



Planning Commission

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

Planning Commission Meeting Agenda
Hartland Township Hall
Thursday, January 25, 2024
7:00 PM

1. Pledge of Allegiance
 2. Roll Call
 3. Approval of the Agenda
 4. Approval of Meeting Minutes
 - a. Planning Commission Work Session Meeting Minutes of January 11, 2024
 5. Call to Public
 6. Public Hearing
 - a. Zoning Amendment #24-001 – Amendment to Permit Pharmacies as a Principal Permitted Use in Commercial Zoning Districts
 7. Call to Public
 8. Planner's Report
 9. Committee Reports
 10. Adjournment of Regular Meeting
- [Brief Recess]
11. Work Session
 - a. Draft Ordinance Solar Energy Panels
 12. Adjournment of Work Session

HARTLAND TOWNSHIP PLANNING COMMISSION WORK SESSION

DRAFT MEETING MINUTES

JANUARY 11, 2023– 7:00 PM

1. **Call to Order:** Chair Fox called the Work Session meeting to order at 7:00 p.m.
2. **Pledge of Allegiance:**
3. **Roll Call and Recognition of Visitors:**
Present – Commissioners Eckman, Fox, Grissim, Mayer, McMullen, Mitchell, & Murphy
Absent – None
4. **2024 Annual Planning Commission Organizational Meeting:**
 - a. **Hartland Township Planning Commission Rules and Procedures (By-Laws).** A Motion to approve the Rules and Procedures was made by Commissioner Mitchell and seconded by Commissioner Grissim. Motion carried unanimously to approve.
 - b. **Election of Officer.** A Motion by Commission Mayor to retain Commissioner Mitchell and Vice-Chair, and Commissioner Murphy as Secretary, seconded by Member Grissim. Motion carried unanimously to approve.
 - c. **Committee Appointments.** Chair Fox indicated that there would be no changes to the Committee Appointments. A vote was not necessary.
5. **Approval of the Meeting Agenda:**
A Motion to approve the January 11, 2024, Planning Commission Work Session Meeting Agenda was made by Commissioner Grissim and seconded by Commissioner Murphy. Motion carried unanimously.
6. **Approval of Meeting Minutes:**
 - a. Planning Commission Meeting Minutes of December 14, 2023
A Motion to approve the Planning Commission Meeting Minutes of December 14, 2023, was made by Commissioner Grissim and seconded by Commissioner Eckman. Motion carried unanimously.
7. **Call to the Public:**
8. **Work Session**
 - a. Discussion of Draft Solar Ordinance.
The Planning Director gave an overview of the scope of the request stating the following:
 - Currently, the zoning ordinance regulates free-standing solar panels as accessory structures.
 - An overview of the draft ordinance and the standards for “private” solar energy systems and “commercial” solar energy systems.
 - An overview of other municipal ordinances, and publications that were included in the packet to the Planning Commission.

Planning Commission Comments

The Planning Commission discussed the roof top mounted, wall mounted, and free-standing solar energy systems; and examined photographs of various solar energy systems.

9. Call to the Public:

None

10. Planner Report:

Director Langer outlined some changes to the automotive fueling station on Clyde Road to the roof top units.

11. Committee Reports:

None

12. Adjournment:

A Motion to adjourn was made by Commissioner Mitchell and seconded by Commissioner Mayer. Motion carried unanimously. The meeting was adjourned at approximately 8:09 PM.

Hartland Township Planning Commission Meeting Agenda Memorandum

Submitted By: Troy Langer, Planning Director

Subject: Zoning Amendment #24-001 – Amendment to permit Pharmacies as a Principal Permitted Use in Commercial Zoning Districts

Date: January 18, 2024

Recommended Action

Move to recommend approval of Zoning Ordinance Text Amendment #24-001, as outlined in the staff memorandum.

Discussion

Overview and Background Information for Request

The Planning Department recently received a request to establish a pharmacy within an existing multi-tenant building. The property is currently zoned GC (General Commercial), and pharmacies is not listed as a Principal Permitted use or Special Land Use in the GC zoning district. The OS (Office Service) zoning district permits pharmacies and apothecary shops as a Principal Permitted use, that are under 2,000 square feet.

There are several pharmacies currently operating in the Township and two (2) that have closed (Walgreen's and Walmart). Each pharmacy is located on property that is zoned PD (Planned Development) and were permitted as part of each PD. However, there are currently no pharmacies in operation within the GC zoning district.

The Ordinance Review Committee discussed this matter and recommended approving a zoning amendment to permit Pharmacies as a Principal Permitted Use in the GC zoning district. The Planning Commission discussed this topic at their Work Session held on December 14, 2023. The consensus of the Planning Commission was to permit Pharmacies as a Principal Permitted Use in the GC zoning district without a size limitation.

At the meeting the Planning Director, suggested consideration should be given to permitting Pharmacies as a Principal Permitted Use in smaller commercial zoning districts as well, specifically the LC (Limited Commercial) and NSC (Neighborhood Service Commercial) zoning districts. A size limitation of 2,000 square feet for a Pharmacy could be considered, as this would be similar to the size limitation in the OS (Office District) and would be appropriate for smaller commercial districts. The Planning Commission expressed positive support for pharmacies to also be permitted in LC and NSC as presented by the Planning Director.

At the December 14, 2023 Work Session, the Planning Commission initiated a zoning amendment to permit Pharmacies as a Principal Permitted Use in GC (General Commercial), LC (Limited Commercial), and NSC (Neighborhood Service Commercial) Districts, with a size limitation of 2,000 square feet in LC and NSC.

Sections Proposed for Text Amendment

Section 3.1.12.B. Principal Permitted Uses (LC – Limited Commercial)

This section lists the Principal Permitted Uses in LC (Limited Commercial). Pharmacies is to be added as a Principal Permitted Use, with a size limitation of 2,000 square feet.

Section 3.1.13.B. Principal Permitted Uses (NSC – Neighborhood Service Commercial)

This section lists the Principal Permitted Uses in NSC (Neighborhood Service Commercial). Pharmacies is to be added as a Principal Permitted Use, with a size limitation of 2,000 square feet.

Section 3.1.14.B. Principal Permitted Uses (GC – General Commercial)

This section lists the Principal Permitted Uses in GC (General Commercial). Pharmacies is to be added as a Principal Permitted Use.

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.
- 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. On December 14, 2023, the Planning Commission initiated a text amendment to permit Pharmacies as a Principal Permitted Use in commercial districts (Zoning Amendment #24-001). A public hearing for Zoning Amendment #24-001 is scheduled for the January 25, 2024, Planning Commission meeting.

Attachments

1. GC General Commercial Zoning District – PDF version
2. OS Office Service Zoning District – PDF version
3. LC Limited Commercial Zoning District – PDF version

Zoning Amendment #24-001 Pharmacies

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4. NSC Neighborhood Service Commercial Zoning District – PDF version
5. Draft Ordinance Amendments – PDF version

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1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement

A. INTENT

The “GC” General Commercial District is established to accommodate those retail businesses and services which are intended to serve the requirements of the Hartland community. The large size and variety of permitted commercial uses typically generates significant volumes of vehicular traffic. Uses in the “GC” District typically require a relatively large area devoted to off-street parking and loading, and tend to create problems of congestion. It is intended to direct all intensive commercial development to those areas designated as such on the Hartland Township 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. Retail stores, wholesale clubs, or retail centers up to sixty thousand (60,000) square feet in gross floor area
- ii. Professional and medical offices or clinics
- iii. **Financial institutions with drive-through service** §4.57
- iv. Personal service establishments
- v. Food and beverage service establishments, excluding drive-in or drive-through service, live entertainment or dancing
- vi. **Outdoor seating and dining areas** §4.47
- vii. Business service establishments
- viii. **Adult day care facilities,[□] and child care centers,[□] preschool and day care centers** §4.12
- ix. Public buildings, post offices, libraries, libraries, community centers but not including warehouses, garages, or storage areas
- x. Public or private parks and open space
- xi. Business and private schools operated for a profit completely within an enclosed building
- xii. **Churches and religious institutions[□]** §4.20
- xiii. Essential public services, provided there is no building or outdoor storage yard
- xiv. Banquet halls, assembly halls, private clubs[□], lodge halls or similar places of assembly.
- xv. **Funeral homes and mortuary establishments** §4.29
- xvi. Theaters and concert halls
- xvii. Newspaper offices and accessory printing/distribution.
- xviii. Personal fitness centers[□]
- xix. **Veterinary offices, small animal[□]** §4.45

C. ACCESSORY USES

- i. **Accessory buildings, uses and activities customarily incidental to any of the above-named principal permitted uses** §5.14

D. SPECIAL LAND USES

- i. **Automobile service stations** §4.16
- ii. **Automobile sales** §4.15
- iii. **Automobile wash, when within a completely enclosed building** §4.17
- iv. Billiard halls
- v. **Open air business uses** §4.38
- vi. **Drive-in establishments for the retail delivery of products to customers in automobiles where the type of drive-in establishment is not otherwise specifically included in this Ordinance** §4.24
- vii. **Essential service facilities and related accessory storage yards, including telephone exchange buildings and public utility offices** §4.26
- viii. Garden centers, nurseries and greenhouses.
- ix. Leasing of recreational, landscaping, or moving equipment
- x. **Large institutional uses[□]** §4.53
- xi. **Motels[□] and hotels** §4.36
- xii. **Outdoor and indoor commercial recreation** §4.40
- xiii. **Radio and television towers[□]** §4.39
- xiv. Restaurant[□], bar, or brew-pubs, including with live entertainment or dancing. **With drive-in or drive-through service** §4.28
- xv. **Shopping centers and other stores of over sixty thousand (60,000) square feet in gross floor area** §4.46
- xvi. Restaurant[□], bar, or brew-pubs including with live entertainment or dancing. With drive-in or drive-through service.
- xvii. Uses of the same nature or class as uses listed in this district as either a Permitted Principal Use or Special Use in this district, but not listed elsewhere in this Zoning Ordinance, as determined by the Planning Commission.
- xviii. **Automobile fueling and convenience station[□]** §4.58
- xix. **Automobile repair - minor[□]** §4.60



3.1.11

OS Office Service

A. INTENT

The intent of the “OS” Office Service District is to provide areas in the Township and an environment appropriate for various types of administrative and professional offices, as well as certain professional services which can serve as a transitional use between more intense land uses (such as commercial uses) and less intensive residential uses. This district is intended to prohibit those types of retail uses and other activities that typically generate large volumes of traffic, traffic congestion, parking problems, and other impacts that could negatively affect the use of enjoyment of surrounding property.

? **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. Professional and executive offices
- ii. Business and private schools operated for a profit completely within an enclosed building
- iii. Financial institutions without drive-through service
- iv. Medical or dental offices and clinics
- v. **Churches and religious institutions** §4.20
- vi. Essential public services, provided there is no building or outdoor storage yard
- vii. Veterinary offices[□] and clinics with no outdoor facilities or kennels[□]
- viii. Pharmacies and apothecary shops that are under 2,000 square feet.

D. SPECIAL LAND USES

- i. **Funeral homes, mortuaries, and crematoriums** §4.29
- ii. **Adult day care facilities[□] and child care centers[□]** §4.12
- iii. Personal fitness centers[□]
- iv. **Financial institutions with drive-through service** §4.57
- v. Use of the same nature or class as uses listed in this district as either a permitted Principal Use or a Special Use, but not listed elsewhere in this Zoning Ordinance, as determined by the Planning Commission

C. ACCESSORY USES

- i. **Accessory buildings, uses and activities customarily incidental to any of the above-named principal permitted uses** §5.14
- ii. Retail sales of goods or wares are permitted as long as they are clearly incidental to the permitted principal use.



3.1.12

LC Limited Commercial

A. INTENT

The intent of the "LC" Limited Commercial District is to provide for meaningful and realistic commercial utilization of appropriate portions of the settlements of Hartland and Parshallville while preserving the small town architectural character, mixture of uses, compact layout and historical nature of each community. In order to carry out this purpose only those uses and styles of architecture and landscaping existing, typical and amenable to the era during which these two settlements were developing shall be permitted in this district. More specifically, the Limited Commercial District is intended to achieve the following objectives:

- Implement the Village Commercial future land use category recommendations of the Comprehensive Plan.
• Encourage development which is consistent with the density and design of existing traditional settlement development.
• Provide a land use transition between the settlement areas and the more rural areas of the township.
• Establish a complimentary and integrated mixture of employment, shopping, entertainment and civic uses which create walkable communities with less reliance on automobile travel.
• Create district community centers and focal points in the township.
• Help ensure a consistent architectural theme without restricting innovative design.
• Integrate public gathering places.
• Promote long term viability in the established settlement areas.
• Enable development and redevelopment to occur in a manner that will be compatible with the existing and new settlement environments.

? 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. Single family dwellings
ii. Retail stores containing less than 2,000 square feet of gross floor area, including:
a. Food and beverage stores
b. Food and beverage service establishments
c. Personal service establishments
d. Banking and financial institutions without drive-through service
e. Repair shops for bicycles, appliances, shoes, jewelry, small motors, and other such items but not motor vehicles
f. Music/dance studios and technical or vocational training facilities
iii. Professional offices containing less than 3,000 square feet of gross floor area
iv. Public buildings, post offices, libraries, libraries, community centers but not including warehouses, garages, or storage areas
v. Essential public service buildings, excluding storage yard
vi. Outdoor seating and dining areas

C. ACCESSORY USES

- i. Accessory buildings, uses and activities customarily incidental to any of the above-named principal permitted uses

D. SPECIAL LAND USES

- i. Two family dwellings
ii. Apartments
iii. Bed and breakfast facilities
iv. Any principal permitted non-residential uses, except office-type uses, containing between two thousand (2,000) and three thousand (3,000) square feet of gross floor area
v. Outdoor retail sales or display, when accessory to a permitted use
vi. Any principal permitted professional offices containing between three thousand (3,000) and five thousand (5,000) square feet of gross floor area
vii. Adult day care facilities and child care centers
viii. Private clubs and fraternal halls
ix. Churches and religious institutions
x. Public & private elementary, intermediate or high schools
xi. Automobile repair - minor (provided all work is conducted indoors)
xii. Personal fitness centers
xiii. Uses of the same nature or class as uses listed in this district as either a permitted Principal Use or a Special Use, but not listed elsewhere in this Zoning Ordinance, as determined by the Planning Commission.



3.1.13 NSC Neighborhood Service Commercial

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement

A. INTENT

The Neighborhood Service Commercial District is established to accommodate retail business and services to meet the day-to-day convenience shopping and service needs primarily for nearby residential neighborhoods. These districts are located to concentrate such uses as recommended in the Township Master Plan. The purpose of these carefully located districts is to prevent excessive commercial strip developments which may deteriorate traffic operations and safety, create unattractive roadway corridors and eventually lead to blight.

? **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. Retail stores with goods marketed to the surrounding neighborhood with a maximum building size of 4,000 square feet
- ii. Professional and medical offices or clinics
- iii. **Financial institutions with drive-through service** §4.57
- iv. Personal service establishments
- v. **Food and beverage service establishments, with a maximum occupancy of fifty (50) persons and excluding drive-thru or drive-in service establishments and those serving alcohol** §3.26
- vi. Business service establishments
- vii. **Adult day care facilities,[■] and child care centers,[■] preschool and day care centers** §4.12
- viii. Public buildings, post offices, libraries, libraries, community centers but not including warehouses, garages, or storage areas
- ix. Public or private parks and open space
- x. **Essential public services, provided there is no building or outdoor storage yard** §4.26.2
- xi. **Outdoor seating and dining areas** §4.47

D. SPECIAL LAND USES

- i. Automobile parts sales, provided no automobile shall be worked on or stored on the premises
- ii. Personal fitness centers[■], aerobic studios, tanning salons
- iii. Coin-operated self-serve carwash establishments
- iv. Uses of the same nature or class as uses listed in this district as either a Permitted Principal Use or a Special Use, but not listed elsewhere in this Zoning Ordinance, as determined by the Planning Commission

C. ACCESSORY USES

- i. **Accessory buildings, uses and activities customarily incidental to any of the above-named principal permitted uses** §5.14



TOWNSHIP OF HARTLAND

**AMENDMENT TO PERMIT PHARMACIES AS PRINCIPAL PERMITTED USE IN
COMMERCIAL DISTRICTS**

PROPOSED AMENDMENT

Section 3.1.12.B. Principal Permitted Uses – LC (Limited Commercial)

vii. Pharmacies that are under 2,000 square feet

Section 3.1.13.B. Principal Permitted Uses – NSC (Neighborhood Service Commercial)

xii. Pharmacies that are under 2,000 square feet

Section 3.1.14.B. Principal Permitted Uses – GC (General Commercial)

xx. Pharmacies

Hartland Township Planning Commission Meeting Agenda Memorandum

Submitted By: Troy Langer, Planning Director

Subject: Draft Ordinance Solar Energy Panels

Date: January 18, 2024

Attachments

PLEASE SEE THE JANURY 11, 2024 PACKET FOR MATERIALS RELATED TO THIS ITEM