tables and chairs with a three-foot-high fence on all three sides. All applicable details and information will be addressed on the Construction Plan set.

#### **Dumpster Enclosure (Sec. 5.7)**

Vice-Chair Mitchell stated the information is shown and meets the requirements.

#### **Off-Street Parking (Sec. 5.8.4.H – Fast food restaurant with drive-through service)**

Vice-Chair Mitchell indicated this has been covered. Barrier-Free Parking is provided. A Loading space is not shown but it is typically not required.

#### **Landscaping (Sec. 5.11 – Updated Landscape Ordinance version)**

Commissioner Grissim stated the following:

- Regarding Greenbelt Landscaping, there are existing constraints along M-59 with an easement where no trees are permitted; they are trying to do the best they can with the space provided.

- Requested they overlay the lighting plan over the landscaping plan because there are light poles in three locations where trees are also proposed.
- The existing utility box is proposed to be screened with evergreens; however, it is a tough spot in the middle where there will be salt and snow. In lieu of using evergreens, a low screen fence can be utilized, along with some of the low grasses. The evergreens will not survive in those conditions.
- The intention is to save the existing plantings, but during construction some may be in worse condition and might need to be replaced.

Commissioner Mayer stated he understands they intend to keep the retaining wall; if something unexpected occurs during construction and it must be removed, he asked that it be replaced with a nicer wall. The Applicant stated a portion is planned to be removed for the drive-through installation, they intend to replace it with a nicer retaining wall that will match the building. The new wall will be on the east side of the building.

The Planning Commission briefly discussed the west retaining wall and screening.

#### **Lighting (Sec. 5.13)**

Director Langer stated the proposed Lighting Plan exceeds the permitted footcandle values by one or two footcandles in a couple of locations. There is some tweaking that can be done and shown on the Construction Plan set. The Applicant has requested a waiver for the footcandle values under the canopies.

#### **Sign Program – Monument Sign and Wall Signs**

Director Langer stated the Sign Program is essentially the same as was presented for the former Burger King location. They intend to replace the non-conforming monument sign in the same location, and plan to have three (3) wall signs; typically, two (2) are permitted but the total size is less than the requirement as was shown previously. Direction signs are proposed. Any off-site directional signs will require permission from the property owner.

Director Langer stated there is a small portion of property at the Hartland Road entry and they are in the process of working on an easement with the new owners as there is no record of an easement for that existing access drive. He also mentioned Condition 3, which reads as follows: “Upon the issuance of a Certificate of Occupancy, the Hartland Road access drive shall be temporarily closed for thirty (30) days.” The intent is to lessen any potential congestion when the restaurant first opens. A similar condition was proposed for the Burger King location.

#### **Commissioner Grissim offered the following Motion:**

**Move to recommend approval of Site Plan/PD #26-001, the Preliminary Planned Development Site Plan for Chick-fil-A Planned Development, as outlined in the staff memorandum dated December 11, 2025.**

#### **Approval is subject to the following conditions:**

1. **The Preliminary PD Site Plan for Chick-fil-A, SP/PD Application #26-001, is subject to the approval of the Township Board.**

2. The applicant shall address the outstanding items noted in the Planning Department's memorandum, dated December 11, 2025, on the Construction Plan set, subject to an administrative review by Planning staff prior to the issuance of a land use permit.
3. Upon the issuance of a Certificate of Occupancy, the Hartland Road access drive shall be temporarily closed for thirty (30) days.
4. Any revisions to the connections to Hartland Road or Highland Road will be considered an amendment to the site plan, to be reviewed by the Planning Commission.
5. Applicant complies with any requirements of the Township Engineering Consultant, Department of Public Works Director, the Fire Code requirements, Michigan Department of Transportation (MDOT), Livingston County Road Commission (LCRC), Livingston County Drain Commission (LCDC), and all other government agencies, as applicable.

Seconded by Commissioner Murphy. Motion carried unanimously.

**8. Call to the Public:**

None

**9. Planner Report:**

None

**10. Committee Reports:**

Commissioner Grissim commented on the twenty (20) acre lot minimum required in the Planned Development Ordinance and whether they should be reviewed. Director Langer offered some history and suggested the full Planning Commission should be involved in that discussion but if the Planning Commission would like to review those requirements, the Ordinance Review Committee could look at them.

**11. Adjournment:**

A Motion to adjourn was made by Commissioner McMullen and seconded by Commissioner Eckman. Motion carried unanimously. The meeting was adjourned at approximately 8:11 p.m.

# **Hartland Township Planning Commission Meeting Agenda Memorandum**

**Submitted By:** Troy Langer, Planning Director

**Subject:** Site Plan Application SP/PD #26-003 Chick-fil-A Planned Development (PD) Final Plan  
10587 Highland Road

**Date:** February 5, 2026

## **Recommended Action**

**Move to recommend approval of Site Plan Application SP/PD #26-003, the Final Planned Development Site Plan for Chick-fil-A PD, as outlined in the staff memorandum dated February 5, 2026.**

Approval is subject to the following conditions:

1. The Final Planned Development Site Plan for Chick-fil-A Planned Development, SP/PD Application #26-003 is subject to the approval of the Township Board.
2. Final approval of Chick-fil-A Planned Development (SP/PD Application #26-003) shall require an amendment to the Zoning Ordinance to revise the zoning map and designate the subject property as PD (Planned Development). The planned development project area consists of one (1) parcel, approximately 1.65 acres in area and which is to be rezoned to PD (Planned Development), as follows:
  - a. Tax Parcel ID #4708-21-400-062 (approximately 1.65 acres in area); currently zoned GC (General Commercial)
3. The applicant shall address the outstanding items noted in the Planning Department's memorandum dated February 5, 2026, on the Construction Plan set, subject to an administrative review by Planning staff prior to the issuance of a land use permit.
4. Upon the issuance of a Certificate of Occupancy, the Hartland Road access drive shall be temporarily closed for thirty (30) days.
5. Any revisions to the connections to Hartland Road or Highland Road will be considered an amendment to the site plan, to be reviewed by the Planning Commission.
6. All planned development and easement documents shall be in a recordable format and shall comply with the requirements of the Township Attorney.
7. Applicant complies with any requirements of the Township Engineering Consultant, Department of Public Works Director, the Fire Code requirements, Michigan Department of Transportation (MDOT), Livingston County Road Commission (LCRC), Livingston County Drain Commission (LCDC), and all other government agencies, as applicable.

## **Discussion**

Applicant: Jordan Chapman

### **Site Description**

The subject property, addressed as 10587 Highland Road, is located north of Highland Road and east of Hartland Road in Section 21 of the Township. The site is currently zoned GC (General Commercial) and is approximately 1.65 acres in area (Tax Parcel ID #4708-21-400-062).

The site was formerly occupied by Big Boy restaurant from 1979 to around 2023, when the restaurant closed. The existing restaurant building will be removed, and the site will undergo some interior layout changes as part of the proposed construction of a Chick-fil-A restaurant with drive-through service.

This property is considered a corner lot with approximately 200 lineal feet along Highland Road and approximately 327 lineal feet along Hartland Road. The three (3) existing driveway connections to the subject site will remain as currently designed. The connections originate from Highland Road, Hartland Road, and Rovey Drive on the north, which is a private road.

The Future Land Use Map (FLUM) designates the subject site and adjacent properties to the north, south (south side Highland Road), east, and west as Commercial.

## **Overview and Background Information**

### **Site Plan Applications #10 (1979)**

The Big Boy restaurant was approved on June 19, 1979, under SP Application #10.

### **Site Plan Application #10A (1979)**

On October 16, 1979, SP Application #10A was approved for minor revisions to SP Application #10, including revisions to the parking area, storm drain, and well location.

### **Site Plan Application #30 (1984)**

SP Application #30 was approved on March 15, 1984, for an addition to the front (south) of the building, as a Minor/Major modification of SP Application #10.

### **Site Plan Application #455 (2008)**

This application was related to the improvements on Highland Road (widening of Highland Road) which included the elimination of the west driveway; reworking of the east driveway (on Highland Road); and modifications to the parking lot. SP Application #455 was approved on July 1, 2008.

### **Site Plan Application #466 (2008)**

Modifications to the exterior of the building were approved on October 7, 2008.

### **ZBA #516 (2008)**

Hartland Road and the associated road right-of-way were relocated as part of the overall plan for Hartland Towne Square Planned Development. Changes to the right-of-way for Highland Road also occurred. These changes prompted several variances associated with required setbacks for the existing Big Boy building that included a variance for parking to be located in the front yard along the Hartland Road frontage and a variance for the existing monument sign to be located within the 10-foot setback of the right-of-way of Highland Road. The variances were approved on June 18, 2008.

Site Plan with Special Land Use Application #24-008 (Clean Express Car Wash)

SP/SUP #24-008 was a request to redevelop the site at 10587 Highland Road (Big Boy) to construct an approximate 3,677 square foot building for a fully automated car wash. The public hearing was scheduled for the Planning Commission meeting on November 21, 2024; however, the applicant withdrew the application before the date of the public hearing and the project did not proceed.

Site Plan/PD Application #25-015 – Concept PD Chick-fil-A

The Concept PD plan for Chick-fil-A, SP/PD Application #25-015, was reviewed by the Planning Commission on August 28, 2025, and followed up by a review by the Township Board on September 2, 2025, for general comments about the proposed concept plan.

Site Plan/PD Application #26-001 – Preliminary Planned Development Site Plan

On December 18, 2025, the Planning Commission held a public hearing for SP/PD #26-001 and recommended approval. The Planning Commission amended the site plan regarding the parking space dimensions for parking on the north side of the site, stating the dimensions of each parking space shall be ten (10) feet in width by twenty (20) feet in length.

The Township Board approved SP/PD #26-001 at their regular meeting on January 13, 2026. Approval of the Preliminary Planned Development included the following conditions:

1. The Preliminary PD Site Plan for Chick-fil-A, SP/PD Application #26-001, is subject to the approval of the Township Board.
2. The applicant shall address the outstanding items noted in the Planning Department's memorandum dated January 6, 2026, on the Construction Plan set, subject to an administrative review by Planning staff prior to the issuance of a land use permit.
3. Upon the issuance of a Certificate of Occupancy, the Hartland Road access drive shall be temporarily closed for thirty (30) days.
4. Any revisions to the connections to Hartland Road or Highland Road will be considered an amendment to the site plan, to be reviewed by the Planning Commission.
5. Applicant complies with any requirements of the Township Engineering Consultant, Department of Public Works Director, the Fire Code requirements, Michigan Department of Transportation (MDOT), Livingston County Road Commission (LCRC), Livingston County Drain Commission (LCDC), and all other government agencies, as applicable.

Livingston County Planning Commission

On January 21, 2026, the Livingston Planning Commission recommended approval of the Chick-fil-A Planned Development.

Planned Development Procedure

Section 3.1.18 of the Township's Zoning Ordinance provides standards and approval procedures for a PD (Planned Development). Approval of a Planned Development is a three-step process. A Concept Plan, Preliminary Plan, and Final Plan are all reviewed by the Planning Commission and the Township Board, with the Planning Commission making a recommendation and the Board having final approval at each step. The process usually requires a rezoning from the existing zoning district to the Planned Development (PD) zoning district. As part of the rezoning, a public hearing is held before the Planning Commission consistent

with the Michigan Zoning Enabling Act; this public hearing is held at the same meeting during which the Planning Commission reviews and makes a recommendation on the Preliminary Plan. The public hearing for the Preliminary Plan for SP/PD #26-001 was held at the Planning Commission meeting on December 18, 2025.

The Final Planned Development Site Plan review stage is an opportunity for the Planning Commission and Township Board to affirm that any conditions imposed at the Preliminary review stage have been addressed on the Final Plan, and also to review the Planned Development Agreement along with any other legal documentation (condominium master deeds, bylaws, easements, etc.). The site's layout is not intended to change significantly between the Preliminary and Final submittals, save for any revisions imposed as a condition of Preliminary approval. Section 3.1.18.E.iii. has specific requirements for the information to be included within a Final Planned Development Site Plan submittal, most notably the Development Agreement and other legal documentation.

Per Section 3.1.18.D. (Procedures and Requirements), approval of the Final Plan by the Township Board usually constitutes an amendment to the Zoning Ordinance and effectively is a rezoning of the subject property to PD (Planned Development). In this case, the subject parcel that comprises the PD project area is currently zoned GC (General Commercial).

The subject property will be rezoned to PD (Planned Development) upon approval of the Final Plan by the Township Board. Section 7.4 of the Hartland Zoning Ordinance outlines the process for a Zoning Map Amendment, or more commonly a “rezoning” of a property. The Zoning Map Amendment Criteria (Section 7.4.3) are discussed at the end of this memorandum.

### **Overview of the Project and Proposed Use**

The proposal is to remove the existing restaurant building and applicable existing site elements and construct an approximate 5,027 square foot fast-food restaurant with drive-through service (Chick-fil-A). The majority of the existing parking lot will remain and be restriped for the new layout. The property is currently zoned GC (General Commercial), which permits a restaurant with drive-in or drive-through service as a Special Land Use. Section 4.28 outlines regulations that apply to fast-food and drive-through restaurants.

The subject parcel is approximately 1.65 acres. Per Section 3.1.18.B.ii, the minimum size for a Planned Development is twenty (20) acres of contiguous land. The Township Board, upon recommendation from the Planning Commission, may permit a smaller Planned Development subject to meeting the requirements in Section 3.1.18.B.ii, such as the project offers unique characteristics and benefits or the parcel in question has unique characteristics that significantly impact development.

Under SP/PD #26-001 (Preliminary PD), the applicant submitted a waiver request to allow the parcel size for the Planned Development to be less than twenty (20) acres in area. The Planning Commission recommended approval of the waiver at the public hearing held by the Planning Commission on December 18, 2025. The Township Board approved the waiver request at their meeting on January 13, 2026, as part of their review of SP/PD #26-001 (Preliminary PD).

*Site Layout and Circulation*

Regarding the site layout for the proposed restaurant, the proposed building is positioned in the southern portion of the site, approximately in the same location as the former Big Boy building. The customer entrance to the building/restaurant is on the north side of the building. A fenced outdoor patio is also shown, at the northeast corner of the building.

Two (2) canopy structures are shown, which are related to the drive-through service use. One canopy is on the west (ordering canopy) and the other is on the east side of the site and building (pick up canopy). Patrons will pull up under the west canopy structure where digital menu boards are available for ordering food. During busy times, employees are available to take the customer's order directly. The customer then drives around the building to the next canopy (on east side of the building) to the pick-up window where the payment transaction occurs, and the food order is picked up, or may be delivered by restaurant staff to the vehicle. The customer can then proceed into the parking area and exit the site to Highland Road (right -out only), Rovey Drive, or Hartland Road (right-out only).

Site circulation for drive-through service begins along the west side of the site. Existing parking spaces and parking islands on the west will be removed to accommodate two (2), one-way drive-through lanes that travel north to south. The lanes then wrap around the building on the south and east. These lanes are utilized for the drive-through ordering stations and pick-up service options. The width of the drive lanes varies from 10.5 feet to 12.5 feet.

On the east side of the site, there is a two-way drive aisle within the parking area, east of the pick-up drive-through canopy, which runs north-south between the Highland Road entrance and Rovey Drive access drive. The lane width varies between twenty-five (25) feet to twenty-eight (28) feet.

The site is accessed via existing driveways on Highland Road and Hartland Road. A portion of the existing driveway is located on an adjacent parcel. Staff is unaware of any existing easements for that portion of the driveway. The site can also be accessed from Rovey Drive on the north via an existing drive from Rovey Drive into the subject site. Rovey Drive is a private road. Similar to the Hartland Road access, a portion of the driveway from Rovey Drive is outside of the subject site property. Staff is unaware of any existing access easements in this case as well.

The Highland Road access associated with the site consists of a split driveway with a concrete median to direct traffic in and out of the site. This driveway accommodates one-way traffic into the site from west bound traffic on Highland Road, and one-way, outbound traffic onto Highland Road (west bound). Highland Road is under the jurisdiction of the Michigan Department of Transportation (MDOT). Hartland Road is a public road, under the jurisdiction of the Livingston County Road Commission (LCRC). Changes are not proposed to any existing driveway or access point.

Parking is found in the center of the site, north of the building. Several of the existing parking islands are to be retained. The existing curbing that borders the parking area and by the retaining wall on the east are to be retained, where proposed grading activities allow for the preservation of the existing curbing. As noted, the existing parking spaces and parking islands along the west will be removed in order to accommodate the proposed drive-through lanes. The existing retaining walls on the east and west sides of the site will remain as currently configured.

Sixty-eight (68) parking spaces are proposed. A total of forty-two (42) stacking spaces are proposed for the two (2) drive-through lanes for ordering and pick-up.

**Architectural Details**

The building elevations note that the primary façade materials consist of two (2) brick veneer products, in light brown and dark brown colors. Bronze-tone elements are used as accent features on the building (coping, metal canopies, and window frames). The building is approximately 22'-0" tall.

The drive-through canopy structures are comprised of prefinished metal in a bronze color. The metal decking (underside of canopy) is white. The canopy structure is approximately 9'-6" tall, to the underside of the canopy.

A double dumpster enclosure with an attached, roofed storage room is shown on the east side of the site, north of the building. The overall dimensions of the dumpster enclosure with storage room is approximately twenty-five (25) feet by twenty-eight (28) feet. Brick veneer is used for the façade material, to match the same product used on the building. Metal panels, painted dark bronze, are used for the dumpster enclosure gates. The door to the storage room appears to be dark bronze.

**Other Details**

The hours of operation are Monday through Saturday, from 5:30 a.m. to 11:00 p.m. and are determined by the owner/operator based on demand and volume. The restaurant is proposed to be closed on Sunday.

Municipal water and sanitary sewer will be required for this development. The applicant will need to work with the Township and Livingston County regarding municipal water and sanitary sewer. The applicant will also need to work with the Hartland Township Department of Public Works (DPW) to acquire the necessary Residential Equivalency Units (REUs) for this development.

Stormwater management plans are not included in the civil plan set; however, these plans are typically reviewed during the construction phase of the project.

**Legal Documents and Submittals**

The primary focus of the Final Site Plan stage of the planned development review process is the legal documentation. The documentation memorializes the developer's obligations and sets forth the terms and conditions negotiated and to be agreed to by the applicant and the Township. Approval of the planned development proposal is based on the Final Plan and the legal documentation.

A draft version of the Planned Development Agreement was submitted by the applicant.

Once the documents are executed, the documents are recorded with the Register of Deeds. The Construction Plan set serves as the approved Final Plan and is not recorded with the Register of Deeds.

Approval of the Final PD Plan by the Township Board constitutes a rezoning of the subject property from GC (General Commercial) to PD (Planned Development), and an amendment to the Township zoning map. The following is a brief discussion of the submitted document.

**Easement Documents**

Several easements were discussed during SP/PD #26-001 pertaining to ingress/egress access easements, allowing for access to the Chick-fil-A site via Rovey Drive and Hartland Road, where each existing access drive is located within an off-site parcel that connects to the Chick-fil-A site. Draft easements have not been submitted by the applicant at this time. The easements will be subject to the review of the Township Attorney. The final documents shall be in a recordable format and shall comply with the requirements of the Township Attorney.

### **Planned Unit Development Agreement**

A draft version of the Planned Development (PD) Agreement was reviewed by the Township Attorney and minor revisions were suggested. The applicant was made aware of the changes and has modified the document. The final document shall be in a recordable format and shall comply with the requirements of the Township Attorney.

### **Rezoning of the subject properties**

Per Section 3.1.18.D.vii.b., *Effect of Approval. Approval by the Township Board of a planned development proposal shall constitute an amendment to the Zoning Ordinance. All improvements and use of the site shall be in conformity with the planned development amendment and any conditions imposed. Notice of the adoption of the amendment shall be published in accordance with the requirements set forth in this Ordinance. The applicant shall record an affidavit with the register of deeds containing the legal description of the entire project, specifying the date of approval, and declaring that all future improvements will be carried out in accordance with the approved planned development unless an amendment thereto is adopted by the Township upon request of the applicant or his successors.*

In this case the subject parcel that constitutes the planned development is zoned GC (General Commercial). Once approved, the parcel will be zoned PD (Planned Development) and will remain with the property as the zoning designation. Following is a discussion of the Zoning Map Amendment Criteria as outlined in Section 7.4.3.

### **Zoning Map Amendment Criteria (Section 7.4.3.)**

The Hartland Township Zoning Ordinance, under Section 7.4.3. provides the Planning Commission and Township Board with the following criteria to consider in making their findings, recommendation, and decision:

#### **Section 7.4.3.A. Consistency with the adopted Comprehensive Plan.**

This criterion requires examination of not only the Future Land Use Map, but the language in the Comprehensive Development Plan.

The Future Land Use Map (FLUM) designates the subject property as Commercial. Per the Comprehensive Plan, the majority of commercial uses within the Township should be concentrated around the M-59 and US-23 interchange. Land uses in this category are intended to provide for both the sale of convenience goods and personal/business services for the day-to-day needs of the immediate neighborhood and provide for auto-oriented services, customer and entertainment services, and the sale of soft lines (apparel for men, women, and children) and hard lines (hardware, entertainment and appliances).

The proposed rezoning request of the subject property appears to be consistent with the intent of the commercial designation in the FLUM and Comprehensive Plan.

#### **Section 7.4.3.B. Compatibility with the site's physical, geological, hydrological and other environmental features.**

Currently the property is occupied by the former Big Boy restaurant. The subject site was developed for the Big Boy restaurant in approximately 1979 and continued to operate as Big Boy until 2023. The site is proposed to be redeveloped with a similar layout to the Big Boy restaurant and have a similar use (fast food restaurant with drive-through service).

*Section 7.4.3.C. Reasonable return on investment with current classification of GC (General Commercial)*

The property is located within the commercial core of the Township along Highland Road and Hartland Road. It would seem that the property location and the current GC zoning classification can provide a reasonable return on the investment for a number of uses permitted in GC zoning district.

*Section 7.4.3.D. Compatibility of all potential uses allowed in the proposed PD District with surrounding uses and zoning.*

In this case the proposed use is a fast-food restaurant with drive-through service, to be developed as a Planned Development. Under SP/PD #26-001, the subject project was reviewed per the standards outlined in Section 3.1.18 (PD – Planned Development) and applicable standards in the Zoning Ordinance.

The surrounding properties are zoned GC (east and south) or PD (north and west). The proposed zoning designation of PD appears to be compatible with the surrounding uses and zoning.

*Section 7.4.3.E. Capacity of infrastructure and other public services and street system.*

Municipal water and sanitary sewer are available and will be required for this development.

The street system consists of two (2) public roads which include Highland Road (under the jurisdiction of MDOT) and Hartland Road (under the jurisdiction of LCRC). Access is obtained from a private road (Rovey Drive) on the north. Modifications to the three (3) existing driveway access points are not proposed at this time.

*Section 7.4.3.F. Capability of the street system to accommodate the expected traffic generated by uses allowed in the requested zoning district.*

Road access to the subject site is currently provided by Highland Road, Hartland Road, and Rovey Drive. A Traffic Impact Study (TIS) was submitted under SP/PD #26-001 (Preliminary PD for Chick-fil-A) which was reviewed by the Planning Commission and Township Board. The summary in the TIS notes that the proposed development will not result in any significant operational impacts to the adjacent road system.

*Section 7.4.3.G. Apparent demand for uses permitted in the requested zoning district.*

The subject property is located in the commercial corridor of the Township, along Highland Road and Hartland Road, where there is a high demand for commercial development. The proposed use is a fast-food restaurant with drive-through service, which is compatible with this commercial area.

*Section 7.4.3.H. Ability to comply with zoning regulations.*

The approved Preliminary Planned Development Site Plan for SP/PD #26-001 establishes the zoning regulations for the proposed project.

*Section 7.4.3.I. Appropriateness of the requested zoning district.*

The requested zoning designation of PD is necessary as the project is being reviewed as a Planned Development. This process requires a rezoning from the existing zoning district (from GC to PD) as part of the Final PD Site Plan (SP/PD #26-003). The proposed PD zoning classification aligns with the intent of the Commercial designation as shown on the FLUM. Additionally, the subject property is adjacent to other PD and GC zoned properties where similar commercial uses currently exist.

This standard requires the Planning Commission, and ultimately, the Township Board, to determine that the proposed zoning classification is considered to be more appropriate than any other zoning classification.

*Section 7.4.3.J. Amendment of permitted or special uses versus rezoning.*

The proposed use is a fast-food restaurant with drive-through service, which is allowed as a Special Land Use in the GC zoning district. As result, an amendment to the permitted or special land uses in the GC zoning district was not necessary for the proposed use.

The applicant decided to pursue the project as a Planned Development which allows for flexibility in the site design and deviations from the typical required zoning standards. Essentially the PD process allows a project to be customized regarding the specific use and site elements. The approved Preliminary PD Site Plan and associated PD documents establish the standards for a specific project. In this case the project is a fast-food restaurant with drive-through service to be developed on the subject property.

The PD process requires a rezoning from the existing zoning district (GC in this case) to the PD (Planned Development) zoning district.

Generally, it is not advisable for the Township to only consider one of the permitted uses that are being proposed in a rezoning request; however, in this case, only one use is proposed, which is a fast-food restaurant with drive-through service.

*Section 7.4.3.K. Exclusionary and Spot Zoning Issues.*

The term exclusionary zoning is generally referred to as a zoning ordinance or a zoning decision that would exclude an otherwise lawful use of land. Michigan Complied Laws (MCL) Section 125.297a of Township Zoning Act (Sec. 27a) states “[a] zoning ordinance or zoning decision shall not have the effect of totally prohibiting the establishment of a land use within a township in the presence of a demonstrated need for that land use within either the township or surrounding area within the state, unless there is no location within the township where the use may be appropriately located, or the use is unlawful.”

The Michigan State University Extension on Land Use Planning (posed on June 17, 2016, by Brad Neumann, MSU Extension) has defined “spot zoning” as: “one illegal form of rezoning is spot zoning. This practice gets its name from the appearance of small spots of different zoning districts on a zoning map that otherwise has large contiguous areas in the same zoning district around the spots.

To be considered a spot zone, the property, in most cases, must meet the following four criteria:

- The area is small compared to districts surrounding the parcel in question.
- The new district allows land uses inconsistent with those allowed in the vicinity.
- The spot zone would confer a special benefit on the individual property owner not commonly enjoyed by the owners of similar property.
- The existence of the spot zone conflicts with the policies in the text of the master plan and the future land use map.

The subject property is approximately 1.65 acres in area. The requested zoning, PD (Planned Development), is consistent with the Comprehensive Plan and FLUM designation. The PD zoning designation is generally consistent with zoning designations and uses in the vicinity, in particular, for adjacent properties to the north, south, east, and west which are zoned GC or PD.

*Section 7.4.3.L. Submittal of similar request within one year.*

A similar rezoning request has not been submitted within one year.

*Section 7.4.3.M. Other Factors.*

The Planning Commission and/or the Township Board may consider other factors that it deems appropriate.

**Other Requirements-Zoning Ordinance Standards**

Nothing at this time.

**Township Engineer's Review**

No comments at this time

**Hartland Deerfield Fire Authority Review**

No comments at this time.

**Hartland Township DPW Review**

No comments at this time.

**Attachments**

1. Draft Chick-fil-A PD Agreement – PDF version
2. SP/PD #26-001 Preliminary PD Approval letter dated 01.20.2026 – PDF version

CC:

SDA, Twp Engineer (via email)

Scott Hable, Twp DPW Director (via email)

A. Carroll, Hartland FD Fire Chief (via email)

T:\PLANNING DEPARTMENT\PLANNING COMMISSION\2026 Planning Commission Activity\Site Plan Applications\SP PD #26-003 CFA Final PD\Staff Reports\PC\SP PD #26-003 CFA Final PD staff report PC 02.05.2026.docx

## **HARTLAND PLANNED DEVELOPMENT AGREEMENT**

This Planned Development Agreement (the “**Agreement**”) is made this \_\_\_\_\_ day of \_\_\_\_\_, 2026 (the “**Effective Date**”), by and between the **TOWNSHIP OF HARTLAND**, a Michigan municipal corporation (the “**Township**”), whose address is 2655 Clark Road, Hartland, Michigan 48353, and **CHICK-FIL-A, INC.**, a Georgia corporation (the “**Applicant**”), whose address is 5200 Buffington Road Atlanta, Georgia 30349.

### **RECITALS**

A. The property (the “**Property**”) is located at 10587 Highland Road, in the City of Hartland, State of Michigan 48353 as more fully described on **Exhibit “A”**.

B. Applicant shall obtain approval for a Planned Development (the “**PD**”) pursuant to Article 3.1.18 of the Township’s Zoning Ordinance (the “**Ordinance**”), subject to the execution and recording of this Agreement setting forth the conditions upon which the approval is based.

C. The Property is comprised of one (1) parcel, with an approximate total of 1.69 acres.

D. The Township desires to ensure that the Property is redeveloped and used during the term of this Agreement in accordance with the approved final site plan attached hereto as **Exhibit “B”** (the “**Final Plan**”) and applicable laws and regulations. The Final Plan is the plan that was previously reviewed and approved by the Township.

E. It is represented to the Township by Applicant that Applicant owns or, by way of a valid purchase agreement, has the right to acquire ownership interest in the Property described in the attached **Exhibit “A”**, which is made a part of this Agreement.

F. The PD provides Applicant with certain development uses for the Property not applicable or clearly defined under the existing zoning classification and that would be a distinct and material benefit and advantage to the Applicant and the Township.

G. As used in this Agreement, the “**Owner of the Property**” means Applicant and all current and future owners of legal and/or equitable title to all or any part of the Property.

NOW, THEREFORE, it is hereby agreed as follows:

1. **Running with the Property.** This Agreement covers the Property described herein. During the term of this Agreement, the terms and conditions of this Agreement shall be binding upon and inure to the benefit of the Applicant and the Township, and their respective heirs, successors, assigns, and transferees, and shall run with the Property.
2. **Intent.**

The Property shall be developed in accordance with this Agreement and the Final Plan, a copy of which is attached hereto as **Exhibit “B”** and incorporated herein by reference,

approved, with conditions, by the Hartland Township on \_\_\_\_\_, 202\_\_\_\_\_, by Resolution No. \_\_\_\_\_ the Township Board adopted Ordinance No. \_\_\_\_\_ approving the rezoning of the Property to the PD District pursuant to Article 3.1.18 of the Ordinance and approval of the Final Plan. The Final Plan includes approximately 1.69 acres of permitted use (“**Permitted Use**”), including the required parking spaces (outlined below), and other related features and improvements as depicted and described in this Agreement and in the Final Plan.

The Owner of the Property shall adhere to the Final Plan. However, it is recognized that there may be modifications to the Final Plan including but not limited to engineering requirements, unforeseen conditions, and other governmental requirements. Therefore, any modifications to the Final Plan that are consistent with the spirit of the PD may be permitted in accordance with Article 3.1.18, Section H, of the Ordinance.

- a. Site Improvements. Site improvements such as driveways and utilities necessary to service the Property shall be constructed.
- b. Driveway Access. The location of the access drive(s) connecting the Property to public roadways shall be built in accordance with the Final Plan.
- c. Lot Size. The site area totals 1.69 acres. This lot size is approved to be rezoned as a PD. The Owner of the Property is permitted to deviate from the minimum lot size requirement in the Ordinance, Article 3.1.18, if necessary.

3. **Permitted Uses.** All of the uses set forth herein for the Development on the Property are permitted and are lawful.

- a. Principal Proposed Use. The proposed building use is hereby defined as a restaurant with a "drive-thru" window with multiple lanes, multi-lane order points and canopies, a pylon or monument sign, a children's play facility and an outdoor seating area (“**Restaurant**”).
- b. Additional, Alternative or Accessory Uses. The Property may be used for any lawful retail purpose.

4. **Approved Plans.** The parties acknowledge and agree that the development of the Property shall be in substantial conformity with the following plans and materials, which have been reviewed and approved by the parties and are incorporated into this Agreement by reference: (a) the Final Plan attached hereto as **Exhibit “B”**; (b) the building elevations attached hereto as **Exhibit “C”**; (c) the signage plan attached hereto as **Exhibit “D”**; and (d) the landscaping plan attached hereto as **Exhibit “E”** (collectively, the “**Approved Plans**”). Except as otherwise expressly permitted under this Agreement or approved in writing by the Township, no material deviation(s) from the Approved Plans shall be permitted.

5. **Rezoning.** By granting its final approval and upon execution and recording of this Agreement, the Township Board has and shall be deemed to have granted the petition to

rezone the Property to PD District, as that district is described in the Ordinance, in accordance with the procedures set forth in the Ordinance. Future amendments or modifications to the PD District requirements and conditions shall not be binding on the Applicant or on the Property until this Agreement is modified and/or terminated.

6. **Amendment.** The terms of this Agreement may be amended, changed, or modified only in writing in the same manner as required to obtain the review and approval of a new rezoning.
7. **Recognizable Benefits.** This Agreement shall result in a recognizable and substantial benefit to the ultimate uses of the project and to the community and shall result in a higher quality of development than could be achieved under conventional zoning.
8. **Burdens and Benefits Appurtenant.** This Agreement shall run with the Property and bind the parties, their heirs, successors, and assigns. The Applicant shall record this Agreement in the office of the Livingston County Register of Deeds, at its sole cost and expense, and shall deliver a recorded copy to the Township forthwith. It is understood that the Property is subject to changes in ownership and/or control at any time, but that successors shall take their interest subject to the terms of this Agreement. In the event that the Owner of the Property shall sell, lease, ground lease, transfer, assign, mortgage, divide and/or subdivide all or any portion of the PD, the terms and conditions of this Agreement shall benefit, be enforceable by, and shall be binding on the successors in title, vendees, lessee, transferees, assignees, mortgages, and beneficiaries of divisions or subdivisions. In such event, the Agreement may continue to be binding upon the Owner of the Property, as may be applicable as a matter of law.
9. **Zoning Regulations and Obligation to Receive Other Approvals.** Except as otherwise provided herein, the Property shall remain subject to and shall be developed in compliance with all applicable regulations of the Ordinance and all other applicable state and local requirement for land development. Applicant agrees to comply with any requirements of the Township Engineering Consultant, Department of Public Works Director, Hartland Deerfield Fire Authority, and all other government agencies, as applicable.
10. **Entire Agreement.** This Agreement together with any Exhibits referenced herein, constitutes the entire agreement between the parties with respect to the subject of this Agreement.
11. **Conflicts.** In the event of conflict between the provisions of this Agreement and the provisions of another applicable ordinance, code, regulations, requirement, standard, or policy, the provisions of this Agreement shall prevail.
12. **Governing Law.** This Agreement shall be governed by, construed, and enforced in accordance with Michigan law.
13. **Joint Drafting.** No provision of this Agreement shall be construed against or interpreted to the disadvantage of one party against another party by any court or other governmental authority by reason of any determination or assertion that one party was chiefly or primarily responsible for having drafted this Agreement.

14. **Severability.** The invalidity of any provision of this Agreement shall not affect the validity of the remaining provisions, which shall remain valid and enforceable to the fullest extent permitted by law.
15. **Recording.** This Agreement shall be binding on the parties and the Property and shall be recorded with the Livingston County Register of Deeds.
16. **Counterparts.** This Agreement and any amendments to it may be executed in multiple counterparts, each of which shall be deemed an original and all of which shall constitute one Agreement. The signature of any party to any counterpart shall be deemed to be a signature to, and may be appended to, any other counterpart.
17. **Authority to Execute.** The parties each represent and state that the individuals signing this Agreement are fully authorized to execute this document and bind their respective parties to the terms and conditions contained herein.
18. **Duration.** This Agreement shall be effective as of the Effective Date and shall continue in full force and effect for the maximum duration permitted by applicable law.

PAGE INTENTIONALLY ENDS HERE

[SIGNATURES COMMENCE ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the day and year recited above.

## **SIGNATURE PAGE OF TOWNSHIP**

**TOWNSHIP OF HARTLAND,**  
a Michigan municipal corporation

By: \_\_\_\_\_  
Its: \_\_\_\_\_

By: \_\_\_\_\_  
Its: \_\_\_\_\_

## ACKNOWLEDGEMENT

STATE OF MICHIGAN )  
 ) ss  
COUNTY OF LIVINGSTON )

The foregoing Planned Development Agreement was acknowledged before me by \_\_\_\_\_, and \_\_\_\_\_, on behalf of the Township of Hartland on the \_\_\_\_\_ day of \_\_\_\_\_, 2026.

Notary Public  
State of Michigan, County of \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_  
Acting in the County of \_\_\_\_\_

Prepared by:

This instrument prepared by:

Nelson Mullins Riley & Scarborough LLP

201 17th Street NW, Suite 1700

Atlanta, Georgia 30363

PHONE: (404) 322-6126

EMAIL: andy.litvak@nelsonmullins.com

ATTN: Andrew Litvak

When recorded, return to:

Chick-fil-A, Inc.

5200 Buffington Road

Atlanta, Georgia 30349

PHONE: (404) 765-8000

EMAIL: cfalegalnotice@chick-fil-a.com

ATTN: Legal Department – Real Estate (Site #06249)

## **SIGNATURE PAGE OF APPLICANT**

**CHICK-FIL-A, INC.,**  
a Georgia corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF GEORGIA )  
 ) ss  
COUNTY OF FULTON )

## ACKNOWLEDGEMENT

The foregoing Planned Development Agreement was acknowledged before me by \_\_\_\_\_, and \_\_\_\_\_, by \_\_\_\_\_, the \_\_\_\_\_ of CHICK-FIL-A, INC., a Georgia corporation on the \_\_\_\_\_ day of \_\_\_\_\_, 2026.

## Notary Public Acting in Fulton County, Georgia

My Commission Expires:

Notary Public  
Acting in Fulton County, Georgia  
My Commission Expires: \_\_\_\_\_

## **EXHIBIT "A"**

### **PROPERTY DESCRIPTION**

The Land referred to herein below is situated in the County of Livingston, State of Michigan and is described as follows:

Land situated in the Township of Hartland, County of Livingston, State of Michigan, described as follows:

Section 21 Town 3 North, Range 6 East, commencing South 1/4 corner Section 21, thence North 02° 55' 00" West 214.93 feet along North-South 1/4 line Section 21; thence North 80° 05' 11" East 1266.62 feet along N'ly Line Highland Road, thence North 02° 44' 28" West 48.38 feet to point of beginning; thence North 02° 44' 28" West, 327.04 feet; thence North 42° 15' 32" East, 76.95 feet; thence North 88° 56' 11" East, 145.63 feet to East Line of West 5 acres of Southeast 1/4 of Southeast 1/4 Section 21; thence along East line, South 02° 44' 28" East, 352.02 feet; thence South 80° 05' 11" West 201.55 feet to point of beginning.

Less and Except:

A parcel of land being a part of the Southeast 1/4 of Section 21, Town 3 North, Range 6 East, Hartland Township, Livingston County, Michigan, being more particularly described as follows: Commencing at the South 1/4 corner of Section 21, Town 3 North, Range 6 East, Hartland Township, Livingston County, Michigan; thence North 02 degrees 55 minutes 00 seconds West, 214.93 feet along the North-South 1/4 line of said Section 21; thence North 80 degrees 05 minutes 11 seconds East, 1266.61 feet along the Northerly line of Highland Road (M-59) to the point of beginning; thence North 02 degrees 44 minutes 28 seconds West, 48.38 feet; thence North 80 degrees 05 minutes 11 seconds East, 201.55 feet to the East line of the West 5 acres of the Southeast 1/4 of the Southeast 1/4 of Section 21; thence along said East line, South 02 degrees 44 minutes 28 seconds East, 48.38 feet; thence South 80 degrees 05 minutes 11 seconds West, 201.55 feet to the point of beginning.

**EXHIBIT “B”**

**THE FINAL PLAN**

**[ATTACHED]**

**EXHIBIT "C"**  
**THE ELEVATIONS**  
**[ATTACHED]**

**EXHIBIT “D”**

**THE SIGNAGE PLAN**

**[ATTACHED]**

**EXHIBIT “E”**  
**THE LANDSCAPING PLAN**  
**[ATTACHED]**



Board of Trustees

William J. Fountain, Supervisor  
Larry N. Ciofu, Clerk  
Kathleen A. Horning, Treasurer

Brett J. Lubeski, Trustee  
Summer L. McMullen, Trustee  
Denise M. O'Connell, Trustee  
Joseph M. Petrucci, Trustee

---

January 20, 2026

Jordan Chapman  
30200 Telegraph Rd. Suite 205  
Bingham Farms, MI 48025

**RE: Site Plan/Planned Development Application #26-001  
Preliminary PD Site Plan for Proposed restaurant with drive-through service  
(Chick-fil-A) at 10587 Highland Road**

Dear Jordan Chapman:

On December 18, 2025 the Planning Commission recommended approval of Site Plan/PD Application #26-001, the Preliminary Planned Development Site Plan for Chick-fil-A, at 10587 Highland Road. The Township Board approved Site Plan/PD Application #26-001 at their regular meeting on Tuesday, January 13, 2026.

Approval is subject to the following conditions:

1. The Preliminary PD Site Plan for Chick-fil-A, SP/PD Application #26-001, is subject to the approval of the Township Board.
2. The applicant shall address the outstanding items noted in the Planning Department's memorandum dated January 6, 2026, on the Construction Plan set, subject to an administrative review by Planning staff prior to the issuance of a land use permit.
3. Upon the issuance of a Certificate of Occupancy, the Hartland Road access drive shall be temporarily closed for thirty (30) days.
4. Any revisions to the connections to Hartland Road or Highland Road will be considered an amendment to the site plan, to be reviewed by the Planning Commission.
5. Applicant complies with any requirements of the Township Engineering Consultant, Department of Public Works Director, the Fire Code requirements, Michigan Department of Transportation (MDOT), Livingston County Road Commission (LCRC), Livingston County Drain Commission (LCDC), and all other government agencies, as applicable.

SP/PD #26-001  
January 20, 2026  
Page 2

If you have any questions, please contact me at (810) 632-7498.

Sincerely,



Troy Langer  
Planning Director

CC: Leslie Accardo, PEA Group

# Hartland Township Planning Commission Meeting Agenda Memorandum

**Submitted By:** Troy Langer, Planning Director

**Subject:** Zoning Amendment #26-001 – Amendment to permit accessory dwelling units (ADU) in single family zoned districts.

**Date:** February 5, 2026

## Recommended Action

**Move to recommend approval of Zoning Amendment Text Amendment #26-001, as outlined in the staff memorandum.**

## Discussion

### Overview and Background Information for Request

In February of 2024, the Livingston County Planning Commission sent out an email to provide some preliminary background information on Accessory Dwelling Units (ADU's). This email was passed along to the Planning Commission, and the Planning Commission expressed some interest in drafting regulations that would permit ADU's. In March of 2024, the Planning Commission directed the Ordinance Review Committee to proceed with a draft ordinance. Draft versions of the ordinance were reviewed by the Ordinance Review Committee between March 2024 and October 2025.

As background, an ADU would essentially be a second dwelling unit on a parcel. In general, single family residential zoning districts only permit one (1) dwelling unit, per parcel. Although permitting a second dwelling unit on the property may seem similar to a duplex or two (2) dwelling unit structure, in theory the ADU is thought of more as an accessory structure (or part of) in comparison to the principal structure. Whereas a duplex or two (2) dwelling unit structure, the dwelling units are very similar in size and appearance. Although legally, it may be very difficult to distinguish an ADU from a duplex, in practice, the principal structure is typically much larger than the ADU.

Hartland Township Zoning Regulations do permit something similar to an ADU in the CA (Conservation Agricultural) zoning district. However, it is limited to farming purposes. The property must be a farm, and the second dwelling unit must be related to that farming operation. This is outlined in Section 3.1.1.D.v. and it reads “duplex or two dwelling for farm family only, in conjunction with a farm operation.”

## Current Regulations

As background, it may help to understand the current regulations to better understand what can occur without any changes to the Zoning Ordinance.

Currently, a “family” or “functional equivalent of a domestic family” is permitted to reside in a dwelling unit. These terms are specifically defined in Section 2 of the Zoning Ordinance. However, in general, a “family,” plus one additional unrelated person, is permitted to reside at the dwelling. Assuming all individuals comply with the definition of “family,” there is no limit to the number of persons that could reside in the dwelling. With regard to a “functional equivalent of a domestic family” this would permit a maximum number of six (6) persons to reside in a dwelling unit.

## **Zoning Amendment #26-001 Accessory Dwelling Units**

**February 5, 2026**

**Page 2**

The definition of a dwelling unit is somewhat difficult to read and make a determination. Essentially, one must read the definition of a dwelling unit, and two (2) family dwelling unit to understand the specific elements needed to determine what constitutes a dwelling unit. When reading these terms together, if a structure has the following elements, it would be considered a dwelling unit:

- 1) Bedroom or sleeping place
- 2) Bathroom facilities
- 3) Kitchen or Cooking facilities

As a result, if a separate structure on the same property has those elements, it would be classified as a second dwelling unit. In addition, if a basement, addition, or other portion of an existing dwelling unit contained these elements, it could also be classified as a separate dwelling unit. Another component is separation from the other dwelling unit. This may include separate access to the dwelling unit, ability to conceal or lock off other dwelling unit, if attached.

Please keep in mind that a “family” or “functional equivalent of a domestic family” would be permitted in each dwelling unit.

### **History on ADU's**

The development of ADU's in the United States can be largely traced to starting after World War II, with an increased demand for housing. One of the first states to accept ADU's and adopt legislation to permit ADU's was California. In the early 1960's, California enacted legislation that prohibited local municipalities from specifically banning ADU's in single family zoned districts. Although municipalities were still able to prevent ADU's by installing strict parking requirements and setback standards; thereby not permitting ADU's in many locations.

The primary goal of permitting ADU's in single family districts was to help establish affordable housing. This is accomplished in two (2) ways. The first way is to establish an apartment on the property that can be rented by someone, a couple, or family; or maybe as an “in-law” apartment and to help other family members with a place to reside. The second way is to potentially generate income for the owner of the principal structure. When a homeowner is able to generate some income from the property, it may aid in getting a mortgage to finance the acquisition of the property.

### **General Discussion**

There are many factors to consider with regulations on ADU's, such as outlined below:

- Attached or Detached ADU's
- Minimum size of ADU
- Maximum size of ADU
- If Detached – Setbacks from property lines, and other structures on same parcel
- Architectural Standards
- Parking Concerns and Access Concerns
- Can both Principal Dwelling Unit (PDU) and ADU be rented, or shall owner reside at PDU.
- Utilities
- Rental Term Lengths

## **Zoning Amendment #26-001 Accessory Dwelling Units**

**February 5, 2026**

**Page 3**

The Planning Commission referred this matter to the Ordinance Review Committee to discuss and review, and the Ordinance Review Committee has prepared a draft amendment. The Planning Commission discussed the topic of ADU's at their Work Session held on November 6, 2025. The consensus of the Planning Commission was to proceed with a zoning amendment to permit accessory dwelling units in single family zoned districts. At the November 6, 2025, the Planning Commission initiated a zoning amendment to permit ADU's in single family zoned districts.

### **Sections Proposed for Text Amendment**

#### **Section 2.76; 2.78; and 2.80 (Definitions for Dwelling and Dwelling Unit)**

Within Section 2.0 of the Zoning Ordinance (Definitions) one can find definitions for different types of dwelling options. The proposed zoning amendment for ADU's includes text revisions to several definitions as noted in the next section of this memorandum. Amendments to Section 5.14 (Accessory Structures and Uses) are also proposed to provide standards and requirements for ADU's in single family zoned districts.

#### **Section 2.76. DWELLING, MULTIPLE FAMILY**

This section defines types of residential buildings or dwelling units that are permitted as multiple family dwellings. Minor revisions to the definition are proposed as related to the proposed ADU amendment.

#### **Section 2.78. DWELLING, SINGLE FAMILY**

This section defines a single family dwelling, as being a detached building designed for or occupied exclusively by one (1) family, for residential purposes. The definition is proposed to be amended to add "structure" and "or functional family."

#### **Section 2.80. DWELLING UNIT**

This section defines a dwelling unit as any house, apartment, condominium unit, building or portion thereof which is occupied or intended to be occupied as a home, residence, or sleeping place of or by a family or unrelated person either permanently or transiently. The definition is proposed to be amended to add definitions for Accessory Dwelling Unit (ADU) and Principal Dwelling Unit (PDU), as sub-sections of the definition of Dwelling Unit. The proposed amendment also expands the definition for Dwelling Unit to include language as it relates to an Accessory Dwelling Unit.

#### **Section 5.14.4 ACCESSORY DWELLING UNITS**

This is a new section that is proposed to be added under Section 5.14, Accessory Structures and Uses, which outlines pertinent standards and requirements for Accessory Dwelling Units.

### **Process**

Zoning Ordinance Text Amendments are outlined in Section 7.4.4 of the Zoning Ordinance, as follows:

4. Zoning Ordinance Text Amendment Criteria. The Planning Commission and Township Board shall consider the following criteria for initiating amendments to the zoning ordinance text or responding to a petitioner's request to amend the ordinance text.
  - A. The proposed amendment would correct an error in the Ordinance.
  - B. The proposed amendment would clarify the intent of the Ordinance.
  - C. Documentation has been provided from Township staff or the Zoning Board of Appeals indicating problems or conflicts in implementation or interpretation of specific sections of the ordinance.
  - D. The proposed amendment would address changes to state legislation.

## **Zoning Amendment #26-001 Accessory Dwelling Units**

**February 5, 2026**

**Page 4**

- E. The proposed amendment would address potential legal issues or administrative problems with the Zoning Ordinance based on recent case law or opinions rendered by the Attorney General of the State of Michigan.
- F. The proposed amendment would promote compliance with changes in other Township ordinances and county, state or federal regulations.
- G. The proposed amendment is supported by the findings of reports, studies, or other documentation on functional requirements, contemporary building practices, environmental requirements and similar technical items.
- H. Other criteria as determined by the Planning Commission or Township Board which would protect the health and safety of the public, protect public and private investment in the Township, promote implementation of the goals and policies of the Comprehensive Plan and enhance the overall quality of life in Hartland Township.

Based on Section 7.4.4 of the Zoning Ordinance, either the Planning Commission or the Township Board may initiate a Zoning Ordinance Text Amendment. The Planning Commission initiated the amendment at their Work Session held on November 6, 2025. A public hearing is scheduled for Zoning Amendment #26-001 for the February 12, 2026, Planning Commission meeting.

### **Attachments:**

1. Article Accessory Dwelling Units Coming to a Neighborhood Near You – PDF version
2. Article ADU Laws and Regulations in Michigan – PDF version
3. Article Liz Weston Will Adding an Accessory Dwelling Unit Pay Off – PDF version
4. CA Zoning District Uses – PDF version
5. Section 2 Definitions Dwelling Unit – PDF version
6. Section 2 Family Definition – PDF version
7. Sample Rural ADU Ordinance – PDF version
8. Draft Ordinance Amendment – Accessory Dwelling Unit 01.28.2026 – PDF version

T:\PLANNING DEPARTMENT\PLANNING COMMISSION\2026 Planning Commission Activity\Zoning Amendments\ZA #26-001 Accessory dwelling units\Staff reports\PC\ZA 26-001 ADU staff report PH PC 02.05.2026.docx

## Accessory dwelling units – Coming to a neighborhood near you?

Brad Neumann<neuman36@msu.edu>, Michigan State University Extension - September 09, 2022

With interest in urban living on the rise, more communities are considering amending local regulations to allow accessory dwelling units in traditional neighborhoods.



Nationwide, cities and small towns are experiencing housing affordability and attainability challenges. According to the Joint Center for Housing Studies of Harvard University's The State Of the Nation's Housing 2022 these challenges are driven by many factors such as rising costs and limited housing stock alongside increasing demand from homebuyers report. More communities are addressing the increased demand for housing in traditional neighborhoods by amending regulations to allow accessory dwelling units.

Accessory dwelling units (ADUs) are also known as granny flats, mother-in-law apartments or carriage houses. Regardless of the name, this definition from the Village of Beulah, Michigan zoning ordinance gets at the key concept – "An incidental and subordinate dwelling unit which provides living quarters for one (1) individual or a family that is on the same lot, but is separate from the primary dwelling unit...." Some communities include standard for accessory dwellings that requires one of the two dwelling units – either the principal dwelling or the accessory dwelling – to be occupied by the property owner in order to avoid an absentee landlord situation in which structures may sometimes fall into disrepair. Accessory dwelling units might be in an accessory building, such as a converted garage or new construction, or the accessory dwelling might be attached or part of the principal dwelling, such as a converted living space, attached garage, or an addition. The later may be called something else, like in the Village of Beulah ordinance that refers to them as accessory apartments.

Accessory dwelling units have been touted as an affordable housing strategy in communities where a brisk real estate market is driving families and talented workers out of the community. The relatively smaller size of such units makes them more affordable. What's more, such dwellings also provide additional income for property owners, making the principal residence also more affordable. Although, it is important to note that accessory dwellings will not solve the affordable housing problem alone.

In addition to making housing more affordable, communities have looked to ADUs as a way to increase density in neighborhoods as a counter measure to changing household and family structures. In order to improve business for local establishments in and around traditional neighborhoods, ADUs not only subtly increase population density; they increase the customer base near a community business district.

Any community that has considered changes to zoning to allow accessory dwelling units knows the topic is not without objection. Resistance to accessory dwelling units often relate to concerns about overcrowding, declining structural conditions, and increasing traffic. In practice, communities can offset these concerns with reasonable regulations and a robust planning process that includes public participation.

For instance, accessory dwellings may not be appropriate on every residential parcel. Sometimes local regulations include a minimum parcel size to be permitted (although, if this minimum size is too big it may defeat the purpose of increasing density in a traditional neighborhood). Also, regulations may require provision of one additional off-street parking space accessible from the existing driveway or alley. To help preserve neighborhood character, entry doors may be required to be screened from the street or off the side of a structure. So, depending on the size of the parcel, the size and orientation of the existing, principal dwelling, the driveway or alley configuration, and other special circumstances, accessory dwellings may not be appropriate on every single-family residential lot in a community.

There are numerous resources on ADUs for communities considering this housing option, some of those include:

- [ABCs of ADUs: A Guide to Accessory Dwelling Units and How They Expand Housing Options for People of All Ages](#) by AARP
- [Accessory Dwelling Units: A Step by Step Guide to Design and Development](#) by AARP
- [Accessory Dwelling Units: Model State Act and Local Ordinance](#) by the AARP
- [Accessory Dwelling Unit \(ADUs\) Case Study](#) by the U.S. Department of Housing and Urban Development
- [Accessory Dwelling Units - Knowledgebase Collection](#) by the American Planning Association
- [Accessory Dwelling Units - Quick Notes](#) by the American Planning Association
- [A Guide to Building a Backyard Cottage](#) by the City of Seattle
- [AccessoryDwellings.Org](#)

Additionally, example zoning regulations from Michigan communities that allow ADUs include:

- Clark Township (Mackinac County) allows as a permitted use in any zoning district that permits single family dwellings

- Hamburg Township (Livingston County) allows as a permitted use across several districts (see Sec. 36.239)
- Village of Beulah (Benzie County) allows as a permitted use with special conditions across residential and some commercial
- City of Traverse City requires registration and allows up to 15 new per year in its Single-Family Dwelling Districts
- City of Niles allows as a special land use in its Low-Density and Medium-Density Residential districts
- City of Manistee allows as a special use in its Medium-Density and High-Density Residential districts and by right in the Central Business District
- City of Grand Rapids allows as a special land use in all residential districts

If interested in learning more about accessory dwelling units, contact a Michigan State University Extension land use educator.

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LAWS

# ADU Laws and Regulations in Michigan



**Jimmy Singh**  
Marketing



As the housing landscape evolves, Michigan has been proactive in addressing the rising demand for affordable living spaces. With the apparent challenges discussed in The State

## Table of Conte:

[The Growing Interest in Urban ADUs](#)

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[Michigan ADU Code Compliance and Requirements](#)

[Accessory Dwelling Unit Regulations in Michigan](#)

[Types and Examples of ADUs in Michigan Zoning Ordinances](#)

[ADU Construction Regulations in Michigan](#)

[Michigan ADU Toolkit](#)

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Of the Nation's Housing 2022 report from the Joint Center for  
**STEADILY** learn how **Support** city **Agents** bed **login** uptick **(888) 966-1611** in communities revising Michigan ADU rules. These strategic changes aim to integrate Accessory Dwelling Unit regulations in Michigan within established neighborhoods, creating opportunities for more sustainable urban growth and meeting the legal requirements for ADUs in Michigan. Assess the potential advantages of obtaining **landlord insurance in Michigan** before entering into the rental agreement, providing a safety net for unexpected damages.

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## Key Takeaways

- Amendments to local rulings are making it possible to establish ADUs in Michigan neighborhoods, promoting affordable housing.
- ADUs, including granny flats and carriage houses, provide both housing solutions and financial benefits to property owners.
- Owner-occupancy regulations are enforced to ensure proper maintenance and community integration of ADUs.
- Michigan's approach to ADU incorporation addresses concerns about neighborhood character and potential congestion.
- Communities in Michigan employ a variety of tailor-made zoning laws to allow ADUs, reflecting location-specific needs and preferences.
- Understanding the diverse **Michigan ADU rules** and compliance requirements is crucial for the legal establishment of ADUs.
- ADUs contribute to local economic vitality by increasing resident density and supporting nearby businesses.

# The Growing Interest in Urban ADUs

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Michigan, embracing the need for diverse housing solutions, **STEADILY** Learn more about getting into **Support** **Agents** **Access** **Own** **Units** **Login** **(888) 966-1611** (ADUs) within urban localities. With an increasing inclination towards urban living, the integration of ADUs into existing neighborhoods presents a sustainable approach to accommodate the affordable housing demand. The *Michigan ADU permitting process* plays a pivotal role in this transition, facilitating the transformation of single-family zones into inclusive spaces enriched by diverse living options.

As the need for affordable housing amplifies, the flexibility of ADUs stands out, with options ranging from internal modifications to "granny flats" and other forms of secondary dwellings. This versatility is reshaping Michigan's urban residential landscapes and concurrently adhering to the *zoning laws for ADUs in Michigan* that promote livability and maintain community cohesion. A distinctive feature of these regulations is the owner-occupancy requirement, a provision that seeks to uphold the quality and upkeep of properties while fostering a vested interest in local development.

The Village of Beulah's ordinance is emblematic, stipulating that, "An incidental and subordinate dwelling unit...on the same lot, separate from the primary residence, enhances the traditional fabric of the community."

This growth in ADU establishment goes hand in hand with progressive changes in Michigan's zoning laws. These modifications are carefully crafted to incorporate ADUs seamlessly, aiming for a delicate balance between increased urban density and sustained neighborhood character. Such strategic zoning decisions bolster the provision of affordable living spaces, invigorating local economies by amplifying the consumer base to support nearby businesses. The expansion of ADUs hence serves a dual purpose, simultaneously addressing housing affordability concerns and nurturing the urban economic vitality.

- The surge in consideration of ADUs reflects Michigan's commitment to innovative housing strategies.

- Standalone structures and converted living spaces within **STEADILY** primarily become **Supporting Agents** of **Local** **Regulations** **(888) 966-1611** ADUs.
- Owner-occupancy clauses in ADU regulations underscore efforts to maintain well-kept neighborhoods and dwellings.
- Michigan communities, such as the Village of Beulah, exemplify the pragmatic application of ADU ordinances.
- By fostering higher housing density, ADUs indirectly contribute to the flourishing of local commerce and businesses.

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# Zoning Laws for ADUs in Michigan



The landscape of Accessory Dwelling Units (ADUs) in Michigan is a tapestry of varying municipal ordinances, each carefully stitched to address local housing needs while retaining the essence of neighborhood identity. Understanding the *Michigan ADU guidelines* is essential for homeowners and developers to navigate and take advantage of the housing opportunities provided by the inclusion of ADUs in urban and suburban environments. The *zoning laws for ADUs in Michigan* are not

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monolithic; they shift and adapt across the geographic and diversity in housing solutions.

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In certain municipalities, ADUs symbolize a welcomed solution to the pressing need for additional housing. For instance, Clark Township embraces ADUs across all residential districts that allow single-family homes, providing broader opportunities for homeowners to create secondary living spaces. Similarly, the City of Grand Rapids champions the ADU concept, offering them as a special land use across residential zones. These inclusive strategies are informed by a broader understanding of land use and are sympathetic to the demands of modern living.

- Clark Township, known for embracing wide-open spaces and rural charm, now extends this openness to its residential zoning, welcoming ADUs as a permitted use.
- The bustling urban energy of the City of Grand Rapids is channeled into progressive housing policies, allowing ADUs to proliferate as a response to the need for affordable urban living options.

Contrastingly, the Village of Beulah and the City of Traverse City implement ADU ordinances with more stringent conditions. Both areas illustrate a delicate maneuvering of policy to uphold the intrinsic qualities of their respective communities, imposing specific conditions or limiting the number of ADUs. This careful calibration ensures that while developing new housing avenues, the traditional neighborhood conduct is preserved, mitigating concerns regarding traffic and overstretched resources.

Each Michigan municipality tailors its approach to ADUs to retain the unique character of its neighborhoods, thereby shaping policies that are as distinctive as the communities themselves.

Realizing the full potential of ADUs in Michigan means recognizing the diversity of **zoning laws for ADUs in Michigan** and how these regulations can serve as bridges connecting

housing innovation with preserving the features that make  
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nuanced policy-making that allows ADUs to flourish in Michigan's varied living landscapes, making them integral to the state's vision of a dynamic and responsive housing ecosystem.

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# ADU Permitting in Michigan

Embarking on an Accessory Dwelling Unit (ADU) project in Michigan requires a clear understanding of the state's permitting process. While it's crucial to adhere to the *legal requirements for ADUs in Michigan*, one must also consider local mandates that could influence the project's success. The *Michigan ADU permitting process* is designed to be fluid, accommodating a variety of community plans and resident needs through its flexible zoning laws.

## The Permitting Process Overview

Michigan's journey towards increased housing options through ADUs includes diverse permit requirements adapted to each community's unique context. For example, the City of Traverse City allows ADUs by requiring registration and establishing a limited number per year, ensuring a controlled and measured growth. Potential ADU owners should prepare to engage with a multi-layered process that could range from a straightforward application to a more complex review, contingent on the specific guidelines of the locality.

## Key Documents and Resources for Permit Applicants

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Aspiring ADU owners and builders can access a wealth of **information**, **learn**, **Support**, **Agents**, **Login**, **(888) 966-1611**. Insightful guidebooks like "ABCs of ADUs" by AARP and detailed case studies from the U.S. Department of Housing and Urban Development offer step-by-step support. Furthermore, municipalities across Michigan, such as Ann Arbor, provide enriching resources like FAQs, planning commission recordings, and proposals for zoning ordinance amendments. These materials are essential tools, crafted to simplify participation in the *Michigan ADU permitting process* and ensure compliance with the pivotal *legal requirements for ADUs in Michigan*.

# Michigan ADU Code Compliance and Requirements



As Michigan embraces the growing popularity of Accessory Dwelling Units (ADUs), it's essential for residents and builders to understand and comply with the specific *Michigan ADU code* and *ADU construction regulations in Michigan*. The size of the unit is a primary consideration, with the state's building

codes requiring that ADUs for couples must be no less than 450 square feet, learn those ~~Supported Agents~~ ~~login~~ should (888) 966-1611

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But compliance extends beyond mere size specifications. Local ordinances in Michigan meticulously outline necessary building amenities to ensure that ADUs provide safe and comfortable living conditions. These include necessities such as flush toilets and running water, which are non-negotiable for legal habitation. Prospective ADU owners must navigate these codes with precision to ensure that their units meet every requirement set forth by local jurisdictions.

Fulfilling these stipulations not only adheres to Michigan ADU code but also upholds the integrity and safety of Michigan's richly diverse neighborhoods.

Finding the appropriate land for ADU construction presents another layer of complexity due to varied zoning laws. Securing a location that allows for ADUs within its planning framework is critical, making thorough research and understanding of local zoning regulations an indispensable part of the planning process. By matching the *ADU construction regulations in Michigan* to each unique setting, builders and homeowners can anticipate a successful addition to the community's housing options.

- Prospective ADU builders must account for minimum square footage requirements as part of their compliance checklist.
- Regulations around building amenities such as sanitation and utilities are strict to ensure habitability.
- Navigating local zoning laws is a crucial step in identifying suitable land for ADU placement.

Laying the groundwork for an ADU in Michigan is a collaborative effort between prospective owners, community planners, and builders. Knowledge and compliance with both state and local codes are not only a legal mandate but a commitment to fostering a thriving, resilient, and sustainable housing environment across the state.

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## Regulations in Michigan

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In the landscape of Michigan's housing solutions, Accessory Dwelling Units (ADUs) are emerging as a versatile and necessary part of urban development. Michigan ADU guidelines reflect the state's commitment to cultivable housing schemes that cater to the needs of its residents while ensuring smart growth within its communities. The *Accessory Dwelling Unit regulations in Michigan* are designed to regulate development in a way that maintains quality of life and ensures the effective use of space.

## Minimum Size and Occupancy Standards

When considering the establishment of an ADU in Michigan, size and occupancy play crucial roles in ensuring that these structures are in harmony with existing housing. State laws require that ADUs accommodate their inhabitants comfortably. Therefore, for couples, an ADU must be at least 250 square feet, while families of four are recommended to have units that measure a minimum of 450 square feet. These measurements ensure that ADUs balance between optimizing space and maintaining living standards.

## Owner Occupancy and Avoiding Absentee Landlord Issues

Integral to the Accessory Dwelling Unit regulations in Michigan is the stipulation for owner occupancy. This provision serves multiple functions, such as preventing the deterioration of properties and preserving neighborhood integrity by

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avoiding absentee landlord situations. Such regulation ensures maintenance and the wellbeing of the community remains an active part of its daily life. The result is a shared environment where both ADUs and main residences are responsibly managed and cared for, fostering positive relationships among residents.

- Ensuring tiny homes and ADUs meet Michigan's size and occupancy standards for a healthy living environment is key.
- Michigan's ADU regulations frequently include clauses that require one of the dwelling units to be owner-occupied.
- Invoking these **legal requirements for ADUs in Michigan** aims at enhancing community wellbeing and property upkeep.

## Types and Examples of ADUs in Michigan Zoning Ordinances

The versatility of Accessory Dwelling Units (ADUs) in Michigan is significantly influenced by local Michigan ADU rules.

Different communities within the state have adopted unique standards that manifest in various applications of ADUs, tailoring solutions to their distinct housing needs. These community-specific ordinances illustrate how zoning laws are pivotal to the effective administration and integration of ADUs into Michigan's housing framework.

For example, *Clark Township* illustrates a broad acceptance of ADUs, extending their availability across all residential zones that permit single-family homes. This liberal approach helps meet the increasing demand for diverse housing options in the township. On the other hand, *Hamburg Township* demonstrates

a more selective deployment, allowing ADUs in specific zoning

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Reflecting the necessities of each community, Michigan's ADU ordinances cater to both expanding housing opportunities and maintaining the localities' unique characteristics.

In the context of *Niles*, ADUs are addressed as special land uses within specific residential districts, spotlighting a bespoke strategy tailored to the city's urban planning objectives. This special categorization allows the City of Niles to control the integration of ADUs, ensuring compatibility with existing structures and community goals.

- **Clark Township:** Permits ADUs in all residential districts.
- **Hamburg Township:** Includes ADUs as a permitted use across designated districts.
- **Village of Beulah:** Authorizes ADUs under special conditions within both residential and some commercial zoning areas.
- **City of Traverse City:** Sets a limit on the number of ADUs per year, promoting a gradual but proactive accommodation of housing needs.
- **City of Niles:** Approves ADUs as a special land use, illustrating a controlled and bespoke urban development plan.

These examples underscore how ADU construction regulations in Michigan are not a one-size-fits-all prescription but rather a collection of locally attuned policies. Through such an approach, Michigan optimizes ADUs' benefits, from elevating the housing stock to enhancing community makeup with thoughtful, place-based solutions.

# ADU Construction Regulations in Michigan



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The process of erecting Accessory Dwelling Units (ADUs) in Michigan is subject to a framework of stringent ADU construction regulations in Michigan, affirming the state's dedication to the safety and welfare of its residents. These construction guidelines are designed to parallel the trusted and established standards applied to conventional home building, emphasizing the need for quality and durability in ADU development.

To align with the *Michigan ADU code*, any new ADU must be securely anchored to a foundation that is at least 24 inches above the ground level, providing a solid base to support the structure. The integrity of the walls is equally critical; hence the mandate for either solid wood or robust metal composition, ensuring lasting stability and resistance to the elements.

By imposing rigorous construction requirements, Michigan stands committed to harmonizing the innovative appeal of tiny home living with unwavering quality and safety measures.

The importance of climate control and energy conservation is acknowledged through the enforcement of double-paned windows, thereby enhancing insulation and efficiency. To cap off the dwelling, metal roofs are specified within the ADU regulations, offering robustness and longevity to protect against the diverse Michigan weather patterns.

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- Foundations must meet a specified height criteria of no less than 24 inches.
- ADU walls must be constructed using either solid wood or metal, ensuring structural soundness.
- Rooftops are to be composed of metal materials for sustained durability.
- Double-paned windows are mandated for energy efficiency and climate control within the ADU.
- Installation of smoke and carbon monoxide detectors is a mandatory safety provision.

Health and safety considerations are paramount within the **Michigan ADU code**. Mandatory installations of smoke and carbon monoxide detectors ensure that ADUs are not only safe sanctuaries from environmental adversities but are also equipped to alert occupants of internal risks, aligning these diminutive dwellings with the protective standards expected in full-sized homes.

Adherence to these rigorous *ADU construction regulations in Michigan* not only preserves the homeowner's investment but also fortifies the fabric of Michigan communities with quality housing options that stand the test of time.

# Michigan ADU Guidelines: Increasing Density and Business Potential

The implementation of **Michigan ADU guidelines** has brought with it a significant shift in the urban landscape, attracting attention for more than just affordability. These guidelines pave the way for increased population density within

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neighborhoods, a change that holds remarkable potential for **businesses. Learn, Support the Agents Login of (888) 966-1611** traditional neighborhoods to accommodate *Accessory Dwelling Units* (ADUs) is the marked expansion of the consumer base for surrounding businesses.

As city planners and policymakers delve deeper into **ADU Laws and Regulations in Michigan**, there's an emergent recognition of the symbiotic relationship between housing and economic development. ADUs are celebrated not only as a response to the pressing need for affordable housing but also as engines of economic growth. Their small footprint and rapid implementation affirm their role in providing durable housing solutions and, equally importantly, in bolstering the vitality of community commerce.

By nurturing urban density, ADUs contribute not only to the diversity of housing options but also to the vivacity of Michigan's urban centers.

- ADUs serve as a catalyst for local economic development, inviting a fresh wave of consumers to shop, dine, and engage with local establishments.
- The increased density provided by ADUs is in alignment with Michigan's goal to encourage urban revitalization and sustainability.
- Pursuant to *Michigan ADU guidelines*, these units are integral to creating vibrant, walkable communities, boosting foot traffic to local businesses.

Recognizing the powerful impact of *ADU Laws and Regulations in Michigan* on community development, municipalities are incentivized to further refine and adapt their guidelines. In doing so, they not only meet the immediate need for additional housing but also set the stage for an enriched economic landscape. ADUs, therefore, emerge as a thoughtful approach to reshaping the future of Michigan's urban neighborhoods, one dwelling at a time.

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In the constellation of housing strategies, Accessory Dwelling Units (ADUs) shine brightly as a pragmatic and multifaceted solution for Michigan's urban and suburban landscapes.

Essaying roles that range from offering economic relief to property owners to invigorating local businesses, ADUs capture the essence of innovative and sustainable living. The transformative impact of ADUs in Michigan is palpable—not only do they alleviate the affordable housing quandary, but they also embolden the fabric of communities with additional residential amenities and sprawling homeliness on existing lots.

## Summarizing the Importance of ADU Development in Michigan

The Accessory Dwelling Unit regulations in Michigan stand as a testament to the state's strategic move towards embracing urban density and the ever-evolving needs of its populace. ADUs serve an integral role in community development, providing a versatile housing avenue while benefitting local economies and laying the groundwork for diverse living situations. With a narrative punctuated by thoughtful planning and nuanced regulation adjustments, Michigan illustrates its dedication to crafting spaces that are not only affordable but are also ripe with potential for personal and communal growth.

## Future Prospects for ADU Laws and Regulations in Michigan

The future contours of ADU Laws and Regulations in Michigan are charting towards a more inclusive and adaptable housing blueprint. In a steady pivot to embrace the influx of growing

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urban populations, municipalities are recalibrating their zoning  
~~ordinances and permitting processes to support agents~~ ~~space~~ ~~login~~ the **(888) 966-1611**  
demand for housing solutions such as ADUs. This forward-thinking agenda presages a future where ADUs play a pivotal role in shaping resilient, economically vibrant, and community-oriented urbanization in Michigan. Visionary urban planning and responsive legal frameworks underpin this trajectory, positioning ADUs at the forefront of Michigan's housing innovation.

## FAQ

### What are the basic legal requirements for constructing an ADU in Michigan?

Michigan's requirements for ADUs include adherence to local zoning laws, building codes, and often an owner-occupancy clause. The specific regulations can vary significantly depending on the municipality where the ADU will be located.

### Can I build an ADU in any Michigan neighborhood?

The ability to build an ADU depends on local zoning laws which differ from one municipality to another. Some areas may allow ADUs across residential districts, while others may restrict them or implement caps on the number of ADUs.

### Are there standards for the size and occupancy of ADUs in

Yes, Michigan enforces size standards such as minimum square footage to ensure livability. Occupancy standards are also in place, with common requirements stating that an ADU must be the primary residence of the owner or a close family member.

## What is the permitting process for ADUs in Michigan?

The permitting process for ADUs varies widely across Michigan's jurisdictions. It usually involves a detailed application to ensure compliance with local zoning and building codes, site plans, and sometimes a registration process.

## Are there resources available to help navigate the ADU permitting process in Michigan?

Yes, multiple resources are available, such as guidebooks from AARP and the American Planning Association, and local municipal planning commission recordings and documents, which can provide assistance through the ADU permitting process.

## How do Michigan ADU codes ensure the safety and quality of construction?

ADU codes in Michigan specify construction requirements that include foundation, integrity, support, and materials. **Login** **(888) 966-1611**

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specifications, and the installation of smoke and carbon monoxide detectors, mirroring those for traditional homes.

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## How do ADUs benefit local businesses in Michigan?

By increasing the housing density within neighborhoods, ADUs add to the local population base, which can potentially increase the customer base for nearby businesses, contributing to the local economy.

## What is the future outlook for ADU regulations in Michigan?

ADU regulations in Michigan are expected to become more inclusive and diverse in the future as municipalities continue to adapt their ordinances to meet the growing need for affordable housing and sustainable urban living solutions.

## Source Links

- <https://www.a2gov.org/departments/planning/Pages/Accessory-Dwelling-Units.aspx>
- [https://www.canr.msu.edu/news/accessory\\_dwelling\\_units](https://www.canr.msu.edu/news/accessory_dwelling_units)
- <https://www.tinyhouse.com/post/michigans-tiny-home-rules-and-regulations>

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## PERSONAL FINANCE

# Liz Weston: Will adding an accessory dwelling unit pay off?

**Liz Weston** NerdWallet

Published 7:01 a.m. ET Nov. 20, 2022

Accessory dwelling units, or ADUs, are separate living spaces added to an existing home — typically on a single-family residential lot. That addition could include a converted basement or backyard cottage. ADUs can house older family members, provide lodging for young adult family members or serve as a source of rental income. Despite their utility, ADUs aren't allowed in many areas. Even where ADUs are legal, construction costs and higher property taxes can make them a costly investment. Before you build an ADU, weigh the pros and cons and look around your city to see what your neighbors are doing.

Accessory dwelling units are known by many names: in-law suites, guest houses, backyard cottages, or basement or garage conversions, among others. What all ADUs have in common is that they're a separate living space typically added to a single-family residential lot, and they're having a moment.

Constructing an ADU could increase your property value while providing rental income or extra living space for a family member. Then again, adding an ADU could be an expensive hassle you live to regret.

If you're thinking about an ADU, here's what to consider before you commit.

## WHY ADUS ARE INCREASINGLY POPULAR

In recent years, several cities and some states — including California, Oregon and New Hampshire — have passed laws making it easier for homeowners to create ADUs, in part to address housing shortages and rising costs that have led to an affordability crisis in many communities. ADUs are seen as a relatively inexpensive way to increase the supply of more affordable housing without drastically changing the character of residential neighborhoods.

Demand is also being fueled by the aging of the U.S. population, says Rodney Harrell, vice president of family, home and community for AARP, which publishes a guide called "The ABCs of ADUs." People are considering adding space for older family members or caretakers. The pandemic may have accelerated that trend, as people looked for alternatives to the nursing homes where at least 175,000 Americans died from COVID-19, Harrell says. ADUs also can provide independent living spaces for families' young adult members, who might not be able to afford their own apartments.

"It's a housing solution that doesn't solve every problem, but it helps address several problems at one time," Harrell says.

## **COSTS — AND ACCEPTANCE — VARY WIDELY**

Converting existing space, such as a garage, attic or basement, into an ADU can cost about \$50,000, while a new detached ADU often exceeds \$150,000, Harrell says. And depending on where you live, getting permits to create your ADU can be a relative breeze, an extended fight or flat-out impossible.

In California, homeowners have a legal right to build ADUs, and local governments aren't supposed to create barriers to getting permits. Some cities have streamlined the permitting process, and a few, including Los Angeles and San Jose, have preapproved building plans that can further reduce delays.

Some California cities are fighting the trend, however, by delaying or denying permits. Most U.S. cities either do not allow ADUs or have strict regulations that inhibit their development, says Kol Peterson, an ADU consultant and the author of "Backdoor Revolution: The Definitive Guide to ADU Development." Even where ADUs are legal, cities may require zoning exceptions called variances, demand expensive upgrades or impose fees that can add substantially to the cost, Peterson says.

Tempted to skip the permits? That's probably not smart. Unpermitted construction could make your home tough to sell or refinance and leave you vulnerable to enforcement actions from your area's zoning department, says real estate appraiser Jody Bishop, president of the Appraisal Institute, a trade group. All it takes is one disgruntled neighbor to turn you in.

## HOW ADUS ARE LIKE SWIMMING POOLS

If you're building an ADU primarily for the extra income, recognize that any rent you charge could be at least partially offset by increased costs, such as higher property taxes, larger homeowners insurance premiums and payments on loans used to construct the unit, among other expenses.

As with any home improvement project, there's no guarantee you'll get your money back from an ADU when you're ready to sell the home, Bishop says.

ADUs have a lot in common with swimming pools, he adds. In-ground pools are an accepted and even expected feature in some neighborhoods, so you may recoup at least some of the cost of building one when you sell your home. In other areas, pools are uncommon and could detract from a home's value if buyers are concerned about maintenance hassles or drowning risks, Bishop says.

Similarly, ADUs may not add much value in areas where they're unusual, he points out. Some people may prize the ability to rent out the ADU for extra income, while others won't want to be landlords. And converting an existing attic, basement or garage might deter buyers who would rather have those spaces untouched.

Perhaps the best indication an ADU will add value is if your neighbors are building them, Bishop says. And if that's the case, a properly permitted and thoughtfully designed ADU could be worth the investment.

"If it's well done, it's well thought out and functional, then you probably got something that the market would embrace and not mind paying for," Bishop says.

*This column was provided to The Associated Press by the personal finance website NerdWallet. Liz Weston is a columnist at NerdWallet, a certified financial planner and author of "Your Credit Score." Email: lweston@nerdwallet.com. Twitter: @lizweston.nerdwallet-how-to-finance-a-home-remodel*



## 3.1.1

## CA Conservation Agriculture

## A. INTENT

The intent of the "CA" Conservation Agricultural District is broad in scope but specific in purpose: to protect vital natural resources (for example, high quality water supplies, flood-prone areas, stable soils, significant stands of vegetative cover, substantial wetlands) and to protect lands best suited to agricultural use from the encroachment of incompatible uses which would cause such land to be taken out of production prematurely, while designating an area appropriate to low density single family residential development that does not alter the general rural character of the District.

The standards in this district are intended to assure that permitted uses peacefully coexist in a low density setting, while preserving the rural-like features and character of certain portions of the Township. Low density residential development is further intended to protect the public health in areas where it is not likely that public water and sewer services will be provided.

It is further the intent of this District to permit a limited range of residentially-related uses, and to prohibit multiple family, office, business, commercial, industrial and other uses that would interfere with the quality of residential life in this district. This District is intended to correspond to the Estate Residential future land use category of the Comprehensive Plan



**User Note:** For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

## B. PRINCIPAL PERMITTED USES

- i. Agriculture<sup>■</sup> and farming
- ii. Essential public services, provided there is no building or outdoor storage yard [§4.26](#)
- iii. Forests, forestry [§5.17](#)
- iv. Single family detached dwellings<sup>■</sup> [§4.1](#)
- v. Township owned and operated water, sewer and storm drain systems
- vi. Public park and recreation areas<sup>■</sup> [§4.40](#)
- vii. State licensed residential facilities that provide care for up to six (6) individuals, including child day care and adult foster care<sup>■</sup>
- viii. Private stables<sup>■</sup> when located on a site of not less than five (5) acres [§4.43](#)

## C. ACCESSORY USES

- i. Accessory uses, buildings and structures customarily incidental to any of the above-named permitted uses [§5.14](#)
- ii. Home occupations<sup>■</sup> [§4.2](#)
- iii. Living quarters for persons employed on the premises and not rented or used for some other purpose
- iv. Temporary or seasonal roadside stand<sup>■</sup> [§4.41](#)
- v. Seed and feed dealership provided there is no showroom or other commercial activities included
- vi. Land extensive recreation activities

## D. SPECIAL LAND USES

- i. Cemeteries [§4.19](#)
- ii. Adult care<sup>■</sup> and child care facilities<sup>■</sup> that provide care for seven (7) to twelve (12) individuals [§4.12](#)
- iii. Churches and religious institutions<sup>■</sup> [§4.20](#)
- iv. Nursing or convalescent homes,<sup>■</sup> or child caring institution [§4.23](#)
- v. Duplex or two dwelling<sup>■</sup> for farm family only, in conjunction with a farm operation.
- vi. Essential public service buildings, structures and equipment, excluding storage yards [§4.26](#)
- vii. Forestry clearcut operation which encompasses thirty (30) or more acres over a three (3) year period or ten (10) or more acres during one year.
- viii. Golf courses<sup>■</sup> and country clubs<sup>■</sup> [§4.30](#)
- ix. Kennels<sup>■</sup> [§4.33](#)
- x. Sand, gravel or mineral extraction [§4.5](#)
- xi. Public & private elementary, intermediate or high schools [§4.42](#)
- xii. Specialized animal raising and care<sup>■</sup>, when located on at least five (5) acres [§4.10](#)
- xiii. Public stables<sup>■</sup> or riding arenas [§4.43](#)
- xiv. Radio, telephone and television transmitting and receiving towers<sup>■</sup> [§4.39](#)
- xv. Landscape nursery<sup>■</sup>, if located on at least ten (10) acres [§4.38](#)
- xvi. Veterinary offices/clinics (large animal)<sup>■</sup> [§4.45](#)
- xvii. Private recreation areas<sup>■</sup> [§4.40](#)
- xviii. Bed and breakfast facilities<sup>■</sup> [§4.18](#)
- xix. Farm markets, cider mills, and you-pick operations on a farm
- xx. Wildlife refuges
- xxi. Game preserves



68. **DOCK, DOCKED or DOCKING:** The mooring of a boat directly to a pier or other structure, including but not limited to a platform, hoist, ramp, or other permanent or seasonal fixture or structure extending from the shore or placed in the water off the shore, and directly accessible to water frontage; and shall also mean the regular anchoring of a boat adjacent to water frontage; and shall also mean the placement or storage of a boat, temporarily or permanently, upon the water frontage or shoreline.

69. **DRAINAGE:** The removal of surface water or ground water from land by drains, grading, or other means. Drainage includes the control of runoff to minimize erosion and sedimentation during and after development and includes the means necessary for water-supply preservation or prevention or alleviation of flooding.

70. **DRIVE-THRU FACILITY:** Any building and/or structure constructed and/or operated for the purpose of providing goods or services to customers who remain in a motor vehicle during the course of the transaction.

71. **DRIVEWAY:** A private way intended to provide access to no more than one (1) parcel or dwelling unit.

72. **DRIVEWAY, COMMERCIAL:** The point of access to a single commercial, industrial or institutional use, lot, parcel or yard that provides a means of ingress, egress, and circulation for vehicles and traffic to, from, and between the road, and the principal or accessory building, use, or structure.

73. **DRIVEWAY, SHARED:** A private way intended to provide access to no more than two (2) parcels or single family dwelling units. Shared driveways shall be subject to easement and maintenance agreements.

74. **DRIVEWAY, SHARED COMMERCIAL:** A commercial driveway not otherwise designated as a private road designed to provide shared access to two or more uses, lots, parcels, or yards.

75. **DRIVING RANGE:** A facility equipped with distance markers, clubs, balls, and tees for practicing golf drives.

76. **DWELLING, MULTIPLE FAMILY:** A building used or designed as a residence for three or more families for residential purposes living independently of one another, with separate housekeeping, cooking and bathroom facilities for each. Multiple family dwellings include the following:

- Apartment:** An apartment is an attached dwelling unit with party walls, contained in a building with other apartment units which are commonly reached off of a common stair landing or walkway. Apartments are typically rented by the occupants. Apartment buildings often may have a central heating system and other central utility connections. Apartments typically do not have their own yard space. Apartments are also commonly known as garden apartments or flats.
- Efficiency Unit:** An efficiency unit is a type of multiple-family or apartment unit consisting of one (1) principal room, plus bathroom and kitchen facilities, hallways, closets, and/or a dining alcove located directly off the principal room.

77. **DWELLING, ROW:** Any one of three or more attached dwellings in a continuous row, each such dwelling being designed and erected as a unit on a separate lot and separated from one another by an approved wall or walls.

78. **DWELLING, SINGLE-FAMILY:** A detached building designed for or occupied exclusively by one (1) family for residential purposes.

79. **DWELLING, TWO-FAMILY:** A detached building designed for or occupied exclusively by two (2) families for residential purposes living independently of each other, with separate housekeeping, cooking, and bathroom facilities for each. Also known as a duplex.

80. **DWELLING UNIT:** Any house, apartment, condominium unit, building or any portion thereof which is occupied or intended to be occupied as a home, residence, or sleeping place of or by a family or unrelated persons either permanently or transiently.

81. **EARTH-SHELTERED HOME:** A complete building partially below grade that is designed to conserve energy and is intended to be used as a single-family dwelling.

82. **EASEMENT:** A grant by the property owner of the limited use of private land by the public, a corporation, or private person or persons for a specific public or quasi-public purpose or purposes.

83. **ENGINEER, TOWNSHIP:** The Township Engineer is the person or firm designated by the Township Board to advise the Township administration, Township Board, and Planning Commission on drainage, grading, paving, storm water management and control, utilities, and other related site engineering and civil engineering issues. The Township Engineer may be a consultant or an employee of the Township.

84. **ERECT:** Any physical operation on a site required for the construction, relocating, or reconstruction of a building or structure, including excavations, fill, drainage and the like.

85. **ESSENTIAL SERVICES:** The erection, construction, alteration, or maintenance by public utilities or governmental agencies of underground, surface or overhead gas, communication, electrical, steam, fuel or water transmission or distribution systems, collection, supply or disposal systems, including towers, poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm and police call boxes, traffic signals, hydrants and similar accessories in connection therewith which are necessary for the furnishing of adequate service by such utilities or municipal departments for the general public health, safety, convenience or welfare, but not including office buildings, generating sources and facilities, or maintenance depots. Essential services shall not include cellular telephone towers, gas sweetening plants, commercial reception towers, air quality monitoring stations, school bus parking yards, sales or business offices, or commercial buildings or activities.

86. **EXCAVATION:** The removal or movement of soil, sand, stone, gravel, or fill dirt except for common household gardening, farming, and general ground care..

87. **FAMILY:** means either of the following:

- A domestic family, that is, one or more persons living together and related by the bonds of consanguinity, marriage, or adoption, together with servants of the principal occupants and not more than one additional unrelated person, with all of such individuals being domiciled together as a single, domestic, housekeeping unit in a dwelling.
- The functional equivalent of the domestic family, that is, persons living together in a dwelling unit whose relationship is of a permanent and distinct character and is the functional equivalent of a domestic family with a demonstrable and recognizable bond which constitutes the functional equivalent of the bonds which render the domestic family a cohesive unit. All persons of the functional equivalent of the domestic family must be cooking and otherwise operating as a single housekeeping unit. This definition shall not include any society, club, fraternity, sorority, association, lodge, organization or group where the common living arrangement and/or the basis for the establishment of the functional equivalency of the domestic family is likely or contemplated to exist for a limited or temporary duration. There shall be a rebuttable presumption enforceable by the Zoning Administrator in the first instance that the number of persons who may reside as a functional equivalent family shall be limited to six (6). Such presumption may be rebutted by application for a special use based upon the applicable standards in this Ordinance.

88. **FARM:** The land, buildings, and machinery used in the commercial production of farm products. Farm products are plants and animals useful to human beings and includes, but not limited to, forage and sod crops, grains and feed crops, dairy and dairy products, poultry and poultry products, livestock including breeding and grazing, fruits, vegetables, flowers, seeds, grasses, trees, fish, apiaries, equine and other similar products. To be considered a farm hereunder, the parcel shall contain ten (10) or more contiguous acres. For the purposes of this Ordinance, farms shall not include establishments for keeping or raising fur-bearing animals, private stables, commercial dog kennels, piggeries, greenhouses or stockyards, unless such establishments are combined with other bona fide farm operations listed above which are located on the same continuous tract of land of not less than 40 acres. A farm which is operated as a business for purposes of agricultural production is distinguished from a collection of farm buildings and animals that is operated for education, demonstration, or recreational purposes. Such quasi-farm operations may be known as "petting zoos" or "model farms" or "interpretative farms".



## Sample Accessory Dwelling Unit Ordinance

### RURAL (Minimum 1 acre)

*All language is modifiable and should be reviewed by your Municipal Planner or Attorney*



**Modifications that may be unique to your community's zoning ordinance noted in RED.**

**Intent:** By permitting Accessory Dwelling Units the Township seeks to achieve several goals:

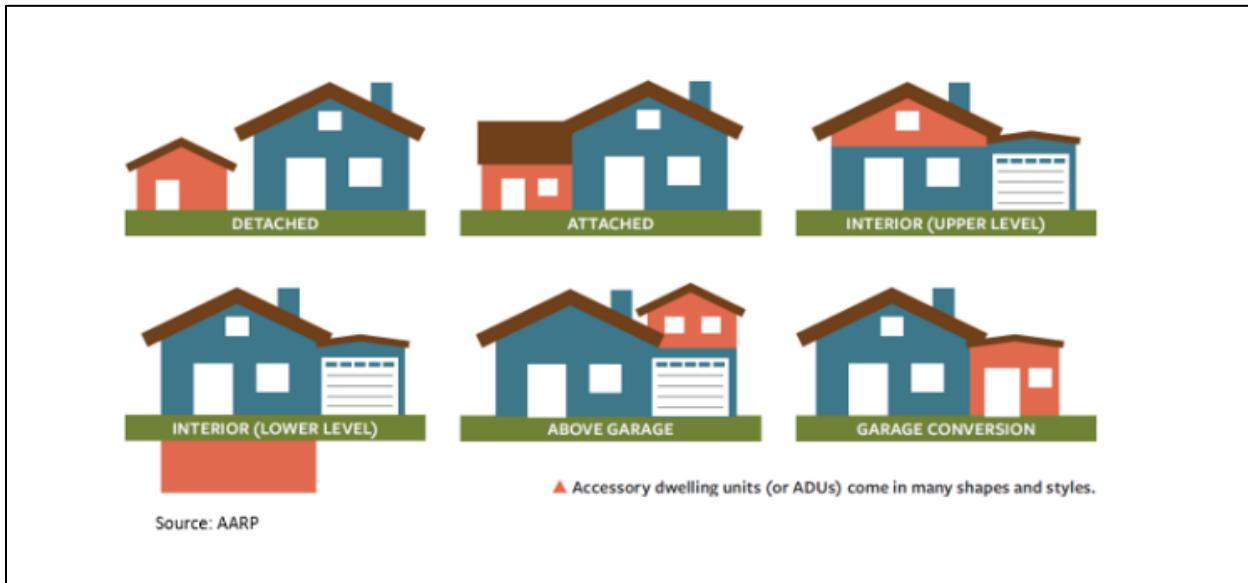
1. Increase flexibility for homeowners to meet the needs of their family including multigenerational members.
2. Create more housing options for smaller households including single professionals or empty nesters.
3. Maintain compatibility with existing housing types.
4. Increase affordable housing options.
5. Provide homeowner with potential extra income to meet rising homeownership costs.

#### Definitions:

**Accessory Dwelling Unit (ADU):** is a second, smaller dwelling unit either developed within an existing single-family house (such as a basement, attic or addition) or as a smaller detached accessory building. An attached ADU also shares at least a 15 feet wall with the Principal Dwelling Unit.

**Principal Dwelling Unit (PDU):** The single-family dwelling located on the parcel with an Accessory Dwelling Unit.

Figure 0.00 Reference Image for types of ADUs



**Accessory Dwelling Units** are a permitted use within the Agricultural (AG) & Single Family Residential (SFR) District/s with a minimum lot size of 1 acre.

**Attached ADU:** shall be between 400-800 square feet or 40% of the gross floor area of the PDU whichever is less. Gross floor area of PDU not to include three-season rooms or garages.

**Detached** ADUs shall be between 500-900 square feet or 40% of the gross floor area of the PDU whichever is less. Gross floor area of PDU not to include three-season rooms or garages.

**Option 1)**

**Dimensions & Setbacks:** ADUs must meet the lot dimensions and setbacks requirements in Table 0.00.

**Table 0.00 Dimensional Requirements for ADUs**

Zone	Minimum Lot Size (Feet)	Minimum Lot Width (Feet)	Minimum Front Setback (Feet)	Minimum Side Setback (Feet)	Minimum Rear Setback	Maximum Height (Attached)
AG	<u>1 acre</u>	<u>150</u>	<u>50</u>	<u>30</u>	<u>50</u>	<u>30 ft</u>
SFR	<u>1 acre</u>	<u>100</u>	<u>50</u>	<u>30</u>	<u>40</u>	<u>30 ft</u>

**Option 2)**

**Dimensions & Setbacks:** ADU's must meet lot dimension and setbacks of the corresponding zoning district.

**Lot Coverage:** ADUs shall adhere to the lot coverage requirements of the corresponding zoning district.

**Principal Dwelling Unit**

1. Must be owner occupied.
2. The minimum floor area of the principal dwelling unit may not decrease the minimum floor area requirements of a single family, 960 square feet, with at least 600 square feet on the ground floor.
3. The PDU and the ADU must share common water, septic, and electric facilities, in compliance with state and county codes.

### **Detached ADU**

1. Are permitted in the rear yard with a minimum 10 feet behind the Principal Dwelling Unit.
2. Are permitted in the side yard provided:
  - a. The ADU is a minimum 10 feet away from principal structure.
  - b. Meets all the required setbacks.
3. Must have a foundation in compliance with Michigan Residential Code and Approved by the Livingston County Building Department.
4. Placement of an ADU in the front setback are prohibited.

### **Other Requirements**

1. **Amount of ADUs per Parcel:** No more than 1 ADU per parcel shall be constructed. ADUs are only permitted on lots with a single-family dwelling. ADUs are not permitted on parcels with existing duplexes/apartments.
2. **Utilities:**
  - a. An ADU shall be connected to potable water and sanitary facilities in compliance with the County Health Department.
  - b. Utility service to an ADU shall rely on the same metering and service panel as those that serve the PDU except as may be otherwise required by the building inspector.
    - i. Utility Service to be installed according to the State Electrical and Mechanical Code.
  - c. Separate utility billings for an ADU by the utility provider are prohibited.
3. **Design Character:** The ADU shall be designed so the appearance of the building will remain that of a single-family dwelling. Further, it shall not detract from the appearance of the lot as a place of one (1) residence and shall be aesthetically compatible in appearance with other single-family dwellings in the immediate area based on architectural design and exterior materials.
4. **Access: Attached ADUs** are permitted to have up to two access points:
  - a. Access located in a common entrance foyer.
  - b. exterior entrance to be located on the side or rear of the ADU.
5. **Access: Detached ADUs** a main entrance to be located on the front and an additional side/rear yard access are permitted.
6. **Occupancy/Bedroom Requirements:** An ADU shall have no more than 4 individuals including those less than 18 years of age. More than 2 bedrooms is prohibited.

7. **Renting an ADU:** Leasing or renting a ADU for shorter than 30 days is prohibited. The ADU shall not otherwise be made available to any one (1) or more persons for periods less than thirty (30) days.
8. **Driveway and Parking:** Shall provide a combined off-street parking for a minimum of four automobiles for PDU and ADU.
  - a. In no case shall an ADU be permitted to have a separate driveway.
9. **Garage:** A garage may be erected to serve an ADU subject to the following requirements:
  - a. An ADU garage shall be part of the same structure as the ADU.
  - b. An ADU garage shall be no greater than 450 square feet in gross floor area.
  - c. An ADU garage shall be no higher than 17 feet as measured to the highest point of the roof. Shall be maximum one (1) story and at no time taller than the PDU.
  - d. An ADU garage shall comply with the same setback standards as required for an ADU in the corresponding zoning district.
  - e. No more than one (1) ADU garage shall be erected on a lot.
  - f. At no time shall the garage be used as a dwelling.
10. **Authorization:**
  - a. No ADU shall be established prior to the issuance of a land use permit for the ADU.
  - b. The applicant shall submit the following information for review to the Zoning Administrator:
    - i. 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.
    - ii. Sufficient architectural drawings or clear photographs to show the exterior building alterations proposed.
    - iii. Interior floor plans showing the floor area of the proposed accessory dwelling unit and the primary dwelling.
  - c. No construction of an ADU, including excavation and clearing, shall be initiated prior to Land Use and Building Permit Issuance.

## Sources

### [AARP Graphic](#)

[Ann Arbor Development Code: Section: 5.16.6 \(D\) Accessory Dwelling Unit](#)

[Ann Arbor Accessory Dwelling Unit Guide & Website](#)

[American Planning Association: Accessory Dwelling Units](#)

[Deerfield Township Zoning Ordinance: Section 17.29: Accessory Dwelling Units, ADU Garages](#)

[Hamburg Township Zoning Ordinance: Section 36.238, 339, 240: Accessory Dwelling Units, Accessory dwelling unit regulations, Application Procedure](#)

[Handy Township Zoning Ordinance: Section 2.2 \(F\): Family Accessory Apartment](#)

[Marion Township Zoning Ordinance: Section 6:30 Family Accessory Apartment](#)

### **Accessory Dwelling Unit Process**

Townships may have unique procedures to process ADUs but the generally it is the same process as building a house or addition to a home.

*General Process to Construct ADU:*

1. *Applicant Submits Land Use Application to Township Zoning Administrator*
2. *Zoning Administrator reviews application and if satisfactory issues-Land Use Permit*
3. *Livingston County Building Department:*
  - a. *Inspections*
  - b. *Directs applicant to Health Department to review Well & Septic connections.*
  - c. *Directs Applicant to Drain Commission: Soil Erosion Permit*
4. *Zoning Administrator: Final Zoning Certificate meets the setbacks.*

### **Other Considerations that may be applicable:**

- *Relation of the ADU Occupant to the Homeowner of the PDU.*
- *Permit/prohibit renting of ADU.*
- *Special Use Permit requirement near certain features like wetlands, lakes or rivers.*

**TOWNSHIP OF HARTLAND**  
**AMENDMENT TO PERMIT ACCESSORY DWELLING UNITS**  
**IN SINGLE FAMILY DISTRICTS**

**PROPOSED AMENDMENT**

**Section 2. Definitions**

**76. DWELLING, MULTIPLE FAMILY:** A ~~structure or~~ building used or designed as a ~~residence dwelling~~ for three (3) or more families ~~or functional families~~ for residential purposes living independently of one another, ~~with separate housekeeping, cooking and bathroom facilities for each~~. Multiple family dwellings may include the following:

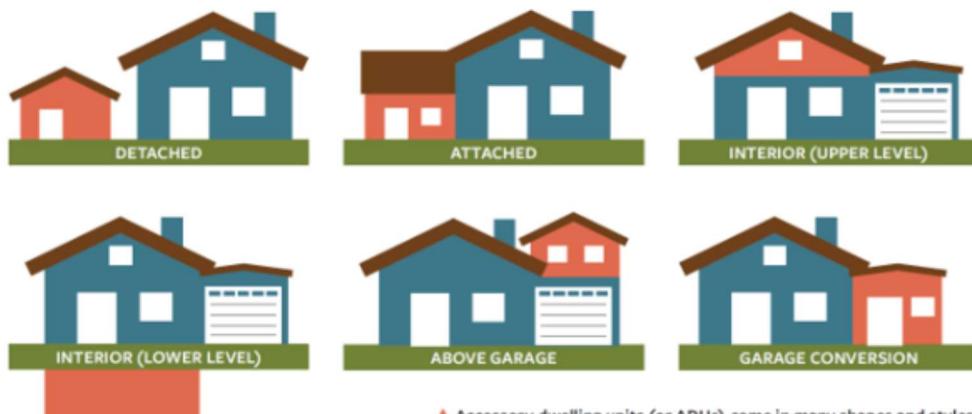
- A. Apartment: An apartment is an attached dwelling unit with party wall, contained in a building with other apartment units, which are commonly ~~reached off~~ ~~accessed from~~ a common stair landing or walkway. Apartments are typically rented by the occupants. Apartment buildings often may have a central heating system ~~and other or~~ central utility connections. Apartments typically do not have their own yard space. Apartments are also commonly known as garden apartments or flats.
- B. Efficiency Unit: An efficiency unit is a type of multiple-family or apartment unit consisting ~~of primarily with~~ one (1) principal room, ~~plus bathroom and kitchen facilities, hallways, closets, and/or a dining alcove located directly off the principal room and the other items to be a dwelling unit.~~

**78. DWELLING, SINGLE-FAMILY:** A detached building ~~or structure~~ designed for or occupied exclusively by one (1) family, ~~or functional family~~, for residential purposes.

**80. DWELLING UNIT:** Any ~~house, apartment, condominium unit, structure, building, or part thereof, which is occupied or intended to be occupied as home, residence, or sleeping place of or by a family or unrelated persons either permanently or transiently that is used for residential purposes and is either a completely separate structure or is separated from any other portion of the structure; and has its own independent sleeping place or bedroom; a bathroom; and cooking facilities, a kitchen, or capable of being used as a kitchen.~~ The dwelling unit may be used by a family, a functional family, or an individual.

**A. ACCESSORY DWELLING UNIT (ADU):** is a second dwelling unit on the same property as the principal dwelling unit and may be either attached or detached, as outlined below:

- 1) Attached Accessory Dwelling Units (ADU) shall consist of any separate dwelling unit that is located within an existing single family residential structure, such as within a basement, attic or upper level, above the garage, garage conversion, or attached to the principal dwelling unit.
- 2) Detached Accessory Dwelling Units (ADU) shall consist of any separate dwelling unit that is completely detached from the existing single family residential structure.



▲ Accessory dwelling units (or ADUs) come in many shapes and styles.

Source: AARP

**B. PRINCIPAL DWELLING UNIT (PDU):** The single-family dwelling that serves as the primary dwelling for a family or functional family and is located on the same parcel as an Accessory Dwelling Unit (ADU).

#### **Section 5.14.4 Accessory Dwelling Unit Standards**

**A. Accessory Dwelling Units (ADU) are only permitted within single-family residential zoning districts, subject to the following requirements:**

1. Accessory Dwelling Units (ADU) shall obtain approval of a Land Use Permit prior to any work commencing. Accessory Dwelling Units shall also have all required permits from other agencies.
2. Accessory Dwelling Units (ADU) shall comply with all setbacks, lot coverage, and building height requirements of the zoning district, in which the Accessory Dwelling Unit (ADU) is located.
3. Detached and attached Accessory Dwelling Units (ADU) shall be permitted in the CA (Conservation Agricultural) zoning district. Only attached Accessory Dwelling Units (ADU) shall be permitted in the RUR (Rural Residential) district, RR (Residential Recreational) district, STR (Settlement Residential) district, RE (Rural Estate District) district, and SR (Suburban Residential) district.
4. No more than one (1) Accessory Dwelling Unit (ADU) shall be permitted on a parcel and Accessory Dwelling Units (ADU) shall only be permitted on property that has an existing single-family dwelling. Accessory Dwelling Units (ADU) are not permitted on parcels with an existing duplex/apartment, even if they are considered legal non-conforming.
5. The Accessory Dwelling Unit (ADU) shall be designed and constructed of the same quality of materials as the existing principal single family structure. The Accessory Dwelling Unit (ADU) shall also be a similar appearance as the existing single-family dwelling. Any garage that is converted to an accessory dwelling unit shall have the garage door replaced with a compliant wall that complies with this Section. Further, the ADU shall not detract from the appearance of the lot as a place of one (1) residence.
6. Any driveway and parking associated with an Accessory Dwelling Unit (ADU) shall comply with the zoning district requirements for the zoning district the Accessory Dwelling Unit (ADU) is located within.

7. An owner(s) of the property must reside on the property where an Accessory Dwelling Unit (ADU) is located. The owner may reside in either the Principal Dwelling Unit (PDU) or the Accessory Dwelling Unit (ADU), as long as both units are not rented. In the event that both units are being rented, then the Accessory Dwelling Unit (ADU) shall no longer be deemed valid.
8. The Principal Dwelling Unit (PDU) and Accessory Dwelling Unit (ADU) may share common water, septic, electric, and gas facilities, if permitted and in compliance with State and County Codes. Otherwise, they are permitted to have separate facilities.
9. The minimum floor area of the Principal Dwelling Units (PDU) may not decrease below the required minimum floor area in the zoning district, as a result of the separate attached Accessory Dwelling Unit (ADU).
10. Attached Accessory Dwelling Units (ADU) shall not have its access to the accessory dwelling unit on the same building elevation as the Principal Dwelling Units (PDU) primary entrance, unless the existing structure already has two (2) entrances on the same elevation.
11. Detached Accessory Dwelling Units (ADU) shall be treated in a similar manner to an Accessory Structure in the zoning district in which they are located.
12. Accessory Dwelling Units (ADU) shall have a solid foundation around the perimeter of the entire structure, which also complies with the Michigan Residential Code and approved by the Livingston County Building Department.
13. Accessory Dwelling Units (ADU) shall not be trailers or mobile homes.
14. Accessory Dwelling Units (ADU) shall comply with the following size requirements:

**Attached Accessory Dwelling Units:** 190 square foot minimum size.

1,200 square foot maximum size.

**Detached Accessory Dwelling Units:** 190 square foot minimum size.

1,200 square foot maximum size, or 50% of Principal Dwelling Unit, which ever limits the size of the ADU.

15. The Accessory Dwelling Unit (ADU) and Principal Dwelling Unit (PDU) shall have separate addresses that are visible from the driveway and at the primary entrance.

## ANNUAL REPORT OF HARTLAND TOWNSHIP



### PLANNING & ZONING DEPARTMENT

# Year in Review

# 2025

## I. MEMBERSHIP

Planning Commission Members		Term Expiration
Chair	Larry Fox	12/31/2027
Vice Chair	Michael Mitchell	12/31/2026
Secretary	Tom Murphy	12/31/2025
Commissioner	Sue Grissim	12/31/2025
Commissioner	Matthew Eckman	12/31/2025
Commissioner	Jim Mayer	12/31/2026
Twp Brd Rep	Summer McMullen	12/31/2028

Zoning Board of Appeals		Term Expiration
Chair	Bruce Douglas	12/31/2026
Vice Chair/PC Rep	Michael Mitchell	12/31/2026
Commissioner	Melanie Bartley	12/31/2027
Commissioner	Dennis Pate	12/31/2028
Twp Brd Rep	Denise O'Connell	12/31/2028

Planning Department Staff	
Planning Director	Troy Langer
Planner/Landscape Architect	Martha K. Wyatt
Planning Assistant	Carol Morganroth
Zoning Enforcement Officer (January)	Dan Loftus
Zoning Enforcement Officer (May –Present)	Dan Allen

## II. MEETING SCHEDULE

### Planning Commission & Zoning Board of Appeals Meetings

Date	1/23	2/27	3/13	2/22	3/13	4/10	4/24	5/22	6/12	7/10	7/16	7/24	8/28	9/11	9/25	10/9	11/6	12/18
	R	R	WS	R	WS	R	R	R	R	R	ZBA	R	R	R	R	R	WS	R

R = Regular Scheduled Meeting ; WS = Work Session ; J = Joint Meeting with Township Board

ZBA = Zoning Board of Appeals

## III. WORK SESSION TOPICS DISCUSSED

- Accessory Dwelling Units

## IV. ZONING ORDINANCE AMENDMENTS

Ordinance Description	Text	Date
Section 5.14.3.D. Amendment to permit in-ground swimming pools in front yard of waterfront lots (ZA #25-001)	<p>i. Location. Private swimming pools shall be permitted as an accessory use in the rear or side yard in residential districts, provided that pools in the side yard of parcels that are two (2) acres or smaller shall be screened from the road. Pools shall not be located in any road or utility right-of-way or easement, except as provided in this Section. Positive drainage shall be maintained in accordance with the Township's Engineering Design Standards. In-ground swimming pools may be permitted between the single family house and the waterfront, on waterfront shore line properties, provided that the in-ground swimming pool complies with all other required setback requirements, lot coverage requirements, and other applicable zoning standards.</p> <p>iii. Fencing. Private swimming pools shall be enclosed within a minimum four (4) foot high fence. All fences shall be subject to the requirements in Section 5.20. Entry shall be by means of a self-closing, self-latching gate. The latch shall be on the inside so that it is not readily available to children to open. Gates shall be securely locked when the pool is not in use. A fence shall not be required for pools that are wholly or partially above ground, provided that the wall of the pool is at least four (4) feet in height and that no ladder, deck or other structure provides access to the pool while it is unattended. In-ground swimming pools on waterfront properties shall be permitted to install the required fencing around the pool area, with a height not to exceed the minimum required, and is located in between the single family house and waterfront.</p>	Recommended Approval 1/23/245 Finally Approved by TB 3/11/25, Published/ Adopted 3/21/25

## V. DEVELOPMENT APPLICATION REVIEWS

Case #	Name	Location	Description	Action	Date of Action	TB Approved
PD-F #25-001	Redwood Phase II	Redwood Rose Way	Planned Development Final Review 130 Units 28 Bldgs.	Rec Approval w/Conditions	4/24/2025	5/20/2025
PD-P #25-002	Chick-fil-A	10382 Highland (fmr Burger King)	Planned Development Preliminary Review for Restaurant with Drive-through	Rec Approval w/Conditions	4/10/2025	4/22/2025
PD-AMD I #25-003	Highland Reserve	M-59/Hartland Glen (East)	Amendment to Final Planned Development Review Revised per LCDC & MDOT alterations 102 SF Houses, 31 of which are Rentals	Rec Approval w/Conditions	2/27/2025	3/11/2025
PD-P #25-004	Sawyer Ridge	M-59/Pleasant Valley	Planned Development Preliminary Review for 158 SF Residential Homes	Rec Approval w/Conditions	6/12/2025	7/15/2025
SP/PD AMD #25-005	Sheetz	NE Corner of M-59/Old US 23	Fuel and Convenience Store	Rec Approval w/Conditions	6/28/2025	9/2/2025
SP AMD #25-006	Beauchamp Mini-Storage	East Side of Old US 23	Amend previously approved Site Plan	Approved w/Conditions	4/24/2025	N/A

SP/SUP #25-007	Hartland Auto Repair	9990 E Highland Rd	Site Plan w/ Special Use Permit for Landscaping/Nursery Business	SP Approved, SUP Rec Approval w/Conditions	7/10/2025	7/15/2025
PD-AMD II #25-008	Highland Reserve	M-59/Hartland Glen (East)	Amendment to Final Planned Development Review Added approx. 2 acres, 108 SF Houses, 37 of which are Rentals	Rec Approval w/Conditions	7/24/2025	8/5/2025
SP #25-009	LOC Credit Union	North side of M-59 in Front of Target	Site Plan Review for New Credit Union	Approved w/ Conditions	7/24/2025	N/A
PD-F #25-010	3-Story Climate Controlled Self-Storage	North Side of M-59 Behind Arby's	Final Planned Development Approval for New Construction	Rec Approval w/Conditions	7/10/2025	7/15/2025
PD-C #25-011	Urban Air	East side of Old US 23 Behind Hartland Town Center	Planned Development Conceptual Review for New Construction Indoor Adventure Park	Comments Only/No Decision	7/10/2025	7/15/2025
PD-P #25-012	Urban Air	East side of Old US 23 Behind Hartland Town Center	Planned Development Preliminary Review for New Construction Indoor Adventure Park	Rec Approval w/Conditions	7/24/2025	8/5/2025
SP #25-013	JR Foldenaur Farms Shared Driveways	East side of Hacker Rd, SW Corner of Hartland Township	Two Shared Driveways to Serve Future Land Division	Approved w/ Conditions	9/11/2025	N/A
PD-F #25-014	Urban Air	East side of Old US 23 Behind Hartland Town Center	Planned Development Final Review for New Construction Indoor Adventure Park	Rec Approval w/Conditions	9/11/2025	9/16/2025
PD-C #25-015	Chick-fil-A	10587 Highland Rd (fmr Big Boy)	Planned Development Conceptual Review for Restaurant with Drive-Through	Comments Only/No Decision	8/28/2025	9/2/2025
SP #25-016	Cromaine Library	3688 Hartland Rd	Site Plan Review for Library Plaza, Gazebo, Parking Lot, Landscaping	Approved w/ Conditions	9/25/2025	N/A
SP #25-017	Bonnie Lane Shared Driveway	4125 Tipsico Lake	Shared Driveway to Serve Future Land Division	Approved w/ Conditions	10/9/2025	N/A

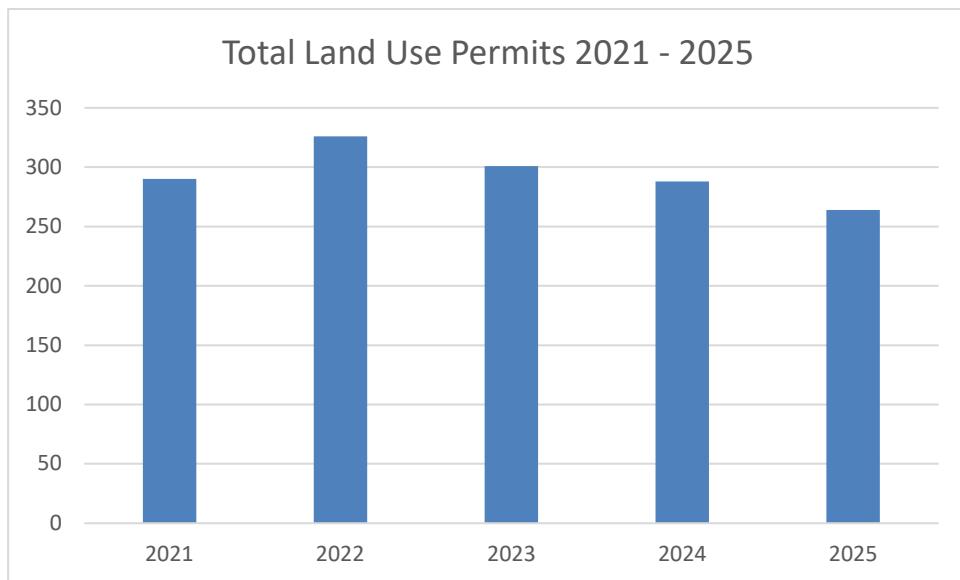
## VI. ZONING & FUTURE LAND USE MAPS

- The Zoning Map was updated with changes and corrections that have occurred over the last several years. The Zoning Map is available to view in the Planning & Zoning Department as well as online at:  
<https://www.hartlandtwp.com/planning/page/maps>
- The Future Land Use Map was also updated with the 2020-2021 changes. The Future Land Use Map is available to view in the Planning & Zoning Department as well as online at:  
<https://www.hartlandtwp.com/planning/page/maps>

## VII. ACCOMPLISHMENTS

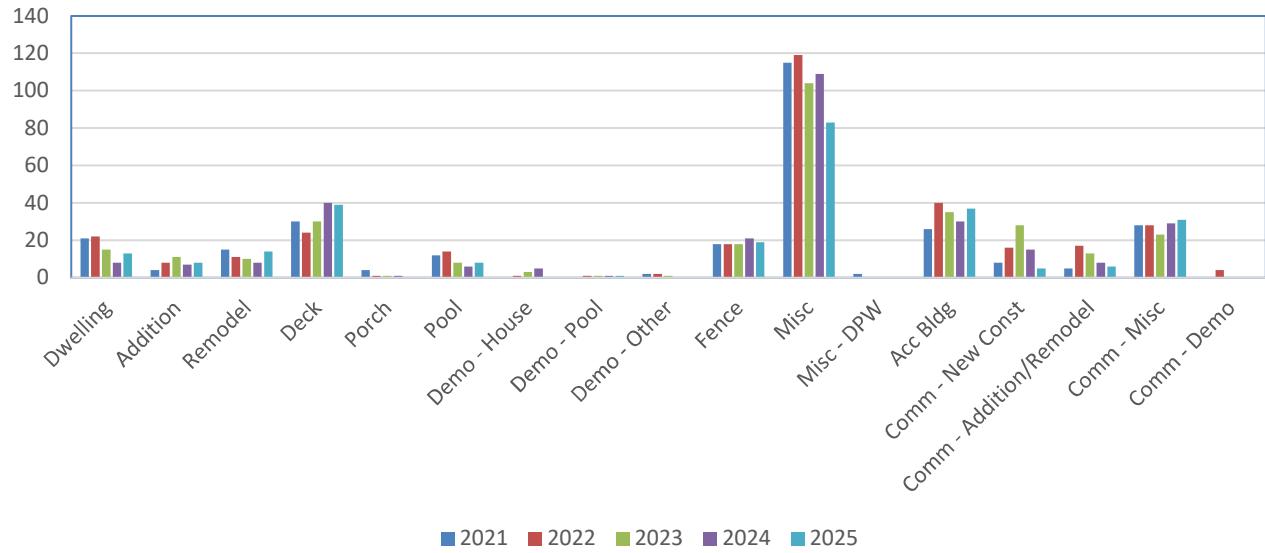
### PERMITS

- Processed 349 total permit applications, 264 of which are Land Use Permits, down from 2024; however, single family-new construction, additions and remodels were all up from 2024.
- Processed 32 Special Event Permit applications as events and group gatherings continue.
- Processed 10 Land Division/Combination/Boundary Line Adjustment applications.
- Processed 13 new single-family construction Land Use Permit Applications.
- Processed 9 Zoning Compliance Certificates for new/relocated/sold businesses.



2021	2022	2023	2024	2025
290	326	301	288	264

### Land Use Permit By Category 2021-2025



	2021	2022	2023	2024	2025
Dwelling	21	22	15	8	13
Addition	4	8	11	7	8
Remodel	15	11	10	8	14
Deck	30	24	30	40	39
Porch	4	1	1	1	0
Pool	12	14	8	6	8
Demo - House	0	1	3	5	0
Demo - Pool	0	1	1	1	1
Demo - Other	2	2	1	0	0
Fence	18	18	18	21	19
Misc	115	119	104	109	83
Misc - DPW	2	0	0	0	0
Acc Bldg	26	40	35	30	37
Comm - New Const	8	16	28	15	5
Comm - Addition/Remodel	5	17	13	8	6
Comm - Misc	28	28	23	29	31
Comm - Demo	0	4	0	0	0
<b>Total</b>	<b>290</b>	<b>326</b>	<b>301</b>	<b>288</b>	<b>264</b>

## **ZONING ENFORCEMENT**

The Township continued to work through Zoning Enforcement matters with Zoning Officer Dan Loftus through January 2025. Dan Allen, our current Zoning Officer, joined our team in May 2025. Dan Allen has continued the excellent Zoning Enforcement service to the Hartland community with a deft touch and a honed communication skillset.

- Zoning Enforcement processed 47 new complaints in 2025, compared to 102 new complaints in 2024; however, the position was unstaffed from February until almost June. Currently there are 17 being investigated, 28 resolved, 6 determined unfounded, 52 Notices of Violation sent, 407 inspections, 55 signs collected, and fielded over 148 phone calls.

### **2025 Code Enforcement Cases by Category**

<b>Category</b>	<b>Complaints</b>
Blight	14
Grass/Weed Control	6
Misc	4
Permit Required	4
Comm vehicle	3
Drainage	2
Landscaping	2
Noise	2
Nuisance	2
Outdoor Storage	2
Home Occupation	1
Inoperable Vehicle	1
Junk Car/Parts	1
Livestock	1
Signs	1
Zoning	1
Dangerous Building	0
Dom Animals	0
Grading	0
Lighting	0
Parking on grass	0
Site Plan Violation	0
<b>Total</b>	<b>47</b>