

**CHARTER TOWNSHIP OF GARFIELD**  
**VIRTUAL PLANNING COMMISSION MEETING**

Wednesday, January 27, 2021 at 7:00 pm  
Garfield Township Hall  
3848 Veterans Drive  
Traverse City, MI 49684  
Ph: (231) 941-1620

The Wednesday, January 27, 2021, Planning Commission meeting at 7:00 pm will be held virtually due to the revised MDHHS Michigan Emergency Order and the Open Meetings Act amendment extending the remote attendance provision to March 31, 2021. To provide input on any business that will come before the Commission or to contact the Commissioner(s), please send an email to the Township Planning Director, John Sych, at [jsych@garfield-twp.com](mailto:jsych@garfield-twp.com).

You are invited to join the Planning Commission meeting on January 27, 2021 at 7:00 pm.  
Please click the link below to join the webinar:

<https://us02web.zoom.us/j/88544435612>

Or iPhone one-tap :

US: +13126266799,,88544435612# or +19292056099,,88544435612#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 6833 or +1 253 215 8782

Webinar ID: 885 4443 5612

International numbers available: <https://us02web.zoom.us/u/kcsfvBKJXU>

**A G E N D A**

**ORDER OF BUSINESS**

**Call meeting to order**

**Pledge of Allegiance**

**Roll call of Board Members**

**1. Public Comment**

**Public Comment Guidelines:**

Any person shall be permitted to address a meeting of The Planning Commission, which is required to be open to the public under the provision of the Michigan Open Meetings Act, as amended. (MCLA 15.261, et.seq.) Public Comment shall be carried out in accordance with the following Commission Rules and Procedures: a.) any person wishing to address the Commission is requested to state his or her name and address. b.) No person shall be allowed to speak more than once on the same matter, excluding time needed to answer Commissioner's questions. Where constrained by available time the Chairperson may limit the amount of time each person will be allowed to speak to (3) minutes. 1.) The Chairperson may at his or her own discretion, extend the amount of time any person is allowed to speak. 2.) Whenever a Group wishes to address a Committee, the Chairperson may require that the Group designate a spokesperson; the Chairperson shall control the amount of time the spokesperson shall be allowed to speak when constrained by available time. Note: If you are here for a Public Hearing, please hold your comments until that Public Hearing time.

2. **Review and approval of the Agenda – Conflict of Interest**
3. **Minutes** – January 13, 2021
4. **Correspondence**
5. **Reports**
  - a. Township Board
  - b. Planning Commissioners
  - c. Staff Report
6. **Unfinished Business**
  - a. PD-2021-11 – C-P and PUD Signs Zoning Ordinance Text Amendment – Review
  - b. PD-2021-12 – Zoning Ordinance Use Chart – Article 2 and Article 3 Discussion
7. **New Business**
  - a. PD-2021-9 – Planning Commission 2020 Annual Report
  - b. PD-2021-10 – 2021 Priorities and Master Plan Implementation
8. **Public Comment**
9. **Other Business**
10. **Items for Next Agenda – February 10, 2021**
  - a. Ligon Bed and Breakfast – SUP Findings of Fact
  - b. BATA HQ Transit-Oriented Mixed-Use Development PUD – Public Hearing
11. **Adjournment**

**Joe Robertson, Secretary  
Garfield Township Planning Commission  
3848 Veterans Drive  
Traverse City, MI 49684**

The Garfield Township Board will provide necessary reasonable auxiliary aids and services, such as signers for hearing impaired and audio tapes of printed materials being considered at the meeting to individuals with disabilities upon the provision of reasonable advance notice to the Garfield Township Board. Individuals with disabilities requiring auxiliary aids or services should contact the Garfield Township Board by writing or calling Lanie McManus, Clerk, Ph: (231) 941-1620, or TDD #922-4412.

**CHARTER TOWNSHIP OF GARFIELD  
PLANNING COMMISSION MEETING  
January 13, 2021**

**Call Meeting to Order:** Chair Racine called the January 13, 2021 Planning Commission meeting to order at 7:00pm on the ZOOM platform.

**Pledge of Allegiance**

The Pledge of Allegiance was recited by all in attendance.

**Roll Call of Commission Members:**

Present: **Joe McManus** (Traverse City, Grand Traverse County, MI), **Molly Agostinelli** (Garfield Township, Grand Traverse County, MI), **Pat Cline** (Long Lake Township, Grand Traverse County, MI) **Joe Robertson** (Traverse City, Grand Traverse County, MI), **Robert Fudge** (Traverse City, Grand Traverse County, MI), **Chris DeGood**, (Traverse City, Grand Traverse County, MI) , and **John Racine** (Traverse City, Grand Traverse County, MI)

Staff Present: Planning Director John Sych and Deputy Planning Director Steve Hannon

**Election of Officers (7:02)**

*DeGood moved and Fudge seconded voted to keep all officers for the 2021 year as previously appointed making Racine the Chair, McManus the Vice Chair and Robertson the Secretary.*

*Yeas: DeGood, Fudge, McManus, Cline, Agostinelli, Robertson, Racine*

*Nays: None*

*DeGood moved and Agostinelli seconded to appoint Fudge to the Zoning Board of Appeals to serve as a Planning Commission representative.*

*Yeas: DeGood, Agostinelli, Fudge, McManus, Cline, Robertson, Racine*

*Nays: None*

**1. Public Comment (7:06)**

None

**2. Review and Approval of the Agenda – Conflict of Interest (7:12)**

Fudge shared a conflict with item 7B, BATA HQ Transit-Oriented Mixed-Use Development PUD. He will abstain from any discussion and action.

*Agostinelli moved and DeGood seconded to approve the agenda as presented accepting the conflict of Fudge.*

*Yeas: Agostinelli, DeGood, Fudge, Robertson, Cline, McManus, Racine*

Nays: None

**3. Minutes (7:14)**

**a. December 9, 2020**

*McManus moved and Cline seconded to adopt the minutes of December 9, 2020 as amended noting that item 7 is missing information stating that it be scheduled for a public hearing on January 13, 2021; and the roll call should indicate that Pat Cline was in Long Lake Township Michigan.*

*Yeas: McManus, Cline, DeGood, Robertson, Agostinelli, Fudge, Racine*

*Nays: None*

**4. Correspondence (7:15)**

None

**5. Reports (7:15)**

**Township Board Report**

No report

**Planning Commissioners**

No Reports

**Staff Report**

Sych said that there was correspondence from Doug Mansfield regarding the BATA application which was sent to all commissioners earlier in the day.

**6. Unfinished Business**

**a. PD-2021-5 Ligon Bed and Breakfast – SUP Public Hearing (7:16)**

This application requests approval of a Special Use Permit for use of an existing single-family home at 5885 Hailey Lane as a Bed and Breakfast Establishment. This use is permitted via Special Use Permit in the A- Agricultural zoning district. The property is a home at this time and has an attached suite which measures 20'X20' would be suitable for a nightly rental. 10 parking spaces exist on the property.

Chair Racine opened the Public Hearing at 7:20pm.

Sandra and David Howard said that they share a private easement with the Ligon and request that the easement not be used for visitors.

Eric Linguar commented on the B&B and asked about plans for trails in rear of the property.

Racine closed the Public Hearing at 7:28pm.

Matthew Ligon said the private easement would remain intact and any pathways would be private and used for educational purposes.

He ensured his neighbor that there would be buffers if any trails were built.

*McManus moved and Fudge seconded to direct staff to prepare Findings of Fact for application SUP-2020-03, for a Special Use Permit for a Bed and Breakfast establishment at 5885 Hainey Lane, submitted by Matthew and Rebecca Ligon with the condition that only the entrance on Hainey Lane be used as an access to the business.*

*Yeas: McManus, Fudge, Cline, Robertson, DeGood, Agostinelli, Racine*

*Nays: None*

**b. PD 2021-6 – C-P and PUD Signs ZO Text Amendment – Public Hearing (7:36)**

The Planning Commission has been reviewing the C-P and PUD signage portions of the ordinance. This final version incorporates an applicability section, clarifies regulations for signs permitted by right, refines criteria for waivers by the Planning Commission and allows a “gooseneck” style downward illumination of non-internally illuminated signs in the C-P district. Upon further review, staff found some potential issues with the language of the proposed ordinance amendment regarding signage allowed by right and public hearings for planned development signage.

Racine opened the Public Hearing at 7:51pm with the knowledge that there may need to be another public hearing if the proposed amendment was substantially changed.

James Schmuckal of Traverse City, commented on the public hearing as opposed to public comment and asked if an applicant could effectively present their case during a public comment.

Hearing no more wishing to comment, the Public Comment was closed at 7:54pm. Sych commented and explained the township’s position on the hearings and maintained that the process would be more streamlined. Commissioners asked to table the proposed zoning ordinance amendment for more time to ponder the issues brought up.

*Cline moved and DeGood seconded that the proposed amendment to the Garfield Township Zoning Ordinance Section 630.G and 630.J, as attached to Planning Department Report 2021-6 BE TABLED to allow for updated language based on the issues identified in this report and during the public hearing.*

*Yeas: Cline, DeGood, Robertson, Fudge, Agostinelli, McManus, Racine*

*Nays: None*

**7. New Business**

**a. PD 2021-8 Copper Ridge PUD Sign Request – Introduction (7:55)**

Copper Ridge Opportunity (Novello) is constructing a new medical office building to be located at 4290 Copper Ridge Drive in the Copper Ridge PUD. As part of its construction, the applicant is proposing a wall sign to be located on the east side of the building. The sign would be 40 square feet, however, the applicant is requesting a 50% increase in the square footage of the sign as permitted in Section 630.J(3). This request would result in a 60 foot sign. Given the current ordinance language, this may be denied, however, with the new language in the proposed ordinance amendment, it could be approved. Commissioners asked questions, requested a visual of the correct scale and asked to table the application until the ordinance language was approved for PUD's.

*Fudge moved and McManus seconded THAT application SUP 2000-08-K BE TABLED until the proposed amendment to the Garfield Township Zoning Ordinance Section 630.G and 630.J was adopted.  
Meeting.*

*Yeas: Fudge, McManus, Cline, Agostinelli, Robertson, DeGood, Racine  
Nays: None*

**b. PD-2021-7 – BATA HQ Transit-Oriented Mixed-Use Development PUD - Introduction (8:10)**

The proposed PUD would be located at the corner of LaFranier Road and Hammond road and would take up 53.2 acres of a 77.1 acre site. The property is zoned A- Agricultural and is master planned for High Density Residential. The application is a joint application from the Bay Area Transportation Authority (BATA) and the Traverse City Housing Commission (TCHC). It proposes a PUD for a transit oriented, mixed use development which would include multi-residential units, single family residential lots, a bus garage, a bus maintenance facility, an administration and dispatch building, a transfer station, a bathroom facility, a childcare center and a café. The uses are congruent to adjacent uses and the proposed phasing of the PUD provides flexibility for the applicant. Petra Kunis, on behalf of Mansfield and Associates; Kelly Dunham, Executive Director from BATA; Doug Luciani representing TCHC; Seth Horton Architect; and Robert Gibbs – representing the planning group designing the residential portion were all in attendance to present the application. Petra Kunis asked that a Public Hearing be scheduled while any issues could be worked out. She said that about 12 acres are wetlands for which they intend to convey a conservation easement. Developers are working with road commission on access points and joint

access with the northern neighbor. A traffic study has already been ordered and sidewalks will be constructed in the first phase. Doug Luciani added that this proposed development was certainly the first of its kind in the entire region. Commissioners commented on the proposed PUD and asked questions about the residential portion and how it will mesh with the rest of the development. Concerns were raised with parking, open space, and fencing. BATA Executive Director Kelly Dunham said the only facility that would be retained is the one on Hall Street. Gasoline and diesel would be offsite as the proposed facility would be all propane. She added that most buses will leave the facility by 7am and there are only a couple buses running as late as 10pm. Tony Lentych representing the TCHC talked about the financing and development partners and added that the housing will not be built at once but would target the work force with rents in the \$700-\$800 per month range. Commissioners discussed having a Public Hearing and while moving forward with the extensive details of the application.

*DeGood moved and Robertson seconded THAT application PUD-2020-02 submitted by the Bay Area Transportation Authority (BATA) and the Traverse City Housing Commission (TCHC) BE ACCEPTED.*

*Yeas: DeGood, Robertson, Agostinelli, McManus, Cline, Racine  
Nays: None*

*DeGood and Cline seconded that application PUD 020-02 be scheduled for a Public Hearing on February 10, 2021.*

*Yeas: DeGood, Cline, Robertson, Agostinelli, McManus, Racine  
Nays: None*

**8. Public Comment (9:45)**

Heather Harris Brady, BATA Board Member, thanked the commission for considering this project and feels that this is best for the region.

James Schmuckal, of Traverse City, said that if the township and the applicant work closely together, this will be a good project.

Doug Luciani thanked the commissioners for their time spent on this application.

Jason Lipa thanked the commissioners for their time.

Jennifer Hodges thanked the Township for allowing Gourdie-Fraser to review the project.

**9. Other Business (9:51)**

None

**10. Items for Next Agenda – January 27, 2021 (9:51)**

- a. Planning Commission Annual Report
- b. 2021 Priority Projects and Master Plan Implementation
- c. Zoning Ordinance Use Chart – Continued Discussion
- d. C-P and PUD Signs ZO Text Amendment

**11. Adjournment**

*Fudge moved and Cline seconded to adjourn the meeting at 9:53.*


*Yeas: Fudge, Duell, McManus, DeGood, Robertson, Cline, Racine*

*Nays: None*

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Joe Robertson, Secretary  
Garfield Township Planning  
Commission  
3848 Veterans Drive  
Traverse City, MI 49684



		<h2 style="margin: 0;">Charter Township of Garfield</h2> <h3 style="margin: 0;">Planning Department Report No. 2021-11</h3>	
Prepared:	January 20, 2021	Pages:	2
Meeting:	January 27, 2021 Planning Commission	Attachments:	<input checked="" type="checkbox"/>
Subject:	C-P and PUD Signs Zoning Ordinance Text Amendment – Review		

**BACKGROUND:**

The Planning Commission has discussed a proposed amendment to sign standards in the Planned Shopping (C-P) zoning district and Planned Unit Developments (PUDs). The impetus for these changes came after identifying several issues with the current sign regulations from recent sign proposals and Staff review of sign regulations in the Zoning Ordinance and Township practices. These issues have been identified in the previous discussions at these meetings and in the noted Planning Department (PD) reports:

- October 28, 2020 – Discussion #1 (PD 2020-142)
- November 12, 2020 – Discussion #2 (PD 2020-150)
- December 9, 2020 – Proposed Zoning Ordinance Amendment Introduction (PD 2020-162)
- January 13, 2021 – Proposed Zoning Ordinance Amendment Public Hearing (PD 2021-6)

At the public hearing, Staff recommended tabling the proposed amendment to consider additional items for discussion. The framework for these issues is that these two sections already contain similar language, and the proposed amendment would align them more closely. Staff recommends that because the two sections are so similar, the Planning Commission should consider merging the sections. The implications of doing so would include the following:

- **Signs Allowed by Right.** The current language indicates that all proposed signs within a Planned Development shall be submitted to the Planning Commission for final review and approval; there is no such requirement for signs within the C-P district. Commissioners should consider whether the Planning Commission should review signs allowed “by right” within Planned Developments, or if these do not need to come before the Planning Commission.
- **Public Hearings (Planned Developments).** The current language requires signs within Planned Developments to have a public hearing as part of Planning Commission approval; there is no such requirement for sign in the C-P district. Commissioners should consider whether applicants who request an increase in wall signage area within Planned Developments should go through a public hearing with the Planning Commission.
- **Mixed Uses.** The current language in the C-P district does not distinguish by use, and the current language for Planned Developments includes references to the underlying zoning district. The new language would describe signs to be permitted by right by use type: residential, office, commercial, or industrial as applicable. Although it appears the intent is to encourage mixed-use development, the proposed regulations do not make clear how a development with a mix of uses should be treated with respect to signage. Commissioners should consider adding language addressing how to treat signage for mixed-use sites.

Staff has prepared a draft proposed amendment including the above considerations and items that have been previously identified. The proposed amendment already incorporated input from the Planning Commission discussion and covers the following items:

- Add an “Applicability” section to explain what is and is not considered a new sign
- Clarify regulations for signs permitted by right
- Refine criteria for the Planning Commission to modify or waive sign requirements
- Allow "gooseneck" style downward illumination of non-internally illuminated signs in C-P

The proposed Zoning Ordinance amendment would impact both Section 630.G. – Signs Permitted in the C-P Planned Shopping Center Commercial Districts and Section 630.J. – Planned Development Signs. The full text of the proposed Zoning Ordinance amendment is attached to this report.

**ACTION REQUESTED:**

The Planning Commission already held a public hearing on this proposed amendment during their regular meeting on January 13, 2021. After discussion, if the Planning Commission is satisfied with the proposed language, they can forward this proposed Zoning Ordinance amendment to the Township Board. As part of the amendment process, the Township Board is required to hold its own public hearing on the proposed amendment. The following motion is therefore suggested:

MOTION THAT the proposed amendment to the Garfield Township Zoning Ordinance Section 630.G and 630.J, as attached to Planning Department Report 2021-11, BE RECOMMENDED FOR ADOPTION by the Township Board.

Any additional information the Planning Commission deems necessary should be added to the motion.

**Attachments:**

1. Proposed amendment to the Garfield Township Zoning Ordinance

## SECTION 630 SIGNS

### G. Signs Permitted in the C-P Planned Shopping Center District and in Planned Developments:

In the C-P Planned Shopping Center district and in Planned Developments, the following signs shall be permitted:

- (1) Applicability. This section shall apply to all new signs, which shall include the following:
  - (a) Removal and replacement of a sign structure.
  - (b) Removal and replacement of wall sign channel letters.

The following shall not be considered new signs:

- (c) Changing the sign face or the sign copy on a sign within an existing sign structure.
- (d) Repair of an existing sign.

- (2) Signs permitted by right.

- (a) Residential Uses in the C-P Planned Shopping Center district and in Planned Developments.
  - (i) Wall Signs. One (1) sign for a home occupation or professional service; no illumination of signs is permitted; maximum of 3 square feet per sign.
  - (ii) Freestanding Signs. One (1) freestanding monument sign per roadway entrance to the development; maximum of 16 square feet per sign. Signs may be illuminated as regulated by Section 630.M.(7) of this Ordinance. The sign may be placed upon an architectural entrance feature provided the height of the entrance feature does not exceed 6 feet and is setback 15 feet from the property line.
- (b) Office Uses in the C-P Planned Shopping Center district and in Planned Developments.
  - (i) Wall Signs. One (1) sign per building; maximum of 40 square feet per sign.
  - (ii) Freestanding Signs. One (1) sign per roadway entrance to the development; maximum of 40 square feet per sign.
- (c) Commercial Uses in the C-P Planned Shopping Center district and in Planned Developments, and Industrial Uses in Planned Developments.
  - (i) Wall Signs. One (1) sign per exterior storefront. The maximum area per sign shall be the lesser of 100 square feet or 20% of the area of the wall to which the sign is attached. Businesses occupying corner spaces are permitted one (1) sign on the additional exterior wall.
  - (ii) Freestanding Signs. One (1) sign per roadway entrance to the development; maximum of 100 square feet per sign.
- (d) Mixed Uses in the C-P Planned Shopping Center district and in Planned Developments.
  - (i) Wall Signs. The number and size of wall signs shall be based on each type of use included in the development according to the standards of (a) through (c) above.
  - (ii) Freestanding Signs. One (1) sign per roadway entrance to the development. The size of this sign shall be determined by type of use included in the development with the maximum area permitted by (a) through (c) above.


- (3) Signs subject to Planning Commission approval.

- (a) Internal directional signs with a maximum of 6 square feet per sign. Such signs shall be placed at logical locations to facilitate traffic within the site. The location and quantity of internal directional signs shall be subject to Planning Commission approval and clearly indicated on an overall site plan.
- (b) The Planning Commission shall have the ability to modify any of the wall sign standards in Section 630.G.(2) provided all the following criteria are met. Any modification of these

standards shall be applicable for only the lifespan of the sign in question and shall not be transferable to any other sign or lot, shall not be considered a variance, and shall not run with the land. The decision of the Planning Commission shall be applicable to only the specific application and shall not be considered to set precedent.

- (i) The proposed sign(s) shall be designed as an integral part of the development and compatible with the overall design.
  - (ii) Any proposed sign shall be found by the Planning Commission to be appropriate in scale, bulk, and location relative to the site and shall be found to be compatible with surrounding land uses.
  - (iii) The sign does not block the view of other nearby signs to the extent that it would harm the ability of other businesses in the surrounding neighborhood to operate.
  - (iv) For a wall sign, the building is set back greater than two hundred (200) feet from the centerline of the nearest roadway, or the wall to which the sign is attached is greater than five hundred (500) square feet, and the requested increase in wall sign area is not more than fifty (50) percent greater than that allowed in Section 630.G.(2).
  - (v) There are other unique circumstances or existing conditions on the site which warrant consideration by the Planning Commission.
- (4) Signs prohibited under any circumstances.
- (a) Prohibited in both the C-P district and in Planned Developments:
    - (i) All signs described in §630.P
    - (ii) Changeable copy signs and Billboard signs.
    - (iii) Signs with exposed neon or other exposed lighting source (excepting "gooseneck" style downward illumination of non-internally illuminated signs).
  - (b) Prohibited in the C-P district:
    - (i) Cabinet signs.

**J. (Reserved)**

 <b>Charter Township of Garfield</b> <b>Planning Department Report No. 2021-12</b>			
Prepared:	January 20, 2021	Pages:	1
Meeting:	January 27, 2021 Planning Commission	Attachments:	<input checked="" type="checkbox"/>
Subject:	Use Chart Project – Article 2 and Article 3 Discussion		

**OVERVIEW:**

The Planning Commission has been studying several proposed amendments to the Zoning Ordinance with the intention of developing a Use Chart. A Use Chart would summarize all the uses permitted by right, by special conditions, and by special use permit in each district. Additionally, this project revealed items in the Zoning Ordinance to update in conjunction with the Use Chart to remove inconsistencies, streamline language, and make the Use Chart function better.

The attached documents will help facilitate the next portion of this discussion and include the following:

- **Article 2: Definitions** – Over the past few study sessions, the Planning Commission has reviewed the definitions in Article 2 of the Zoning Ordinance. The attached Article 2 represents all proposed changes and includes feedback from the Planning Commission and research and review among the Planning Department and Zoning Department.
- **Article 3: District Regulations** – The proposed changes in Article 2 include new definitions and names for uses, which affect the uses listed in the zoning district regulations of Article 3. Both the current and proposed list of uses within each district are attached to allow a side-by-side comparison of the current Zoning Ordinance and what it would look like if the proposed changes were adopted.

**ACTION REQUESTED:**

No formal action is requested at this time, as this item is for discussion only. Future steps of this project include discussion on changes to Article 7: Supplemental Use Regulations that would be necessary because of the changes in Article 2 and Article 3.

**Attachments:**

1. Article 2: Definitions – including all proposed changes
2. Article 3: District Regulations – side-by-side comparison of current and including all proposed changes

## ARTICLE 2 DEFINITIONS

### SECTION 200 RULES APPLYING TO THE TEXT

For purposes of this Ordinance, certain rules of construction apply to the text as follows:

- (1) Words used in the present tense include the future tense; and the singular includes the plural unless the context clearly indicates the contrary.
- (2) The term “shall” is always mandatory and not discretionary; the word “may” is permissive.
- (3) The words “used or occupied” as applied to any land or building shall be construed to include the words “intended, arranged, or designed to be used or occupied”.
- (4) Any word or term not interpreted or defined by this Article shall be used with a meaning of common or standard utilization.

### SECTION 201 GENERAL DEFINITIONS

For purposes of this Ordinance, certain terms or words used herein shall be interpreted or defined as follows:

Accessory Building: See “Building, Accessory”

Accessory Use: A use customarily incidental and subordinate to the principal use or building located on the same lot as the principal use or building, and where such accessory use is at no point more than fifty percent (50%) of the total activity on the site.

Addition: A completely new structure or new component to an existing structure.

Adequate Public Facility: A public facility or system of facilities that has sufficient available capacity to service the physical area and designated intensity and use of development at adopted specified levels of service.

Administrative Decision: A decision on a development approval application rendered by an administrative official that does not require legislative, administrative, or quasi-judicial discretion and unless specifically stated is not subject to a public hearing.

Adult Foster Care, Family Home: A state licensed private residence with the approved capacity to receive at least 3 but not more than 6 adults to be provided with foster care for 5 or more days a week and for 2 or more consecutive weeks.

Adult Foster Care, Small Group Home: A state licensed adult foster care facility with the approved capacity to receive at least 3 but not more than 12 or fewer adults to be provided with foster care for 5 or more days a week and for 2 or more consecutive weeks.

Adult Foster Care, Large Group Home: A state licensed adult foster care facility with the approved capacity to receive at least 13 but not more than 20 adults to be provided with foster care for 5 or more days a week and for 2 or more consecutive weeks.

Adult Foster Care Facility: A state licensed facility which provides supervised personal care to unrelated, non-transient, adult individuals, not specified elsewhere in this Ordinance and including an adult foster care congregate facility with the approved capacity to receive more than 20 adults to be provided with foster care for 5 or more days a week and for 2 or more consecutive weeks, nursing home, convalescent home, home for the aged, or any similar care facility.

Agricultural Operation: See "Farm Operation"

Airport or Airfield: A facility regulated by the Federal Aviation Administration (FAA) and designed for the takeoff and landing of aircraft and any other associated activities.

Airport Critical Zone: The clear zone approach-departure clearance surface and the transitional surface.

Airport Inner Horizontal Surface Area: The area surrounding the airport for a distance of three miles, excluding the clear zone surface, transitional surface and airport approach-departure clearance surface.

Airport Outer Horizontal Surface: The airport hazard area less the critical zone area beyond a three mile distance of the Inner Horizontal Surface area to the outer boundary of the Airport Overlay Zone District.

Airport Overlay Zone District: The Airport Overlay Zone District is the airport hazard area consisting of all of the lands within Garfield Township lying beneath the approach, transitional, 149 feet horizontal conical and 500 foot horizontal surface; said land being located within a circle having a radius extending horizontally (6.32 miles) from the established center of the useable landing area of the airport.

Alley: Any dedicated public or private way, other than a street or a joint driveway, which functions primarily as a service corridor and which provides only a secondary means of access to abutting property and is not intended for general traffic circulation.

Alteration: Any modification, addition, or change in construction or type of occupancy, any change or rearrangement in the structural parts of a building; any enlargement of a building, whether by extending a side or by increasing in height; or the moving from one location to another.

Amendment: Any change to the districts of the zoning map (rezoning) or text of this ordinance, master plan, sub area plan, or similar adopted plans or development approval.

Apartment: A room or suite of rooms, including bath and kitchen facilities, located in an accessory structure or in a two-family or multiple-family dwelling intended or designed for use as a non-transient residence by a single family.

Appeal: An appeal to the Zoning Board of Appeals or designated body where it is alleged that there is an error in any order, requirement, decision, or determination made by an administrative official in the enforcement of this Ordinance.

Approval Authority: Any Board, Commission, or administrative official tasked with rendering a final decision on an application.

Assisted Living Facility: See "Adult Foster Care Facility"

Auditorium or Assembly Hall: An indoor space for large group events or meetings, including theaters.

Automobile Dealership: See "Vehicle Dealership, with Outdoor Sales" and "Vehicle Dealership, without Outdoor Sales"

Automobile Showroom: See "Vehicle Dealership, without Outdoor Sales"

Bed and Breakfast: A private residence that offers sleeping accommodations to transient tenants, is the innkeeper's residence in which the innkeeper resides while renting the rooms to transient tenants and serves breakfast at no extra cost to its transient tenants.

Berm: A mound of earth rising to an elevation above the ground of a parcel, which contributes to an opaque screening.

Best Management Practices: Effective integration of storm-water management systems, with appropriate combinations of landscape conservation, enhancement, structural controls, impervious cover, schedules of activities, prohibitions of practices, maintenance procedures, and other management practices that provide an optimum way to convey, store, and release run-off, in order to reduce peak discharge, remove pollutants, and enhance the environment. Best management practices may include any practices adopted by the Township, or other local, State, and Federal agencies.

Board of Appeals: Garfield Township Zoning Board of Appeals.

Boarding Residence: An owner-occupied residence where non-related individuals are provided with room and board on a long-term basis.

Boardman River Valley Environment Area: Includes those areas of the Township which because of elevation, soil, vegetation type and water table are directly influenced by any fluctuations, course changes or flooding of the river including:

1. lands below 600.0 feet above sea level, lying between the south city limits of Traverse City and the east-west half section line of Sections 22 and 23.
2. lands below 620.0 feet above sea level lying between the east-west half Section line of Sections 22 and 23 and Cass Rd, and
3. lands below 640.0 feet above sea level lying between Cass Rd and the south Township boundary.

Boat Livery: A boat livery is hereby defined and declared to be any structure, site or tract of land utilized for the storage, servicing or rental of boats which may include the sale of hunting and/or fishing tackle, equipment, boats, etc.

Bond: Any form of a surety bond in an amount and form satisfactory to the reviewing authority. Bonds may require review and approval by the Garfield Township attorney whenever a bond is required by these regulations.



Brew Pub: A facility as defined by the State of Michigan Liquor Control Code (Act 58 of 1998, MCL 436.1101 et seq.)

Buffer Yard: A greenbelt area that is long and parallel to a property line within which no structures, driveways, parking, signs, or other such uses may be located unless specifically permitted by this Ordinance. A yard area occupied by plant materials, fences, or other landscape devices designed to effectively mitigate to a substantial degree the negative impact which occurs between conflicting land uses and major thoroughfares.

Building: Any structure, either temporary or permanent, having a roof and used or built for the shelter or enclosure of persons, animals, chattels, or property of any kind. This shall include tents, awnings and vehicles situated on private property and used for purposes of a building, whether mounted on wheels or not.

Building, Accessory: A subordinate building or structure on the same lot with a principal or main building, or the part of the main building occupied by or devoted exclusively to an accessory use.

Building Area: The buildable area of a lot or designated building envelope and other areas of a project site which have not been designated as permanent open space, areas to be used for project infrastructure, or other site improvements, etc.

Building Elevation: The entire view of any building or other structure from any one of four sides showing features, such as construction materials, design, height, dimensions, windows, doors, other architectural features, and the relationship of grade to floor level.

Building Footprint: The horizontal area measured within the outside of the exterior walls of the ground floor of the main structure.

Building, Height of: The vertical distance measured from the mean elevation of the finished grade line of the ground about the front of the building to the highest point of the roof or parapet for flat roofs; to the deck line of mansard roofs; and to the mean height level between eaves and ridge of gable, hip and gambrel roofs.

Building Line: That portion of a site defined by the minimum front, side, and rear yard setbacks within which no building or structure may be located.

Building, Principal: A building in which is conducted the main or principal use of the lot on which it is located.

Building, Semi-Detached: See "Dwelling, Two-Family (Duplex)"

Bus Shelter: A roofed structure with at least three walls located on or adjacent to the right-of-way of a street, and which is designed and used primarily for the protection and convenience of bus passengers.

Business College or Trade School: An educational institution generally focusing on instruction in vocational education, including skilled trades and manufacturing, and allowing for hands-on and direct learning opportunities.

Business Service Establishment: See "Service Establishment, Business"

Caliper: A tree's trunk or stem diameter in inches, measured according to the standards of the American Standard for Nursery Stock.

Campground or Travel Trailer Park: Any parcel or tract of land under the control of any person wherein sites are offered for the use of the public or members of an organization, either free of charge or for a fee, for the establishment of temporary living quarters for five (5) or more recreational units, including travel trailers and recreational vehicles.

Canopy Tree, Small: A deciduous tree with a mature height of no more than 30 feet at maturity.

Canopy Tree, Medium: A deciduous tree with a mature height of more than 30 feet and less than 40 feet at maturity.

Canopy Tree, Large: A deciduous tree with a mature height of more than 40 feet at maturity.

Carport: A covered space for the housing or storage of motor vehicles and enclosed on not more than two sides by walls.

Car Wash: A facility designed to allow for users to clean their vehicles through either self-service or automatic options.

Car Wash, Principal Use: A car wash on its own lot and which is not connected to another use such as a gasoline service station.

Catering Establishment: A commercial kitchen facility where food is cooked and prepared for people to consume at a different site.

Cemetery: Any site containing at least one burial, marked or previously marked, dedicated to and used or intended to be used for the permanent interment of the human dead, including perpetual care and nonperpetual care cemeteries.

Cellar: A story having more than one-half ( $\frac{1}{2}$ ) of its height below the average finished level of the adjoining ground. A cellar shall not be counted as a story for the purpose of height measurement in stories.

Child Care Center: A facility, other than a private residence, receiving one (1) or more preschool or school age children for care for periods of less than twenty-four (24) hours a day, and where the parents or guardians are not immediately available to the child. Child care center or day care center includes a facility that provides care for not less than two (2) consecutive weeks, regardless of the number of hours of care per day. The facility is generally described as a child care center, day care center, day nursery, nursery school, parent cooperative preschool, play group, or drop-in center. Child care center or day care center does not include any of the following:

1. A Sunday school, a vacation bible school, or a religious instructional class that is conducted by a religious organization where children are in attendance for not more than 3 hours per day for an indefinite period, or not more than 8 hours per day for a period not to exceed 4 weeks during a 12-month period.
2. A facility operated by a religious organization where children are cared for not more than 3

hours while persons responsible for the children are attending religious services

Child Care, Family Home (<7): A private home in which one (1) but not more than six (6) minor children are received for care and supervision for periods of less than twenty-four (24) hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption.

Child Care, Small Group Home (7-12): A private home in which more than seven (7) but not more than twelve (12) minor children are given care and supervision for periods of less than twenty-four (24) hours a day unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption.

Clinic: See “Medical Office, Clinic” and “Medical Office, Surgical Center”

Cluster Zoning: A zoning technique where the maximum number of dwelling units on a site is determined by density levels instead of minimum lot size.

Commercial District Housing Development: A residential development in a commercial district which includes elements that contribute to the function of the development as a cohesive site, such as design elements and common open space, or where a livable space is incorporated into an approved commercial business or office such as an upper floor apartment.

Comprehensive Development Plan: A plan for a large development site, such as a shopping center in the C-P district or a community park in the P-R district, which describes the development patterns, features, phases, and connectivity of all facets of the development.

Common Element: Any portion of the condominium project other than the condominium units.

Common Element, General: Any element of the condominium project owned in common by all co-owners and intended for common use or necessary to the existence, upkeep, and safety of the project.

Common Element, Limited: Any common element, reserved in the master deed of a condominium project, for the exclusive use of less than all of the co-owners.

Common Land: A parcel or parcels of land together with improvements thereon, the use, maintenance, and enjoyment of which are intended to be shared by the owners and occupants of the individual building units in a planned unit development.

Condominium Act: Public Act 59 of the Public Acts of 1978, as amended.

Condominium Document: The master deed and any other instrument referred to in the master deed or bylaws which affects the rights and obligations of a co-owner in the condominium.

Condominium, Expandable: A condominium project to which additional land may be added pursuant to express provision in the condominium documents and in accordance with the condominium documents and the condominium regulations of the Zoning Ordinance and the Condominium Act.

Condominium Project: A plan or project consisting of not less than two (2) condominium units established in conformance with the Condominium Act.

Condominium, Site: See "Site Condominium"

Condominium Subdivision Plan: Site, survey and utility plans, floor plans and sections as appropriately showing the existing and proposed structures and improvements including the location thereof on the land. The Condominium Subdivision Plan shall show the size, location, area, vertical boundaries, and volume for each unit comprised of enclosed air space. A number shall be assigned to each condominium unit. The Condominium Subdivision shall include the nature, location, and appropriate size of common elements.

Condominium Unit: That portion of the Condominium Project designed and intended for separate ownership and use, as described in the master deed, regardless of whether it is intended for residential, office, industrial, business, recreational, use as a time-share unit, or any other type of use.

Contiguous: Lots are contiguous when at least one boundary line of one lot touches a boundary line or lines of another lot.

Contractor's Establishment: A facility from which a service provider operates a business, including vehicle storage, material storage, office functions, and light manufacturing of products to be sold and used off-site (e.g. signage, lighting, etc.).

Courtyard: A multipurpose space, open and unobstructed to the sky, located at or above grade level on a lot, and bounded on three or more sides by the walls of a building.

Cul-de-sac: A street with only one outlet that terminates in a vehicular turnaround, having an appropriate terminal for the safe and convenient reversal of traffic movement.

Data Center and Computer Operation: A facility used to house computer systems and association components, such as telecommunications and storage systems.

Density: The number of dwelling units residing upon, or to be developed upon, a net acre of land. In the case of a PUD or similar multi-use development where various land uses are being proposed, densities shall be reviewed as an overall density and by individual use density within a lot area.

District: An area of land for which there are uniform regulations governing the use of buildings and premises, density of development, yard requirements and height limitations.

Drive-In Business: A business establishment that by design, physical facilities, service or by packaging procedure, encourages or allows customers to receive services, obtain goods, or be entertained while remaining in their motor vehicles on the site of the establishment.

Drive-In Restaurant: A business establishment or portion hereof where food and/or beverages are sold in a form ready for consumption outside the confines of the building, often in a motor vehicle on the site of the establishment.

Drive-Through Business: A business establishment which by design, physical facilities, service or by packaging procedures, encourages or allows customers to receive services or obtain goods while remaining in their motor vehicles for use off the site of the establishment.

Drive-Through Restaurant: A business establishment or portion thereof where food and/or beverages are sold in a form ready for consumption outside the confines of the building, off the site of the establishment.

Driveway: A means of access for vehicles from a right-of-way to private property.

Driveway, Joint: A driveway, defined herein, providing access to two or more separate parcels used or intended to be used for commercial or industrial purposes.

Drip Line, Tree: An imaginary vertical line extending downward from the outermost tips of the tree branches to the ground.

Dry Cleaning Plant: A facility for the cleaning of garments, fabrics, draperies, etc. with any of various chemicals rather than water, with only accessory or no direct retail customer contact.

Dwelling: Any building or structure or part thereof which contains one (1) or more dwelling units. For the purposes of this Ordinance, "Mobile Home" and "Recreational Unit" are each defined separately.

Dwelling, Single-Family: A dwelling unit designed for exclusive occupancy by a single family that is not attached to any other dwelling by any means and is surrounded by open area or yards.

Dwelling, Multiple-Family: A dwelling or group of dwellings on one lot used or designed to contain separate living units for three (3) or more families, including triplex units, apartment houses, cooperatives, garden apartments and condominiums.

Dwelling, Two-Family (Duplex): A building containing two single family dwelling units totally separated from each other by an un-pierced, above ground, wall or floor and occupied exclusively by two (2) families living independently of each other.

Dwelling Unit: A building or portion thereof designed exclusively for residential occupancy by one (1) family and having cooking facilities.

Earth Change: Excavating, grading, re-grading, landfilling, berming, or diking of land.

Easement: Authorization by a property owner for another to use the owner's property for a specified purpose.

Environmental Impact Assessment: A process to examine the adverse on- and off-site environmental impacts to the ecosystem by a development project.

Essential Service Facility, Major: Any essential service facility as defined herein that is not a routine or minor essential service facility.

Essential Service Facility, Minor: An essential service facility as defined herein which is not typically regarded as imposing on, or detrimental to, neighboring property; including, but not limited to:

1. Underground utility facilities such as water mains, sewer mains and lift stations, electrical, gas, cable television and broadband distribution lines and associated structures, transformers, switches, and utility boxes.

2. Overhead pole-mounted electrical, telephone, cable television and broadband distribution lines and transformers, switches, utility boxes and other equipment associated with the services provided the height above grade of such facilities does not exceed the height restriction of the district.

For purposes of this Ordinance, both "Wireless Communication Facility" and "Wind Energy Conversion System" are defined separately.

Existing Building: A building existing or for which the foundations are in place or upon which there has been substantial work done prior to the effective date of this Ordinance or any amendment thereto.

Existing Use: A legal use of premises or buildings or structures actually in operation, openly, visibly and notoriously prior to the effective date of the Ordinance or any amendment thereto.

Exterior Storefront: A building wall and entryway which provides direct public access to a tenant's retail space from outside of the overall structure.

Family: (1) An individual, or two (2) or more persons related by blood, marriage or adoption, together with foster children and servants of the principal occupants, with not more than one additional unrelated person, who are domiciled together as a single, domestic, housekeeping unit in a dwelling unit, or (2) a collective number of individuals domiciled together in one dwelling unit whose relationship is of a continuing non-transient domestic character and who are cooking and living as a single nonprofit housekeeping unit. This definition shall not include any society, club, fraternity, sorority, association, lodge, coterie, organization or group of students or other individuals whose domestic relationship is of a transitory or seasonable nature or for an anticipated limited duration of a school term or other similar determinable period.

Family Day Care Home: See "Child Care, Family Home"

Farm: The land, plants, animals, buildings, structures, including ponds used for agricultural or aquacultural activities, machinery, equipment, and other appurtenances used in the commercial production of farm products, as described in the Michigan Right to Farm Act, Public Act 93 of 1981, as amended.

Farm Animal: Any animal raised or kept as part of a farm operation, including but not limited to:

- Livestock such as beef and dairy cattle, goats, hogs, horses, sheep, and other fur-bearing animals
- Poultry or fish

Farm Employees House: A dwelling for farm employees associated with the principal use of the property as an agricultural operation.

Farm Equipment: Mechanical equipment commonly used for farming operations including planting, cultivation, spraying, harvesting and storage operations, HOWEVER, excluding heavy earth moving or construction equipment used for short term construction purposes.

Farm Market: A farm market operated as a part of a farming business, selling farm products produced on and off the proprietor's farm, not including roadside stands.

Farm Operation: The operation and management of a farm or a condition or activity that occurs at any time as necessary on a farm in connection with the commercial production, harvesting, and storage of

farm products, as further described in the Michigan Right to Farm Act, Public Act 93 of 1981, as amended, including but not limited to:

1. Marketing produce at roadside stands or farm markets.
2. The generation of noise, odors, dust, fumes, and other associated conditions.
3. The operation of machinery and equipment necessary for a farm including, but not limited to, irrigation and drainage systems and pumps and on-farm grain dryers, and the movement of vehicles, machinery, equipment, and farm products and associated inputs necessary for farm operations on the roadway as authorized by the Michigan vehicle code, Act No. 300 of the Public Acts of 1949, being sections 257.1 to 257.923 of the Michigan Compiled Laws.
4. Field preparation and ground and aerial seeding and spraying.
5. The application of chemical fertilizers or organic materials, conditioners, liming materials, or pesticides.
6. Use of alternative pest management techniques.
7. The fencing, feeding, watering, sheltering, transportation, treatment, use, handling, and care of farm animals.
8. The management, storage, transport, utilization, and application of farm by-products, including manure or agricultural wastes.
9. The conversion from a farm operation activity to other farm operation activities.
10. The employment and use of labor.

Farm Product: Those plants and animals useful to man and including, but not limited to: forages 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; or any other product which incorporates the use of food, feed, fiber or fur.

Fencing: The enclosure of an area by a structure of lumber, masonry, wire, or other material designed and marketed for constructing such an enclosure.

Financial Institution: Any federal or state- regulated business such as a bank, credit union, or savings and loan company which is designed to provide direct service to members of the public. For purposes of this Ordinance, an investment broker or investment company is included in the "Office" definition.

Financial Institution, with Drive-Through: Any financial institution located on a site with one or more drive-through lanes for servicing customers.

Financial Institution, without Drive-Through: Any financial institution located on a site without any drive-through service lanes.

Flag: Any fabric or other flexible material attached to or designed to be flown from a flagpole, light pole, or similar permanent device.

Flood Plain: The land area subject to inundation by the overflow of water resulting from a 100-year flood, which is a flood with a one percent (1%) chance of occurring in any given year.

Food Truck: A kitchen in a licensed and operable motor vehicle or trailer and with a temporary location on a site involving the preparation and sale of food to be consumed either on or off the premises, but not within the motor vehicle and/or trailer.

Full cut-off (Lighting Fixture): A fixture that allows no light emission above a horizontal plane through

the fixture.

Game or Hunting Preserve, Commercial: A site which allows for-profit hunting operations.

Garage, Private: An accessory building or an accessory portion of a principal building designed or used solely for the storage of noncommercial motor vehicles owned and used by the occupants of the building to which it is accessory.

Gasoline Service Station: Any area of land, including any structures thereon, that is used or designed for the supply of gasoline, oil, or other fuel for the propulsion of vehicles. Permitted accessory uses may include any area or structure used or designed for polishing, greasing, washing, cleaning, or servicing such motor vehicles.

Glare: The sensation produced within the visual field by luminance that is sufficiently greater than the luminance to which the eyes are adapted, causing annoyance, discomfort or loss in visual performance and visibility.

Golf Course or Country Club: An outdoor recreation facility designed for enjoyment of golf, but not including stand-alone golf-driving ranges and miniature golf courses.

Grade, Finished: The completed surfaces of lawns, walks, and roads, brought to grades as shown on official plans or designs related thereto.

Greenbelt: A strip of land of definite width and location reserved for the planting of shrubs or trees to serve as an obscuring screen or buffer strip in carrying out the requirements of this Ordinance.

Greenhouse, Residential: An accessory building or structure to the principal residential use constructed chiefly of glass, glasslike or translucent material, which is devoted to the protection or cultivation of flowers, trees, shrubbery, or other vegetation and kept for personal enjoyment.

Greenhouse, Commercial: An accessory use to an approved commercial nursery or agricultural use of the property constructed chiefly of glass, glasslike or translucent material, which is devoted to the protection or cultivation of flowers, trees, shrubbery or other vegetation and kept for personal enjoyment or subsequent sale. (See Nursery, Retail)

Ground Cover: Low-growing, woody shrubs, deciduous or evergreen plants, perennial plants and/or vines, turf, shredded bark, wood chips or other similar mulch and landscaping stone.

Hazardous Substances and Polluting Material: Any substance or material in which the use, treatment, storage, and/or disposal of such material is regulated by State or Federal law, based on the capability of such material to pose a risk to the health, safety, and welfare of the community and the environment by virtue of being toxic, hazardous, flammable, combustible, poisonous, radioactive, corrosive, or otherwise harmful. This definition shall include, but is not limited to, any substance or material which is designated as a hazardous chemical, flammable or combustible liquid, critical material, polluting material, hazardous waste product, hazardous substance, hazardous material, or other similar material by any local, State, or Federal agency.

Health Service: See "Medical Office, Clinic," "Medical Office, Surgical Center," and "Hospital"



High-Tech Research: See “Research and Design Facility”

Highway: See “Road, Highway”

Home Industry: A value added activity carried out on a farm for the sale of goods in a farm market, such as small-scale canning operation for fruits or vegetables. For purposes of this Ordinance, commercial processing is not a home industry.

Home Occupation: Any non-intrusive activity of professional character carried out as an accessory use for gain by the owner or resident of the home and conducted in the residents dwelling unit. The owner or resident shall reside in the home, which is clearly for living purposes. For purposes of this Ordinance, “Bed and Breakfast” is defined separately.

Hospital: An institution which provides medical, surgical, emergency, and other health services to the public. For purposes of this Ordinance, “Medical Office, Clinic” and “Medical Office, Surgical Center” are each defined separately.

Hotel or Motel: A facility, building or group of buildings offering transient lodging accommodations to the public and which may include additional facilities and services such as restaurants, meeting rooms, entertainment, personal services and recreational facilities.

Intermittent Visual Obstruction: A screen having unobstructed openings interrupting visual contact and creating spatial separation.

Illumination: Light directed at a working surface or into a space to be illuminated.

Incinerator: Facilities designed for the burning of solid waste.

Indoor Entertainment Center: A commercial public amusement facility conducted entirely within a building, and including archery and firearms range, bowling alleys, billiard halls, laser tag, roller skating, golf range, and including their ancillary support services.

Industrial, Research, or Business Park: See “Research and Design Facility”

Interior Parking Lot Landscaping: Landscaping within a polygon having the least area, which can be drawn about a parking area or lot, exclusive of its access drives.

Institutional Use or Structure: Any land use or structure which serves the community’s social, educational, and cultural needs, including but not necessarily limited to schools, libraries, places of worship, and governmental facilities, but not including health services.

Junk Yard: Any establishment or premise where worn out or discarded material is bought, kept, sold and/or stored; any premise upon which two (2) or more unlicensed used motor vehicles which cannot be operated under their own power are kept or stored for a period of fifteen (15) days or more shall be deemed to be a “junk yard” within the meaning of this Ordinance.

Keeping of Chickens, Personal: Any raising or keeping of chickens on residential property and not including the raising or keeping of chickens as part of a farm operation.

Keeping of Farm Animals: Any raising and keeping of farm animals as part of a farm operation.

Keeping of Horses, Personal: Any non-commercial keeping of horses for the personal use of the residents on a property, not including the raising or keeping of horses as part of a farm operation.

Kenel: Any lot or premises on which dogs, cats, or other household pets are kept for any commercial purposes, including but not limited to sale, boarding, breeding, and training.

Laboratory: See "Research and Design Facility"

Lake - Stream: A natural or artificial lake, pond or impoundment, a river, stream or creek, which may or may not be serving as a drain, or any other body of water which has definite banks, a bed and visible evidence of a continued flow or continued occurrence of water. For reference purposes, the general location of existing lakes or streams are graphically depicted on the Garfield Township Hydrology Map.

Lakes: Boardman Lake and Silver Lake.

Landscaping: Some combination of planted trees, vines, ground covers, flowers, or turf. In addition, the combination or design may include rock ground cover, earth mounds, and such structural features as fountains, pools, art works, screens, walls, fences, or benches.

Launching Ramp, Private: A space or structure from which a boat may be launched for use and benefit of the patrons of the waterfront marina or boat yard wherein said boats are berthed or docked.

Light Shield: An opaque box or other device, which eliminates or greatly diminishes glare.

Light Source: A light bulb or other source within a luminary.

Live-Work Unit: A dwelling unit which is an accessory use to a primary office, studio, or other similar commercial use, designed as an integral part of the building where the primary commercial use is at the ground floor entrance to the building, and where the occupant is either an owner or an employee of the office, studio, or other commercial use.

Livestock Auction Yard: A site where livestock animals are sold at auction.

Long-Term: In relation to the occupancy of a building or dwelling unit, any period of thirty (30) or more consecutive days.

Lot: A parcel of land defined by property lines or right-of-way lines, on which a principal use and its accessories are located or intended to be located together with any open spaces required by this Ordinance. A unit of land within a site condominium, which gives the owner exclusive rights to a building envelope where a building is placed and rights to the yard areas surrounding the building.

Lot, Corner: A lot, which has at least two (2) contiguous sides abutting upon two (2) or more streets at their intersection or two parts of the same street forming an interior angle of less than 135 degrees.

Lot Coverage: The percent of the lot, occupied by a building, including accessory buildings.

Lot, Depth of: The mean distances from the street line of the lot to its opposite rear line, measured in the

general direction of the sidelines of the lot.

Lot, Flag: A lot that does not the minimum width requirement of the zoning district in which it is located at the street frontage, where a narrow and unbuildable strip of land connects the buildable portion of the lot to a street or shared driveway.

Lot, Front of: The lot line, which is the front street line of the principal street or right-of-way providing access to the lot.

Lot, Interior: A lot other than a corner lot.

Lot, Line: The lines bounding a lot as hereby described.

Lot Line, (Zero): A condition requiring no (0) setback from a lot line as required for row housing, triplex and duplex structures, and other similar dwellings that are attached and situated on individual parcels for ownership purposes.

Lot of Record: A lot which is part of a subdivision, the map of which has been recorded in the office of the Register of Deeds in Grand Traverse County, or had been approved as a preliminary or final plat by the Township Board prior to the date of this Ordinance. Also, a lot described by metes and bounds, the deed or other conveyance to which has been recorded in the Office of the Register of Deeds in Grand Traverse County prior to the date of this Ordinance.

Lot, Width of: The width measured along the front lot line or street line or at the setback line of a curvilinear road or cul-de-sac.

Low Impact Design: A stormwater management practice intended to mimic a site's pre-development hydrology by using techniques which allow storm water runoff to infiltrate, filter, evaporate, and be retained close to its source in lieu of discharging to traditional large retention basins or storm sewers. Low Impact Design may be accomplished via an engineered system of bio-retention areas, rain gardens, wetlands, grass swales, permeable pavement, and similar methods. Low Impact Design standards may include standards adopted by the Township or other local, State, and Federal agencies.

Lumber Processing and Sawmill: A facility which receives and processes raw or partially finished lumber into a more finished form and including their accessory uses.

Luminaire: An outdoor lighting fixture.

Major Thoroughfare: See "Road, Major Thoroughfare"

Manufacturing: The act of processing, assembling, or fabricating raw or unfinished materials into a more complete or finished product.

Manufacturing, Light: The act of processing, assembling, or fabricating raw or unfinished materials into a more complete or finished product, and which have a relatively limited to moderate potential for adverse effect on surrounding properties and the environment, including noise, vibration, pollution, odor, and aesthetics.

Manufacturing, Heavy: The act of processing, assembling, or fabricating raw or unfinished materials into a more complete or finished product, and which have a greater potential for adverse effect on surrounding properties and the environment, including noise, vibration, pollution, odor, and aesthetics.

Manufactured Home: See “Mobile Home”

Marina: A commercial boat basin or dock with facilities for berthing and servicing all types of watercraft, and which may include providing supplies, provisions, service and fueling facilities.

Master Deed: The condominium document recording the condominium project to which is attached as exhibits and incorporated by reference, the approved by-laws for the project and the approved condominium subdivision plan for the project.

Master Plan: A statement of policy by the Township Planning Commission relative to the agreed-upon desirable physical pattern of future community development, consisting of a series of maps, charts, and written material that represents a sound conception of how the community should grow in order to bring about the very best community living conditions.

Mechanical Amusement Arcade: Any place, premises or that area occupied by or under the control of the operator of mechanical amusement devices, room or establishment in which a substantial and significant portion of the business is devoted to the operation of mechanical amusement devices, or in which more than five (5) mechanical amusement devices are located and available for operation. For the purposes of this Ordinance, a mechanical amusement arcade shall not include the following.

1. Mechanical amusement devices located in bars, taverns, cocktail lounges, and restaurants which are properly licensed by the State of Michigan when the devices are located to be an integral part of the operation and available only to tavern and restaurant patrons.
2. Mechanical amusement devices located in motels or hotels when the devices are generally available only to registered guests.
3. Vending machines dispensing food, drink, tobacco, toys, or written material, which material can be utilized away from the premises where the machine is located and does not require further participation by inserting the item or paying the price at the location of the machine.
4. Mechanical amusement devices located on property used solely for a residential purpose or a private club, and which device is not available for use by the general public, shall be exempt from this definition.

Mechanical Amusement Device: Any machine which upon the insertion of a coin, slug, token, plate or disk, or upon payment of a price, may be operated by the public generally for use as a game, entertainment or amusement, including but not limited to games registering a score, electronic video games, mechanical and/or electronic devices such as marble machines, pinball machines, mechanical grab machines, shuffle board game machines, pool tables, billiard tables, and all game operations or transactions similar thereto, whether operated by hand, electric power, or combination thereof. For the purposes of this Ordinance, a mechanical amusement device shall not include the following:

1. Juke box or other similar device, which plays only music for money.
2. Full-size bowling lane or alley.

3. Movie Theater seating more than ten (10) persons.

Medical Clinic: See “Medical Office, Clinic” and “Medical Office, Surgical Center”

Medical Marihuana: Marihuana as defined by the Michigan Medical Marihuana Act, MCL 333.26421 et seq. grown, used, or transferred for “medical use” as defined by the Michigan Medical Marihuana Act, MCL 333.26421 et seq.

Medical Marihuana Collective: means (a) any commercial use of property for the purpose of sale of medical marihuana for money or other consideration to registered qualifying patients or registered primary caregivers, or (b) any commercial business, commercial establishment or commercial structure that provides or rents space to multiple caregivers for storage and/or sale of Medical Marihuana. Medical Marihuana Collective includes uses commonly referred to as Medical Marihuana Dispensaries, Compassion Centers, Provisioning Centers and Medical Marihuana Cooperatives. The sale of Medical Marihuana where any other commodity, product or service is also available shall be considered a Medical Marihuana Collective.

Medical Marihuana Cultivation: A use where Medical Marihuana is grown by a primary caregiver or a qualifying patient as permitted by the Michigan Medical Marihuana Act, MCL 333.26421 et seq.

Medical Marihuana Cultivation Facility: A use where Medical Marihuana Cultivation, as defined by this ordinance, is being conducted on a lot, but shall not include a Medical Marihuana Collective.

Medical Marihuana Residential Cultivation: Medical Marihuana Cultivation undertaken by a primary caregiver, or a qualifying patient that has not specified a primary caregiver to cultivate marihuana for the qualifying patient, at the primary caregiver’s or qualifying patient’s primary place of residence.

Medical Office, Clinic: An establishment where human patients are admitted to be examined and treated by physicians, dentists, or other health care professionals and where no patients are lodged overnight.

Medical Office, Surgical Center: An establishment where human patients are for surgical procedures to be performed by physicians, dentists, or other health care professionals, with continuous medical services during surgical procedures and until the patient has recovered from the obvious effects of anesthetic and at all other times with medical services available whenever a patient is in the facility, and which may also include the incidental overnight lodging of patients as an accessory use.

Metal Plating, Buffering, and Polishing: Any of the various industrial processes involved in improving metal products.

Micro Brewer: A person as defined and licensed by Michigan Liquor Control Code (Act 58 of 1998, MCL 436.1101 et seq.)

Microbrewery: A facility or facilities owned or controlled by a licensed Micro Brewer.

Mobile Home: A structure, transportable in one or more sections, which is built on a chassis and designed to be used as a dwelling with or without permanent foundation, when connected to the required utilities and includes the plumbing, heating, air- conditioning and electrical systems contained in the structure. Mobile home does not include a recreational unit.

Mobile Home Commission Act: means Act 96 of 1987, as amended.

Mobile Home Park: A parcel or tract of land under the control of a person upon which 3 or more mobile homes are located on a continual, nonrecreational basis and which is offered to the public for that purpose regardless of whether a charge is made therefore, together with any building, structure, enclosure, street, equipment, or facility used or intended for use incident to the occupancy of a mobile home.

Mobile Home Subdivision: A subdivision approved under Act 288 of the Public Acts of 1967, as amended, which by deed restrictions has been designated solely for occupancy by mobile homes.

Mortuary or Funeral Home: A building used for the preparation of the deceased for burial and the display of the deceased and rituals connected therewith prior to burial or cremation.

Nonconforming Use: A building, structure, or use of land existing at the time of enactment of this Ordinance, and which does not conform to the regulations of the District or zone in which it is situated.

Non-Use Variance: A dimensional variance to standards such as yard requirements, building height, lot coverage, living space dimensions and similar requirements. These variances are granted based on a showing of a practical difficulty.

Normal Stream or Riverbank: The bank or steep slope, which confines waters of a stream or river during normal periods of flow.

Nursery, Retail: The growing, cultivation, storage, and sale of garden plants, flowers, trees, shrubs, and fertilizers in an indoor setting, including limited outdoor storage & sales areas when approved by the Planning Commission. (See also Greenhouse, Commercial).

N.V.G.D.: National Vertical Geodetic Datum.

Office: A room, set of rooms, or building where the business operations of a professional, commercial, medical, institutional, investment broker or investment company, industrial, or other similar organization is conducted. For the purposes of this ordinance, "Financial Institution" is defined separately, and the term "Office" includes both principal and accessory units.

Off-Site Parking: A parking lot or structure that primarily serves the parking needs of another site.

Official Zoning Map: The map of all zoning districts and overlay districts, including but not limited to Airport overlays, that is on file with the Garfield Township clerk, and the Planning Department.

Open Space: A typically vegetative area designed, depending upon the particular situation, for environmental, scenic, or recreational enjoyment, but not including supplemental setback areas, parking areas, drainage basins, community septic systems, or areas within individual lots. Open space shall be consolidated and contiguous to the greatest extent reasonably possible to provide usable park-like areas.

Open Space Preservation: A development option intended to encourage and promote clustered development patterns in a manner that protects developable areas containing natural features and open space, in accordance with Section 506, Open Space Preservation, of the Michigan Zoning Enabling Act.

Outdoor Display: A designated outdoor area for the purpose of displaying items for sale associated with the primary use of the property.

Outdoor Entertainment Center, Major: A commercial public amusement facility conducted outside of an enclosed building and anticipated to have major impacts on surrounding properties including drive-in theatres, racetracks, driving ranges, and similar facilities.

Outdoor Entertainment Center, Minor: A commercial public amusement facility conducted outside of an enclosed building and anticipated to have minimal impacts on surrounding properties such as miniature golf courses, trampolines, or similar public amusements.

Outdoor Sales, Major: A primary land use where large items such as automobiles, trailers, boats, riding lawn mowers, tractors, off-road vehicles, other large, motorized equipment, and other similar items are sold outside of a completely enclosed building. For purposes of this Ordinance, "Sale of Prefabricated Structures" is defined separately.

Outdoor Sales, Minor: A primary land use where items such as plant material not grown on site, lawn furniture, playground equipment, garden supplies, and similar items are sold outside of a completely enclosed building.

Outdoor Sales, Temporary: An accessory event to an established business and intended to provide the business owner with the ability to sell inventory or goods outdoors on the property for a limited time. This type of sale is typically referred to as a tent sale and does not include transient sales or mobile food sales. Common events may include sidewalk sales, Christmas tree sales lots, revival tents, or other quasi-civic activities.

Outdoor Storage: The location of any goods, wares, merchandise, commodities, junk, debris, or any other item outside of a completely enclosed building for a continuous period longer than twenty-four (24) hours.

Outdoor Storage, Accessory Use: Any outdoor storage that is accessory to a principal use, including the storage of a travel trailer, camper, or other recreational vehicle on a residential site.

Outdoor Storage, Primary Use: Any outdoor storage that is the primary use of the parcel.

Overlay Zoning District: A district that is superimposed over one or more zoning districts or parts of districts and which imposes specified requirements in addition to those applicable in the underlying base zoning district.

Park, Mini: A small park or public space, generally less than one (1) acre in size, providing recreational opportunities for the non-exclusive use of residents of the surrounding neighborhood generally within a quarter mile of the site. Mini parks may include, but are not limited to, amenities such as small playgrounds, small open fields, gazebos, and benches.

Park, Neighborhood: A park or public space, generally between one (1) and ten (10) acres in size, which provides active and passive recreation opportunities for the non-exclusive use of residents generally within a half mile of the site. Neighborhood parks may include, but are not limited to, amenities such as playgrounds, open fields, picnic tables, small pavilions, gazebos, and benches.

Park, Community – Low Intensity: A park or public space, generally greater than ten (10) acres in size, which provides recreation opportunities for the entire community, and which are intended primarily for natural area preservation, passive recreation, or low intensity active recreation uses. These community parks may include, but are not limited to, amenities such as playgrounds, fields, picnic tables, pavilions, gazebos, benches, dog parks, disc golf courses, or other similar uses and small structures.

Park, Community – High Intensity: A park or public space, generally greater than ten (10) acres in size, which provides recreation opportunities for the entire community. These parks may include some high intensity active recreation uses such as banquet or event centers, lodges, amphitheaters, athletic fields, and other uses and structures.

Passenger Terminal: A facility such as a bus station allowing for people to access mass transit or other modes of transportation from a common node.

Person: Any natural person, corporation, partnership, joint venture, association (including homeowners' or neighborhood associations), trust, or any other entity recognized by law.

Personal Service Establishment: See "Service Establishment, Personal"

Pet Grooming Establishment: A facility offering the grooming of pets as a service, but where no pet sales or boarding takes place on the site.

Pet Shop: A building for the purchase of dogs, cats, birds, fish, and other small animals as pets and for pet care supplies, and where no boarding or grooming takes place on the site.

Planned Unit Development (PUD): A land area which has both individual building sites and common property, such as a park, and which is designated and developed under one (1) owner or organized group as a separate neighborhood or community unit.

Point of Light Source: A lighting source, direct, reflected, or refracted, which produces glare.

Pool: See "Swimming Pool"

Practical Difficulty: A situation whereby a property owner, through no fault of their own, cannot establish a "minimum practical" legal use of a legal lot or parcel, meeting all the dimensional standards of the zoning district within which the lot is located. Situations occurring due to the owners desire to establish a use greater than the "minimum practical" standard or to enhance economic gain greater than associated with a "minimum practical" standard or created by an owner subsequent to the adoption date of this Ordinance is not a practical difficulty.

Principal Use: The primary or main use of land or structures, as distinguished from a secondary or accessory use.

Printing or Publishing Enterprise: Any business involving industrial production activities in printing, publishing, newspaper or print media production, photographic reproduction, blueprinting, and related trades and arts.

Processing Operation: Any variety of operations not otherwise identified within this Ordinance which result in material being made more useable in some form. For the purposes of the Zoning Ordinance, the



term "processing" includes but is not necessarily limited to the physical manipulation of chemicals, food, liquids, metals, plastics, and textiles.

Professional Showroom: A facility intended to showcase examples of work in interior decorating, design, architecture, and similar fields without including retail operations at the facility.

Professional Studio: Performing arts, including sculpture, photo, music, painting, drama, dance, and similar pursuits.

Property Owner: An owner of any of the following:

- (i) A metes and bounds described parcel(s)
- (ii) A lot(s) in a platted subdivision, duly established under the provisions of the Land Division Act (MCL 560.101. et seq.)
- (iii) A condominium unit(s) in a condominium project duly established under the provisions of the Condominium Act (MCL 559.101, et seq.), or
- (iv) The holder of a lessee's interest in any one of the foregoing which exceeds three (3) years in duration. In the event an owner's interest as defined in (i), (ii) or (iii) above is subject to a lease term exceeding three (3) years as provided in (iv) above, the holder of such lessee's interest shall have the same rights and duties of the property owner for purposes of this section (which shall supersede and replace the owner/lessor's interest for purposes of this section).

Protected Root Zone: An area surrounding the tree by 1 ½ feet in radius for every inch of the tree caliper.

Public Service Utility or Installation: See "Essential Service Facility"

Recreational Facility: An entity which receives a fee, whether by membership or daily passes, in return for the provision of some active recreational activity including but not limited to: gymnastic facilities, indoor soccer, bike & skate parks, racquet clubs, tennis and pickle ball courts, physical fitness facilities, swimming pools, athletic fields, yoga, spinning, martial arts, and other similar activities related to personal or team athletics, exercise, fitness and including their ancillary support services.

Recreational Field Complex: A facility with one or more outdoor athletic fields and which may include ancillary uses such as parking lots, fencing, lighting, restrooms, playgrounds, or weather shelters.

Recreational Unit: A tent, or vehicular-type structure, primarily designed as temporary living quarters for recreational camping or travel use, which either has its own mode of power or is mounted on or drawn by another vehicle which is self-powered. A tent means a collapsible shelter of canvas or other fabric stretched and sustained by poles or ropes and used for camping outdoors. Recreational unit shall include travel trailer, camping trailers, motor home, truck camper, slide-in-camper, and chassis-mount camper, camping cabins, watercrafts, snowmobiles, special terrain vehicles, and utility trailers.

Recycling Facility: A facility designed for conducting a recycling operation.

Recycling Operation: The recovery and processing of recyclable materials for reuse.

Rehabilitation Center: A facility offering substance abuse treatment and rehabilitation services.

Research and Design Facility: Any facility, including a laboratory, used for scientific research, product design, testing, technology development, analysis, experimentation, consulting, business development,

basic and applied learning, or other similar use, but not including manufacturing or processing. For the purposes of this ordinance, a research and design facility which is accessory to a principal use shall be reviewed according to the standards for the principal use.

Restaurant: An establishment where food and drinks are prepared, served, and consumed, mostly within the principal building such as lunch counters, dairy bars, bars, taverns, night clubs, coffee shops, and other similar establishments.

Restaurant, with Drive-Through: Any restaurant that includes a drive-in or drive-through as a part of its service or building design.

Restaurant, without Drive-Through: Any restaurant that does not include a drive-in or drive-through as a part of its service or building design.

Retail Fabricator: A shop or establishment which fabricates merchandise primarily for retail sale, where the retail activity occupies 50% or more of the overall floor space.

Retail, Industrial Accessory: Retail activity that is accessory to a primary industrial use, where such retail activity occupies 15% or less of the overall floor space.

Retail, Industrial Primary: Retail activity that is a primary use on a site in an industrial district. Such retail activity generally has characteristics that are different from retail in a commercial district or that would result in greater site impacts, including bulky or high-value items, outdoor display or outdoor storage, a large indoor storage area or warehouse, and low traffic volumes, including but not limited to building supply and equipment stores, equipment sales and service businesses, furniture stores, and automobile dealerships.

Retail, Low Volume: The sale or rental of goods or merchandise, including the rendering of services incidental to the sale of such goods, taking place in a building of less than five thousand (5,000) square feet. Low volume retail primarily serves residents of the surrounding neighborhood.

Retail, Medium Volume: The sale or rental of goods or merchandise, including the rendering of services incidental to the sale of such goods, taking place in a building of between five thousand (5,000) square feet and fifty thousand (50,000) square feet. Medium volume retail primarily serves residents of several nearby neighborhoods or the entire community.

Retail, High Volume: The sale or rental of goods or merchandise, including the rendering of services incidental to the sale of such goods, taking place in a building of greater than fifty thousand (50,000) square feet. High volume retail primarily serves the entire community and other nearby communities across the region.

Right-of-Way: A street, alley or other thoroughfare or easement for passage of persons or vehicles, but not including a driveway or joint driveway.

Road: See "Street"

Road, Arterial: Any road designated as an "Other Principal Arterial" or "Minor Arterial" on the National Functional Classification (NFC) system as defined by the Michigan Department of Transportation (MDOT).

Road, Collector: Any road designated as a “Major Collector” or “Minor Collector” on the National Functional Classification (NFC) system as defined by the Michigan Department of Transportation (MDOT).

Road, Highway: Any road designated as an “Interstate” or “Other Freeway” on the National Functional Classification (NFC) system as defined by the Michigan Department of Transportation (MDOT).

Road, Local: Any road designated as “Local” on the National Functional Classification (NFC) system as defined by the Michigan Department of Transportation (MDOT), including public and private roads.

Road, Major Thoroughfare: Any road designated as either an arterial road or a collector road.

Road, Primary: See “Road, Collector”

Road, Private: See “Street, Private”

Road, Public: See “Street, Public”

Road Frontage: See “Lot Width”

Roadside Stand: A structure for the display of agricultural products with no space for customers within the structure itself.

Sale of Prefabricated Structures: A business where prefabricated structures such as mobile home units or prefabricated storage sheds are displayed and sold.

Sand or Gravel Pit, Quarry: Land where sand or gravel is extracted from the ground as a key natural resource, which may include processing.

Screening: The enclosure of an area by a visual barrier, which may include a landscape buffer, fencing or other materials.

Sequential Messaging: A succession of interrelated sign messages, presented on one or more sign faces, which, when read collectively, provide a completed message, statement thought, or idea.

Service Establishment, Business: Establishments primarily engaged in providing services for businesses including photocopying, equipment rental, and other similar services.

Service Establishment, Personal: Establishments primarily engaged in providing services involving the care of a person or their goods such as beauty shops, barber shops, laundry facility, jewelry repair shops, dry cleaning establishment (pickup only), and shoe repair, excluding the processing of physical materials.

Setback: The minimum required distance between the property line and the closest point of any structure whether attached or detached.

Setback, Front: The minimum required distance between the closest point of any structure and the front property line. The front property line is determined by the location of the principal street or right-of-way providing access to a lot, except that the Zoning Administrator may determine the front yard to be on the

street front that is in line with the prevailing pattern of front yards on the street in order to be consistent with the established development pattern of the street.

Setback, Rear: The minimum required distance between the closest point of any structure and the rear property line, generally considered as the opposite side of the lot from the front property line.

Setback, Side: The minimum required distance between the closest point of any structure and any property line not considered a front or rear lot line.

Shopping Center, General: A group of retail establishments, greater than ten thousand (10,000) square feet in floor area, planned and constructed on a unified site as an integrated unit for shopping and other business activity.

Shopping Center, Local: A group of retail establishments with a maximum square footage of ten thousand (10,000) square feet in floor area, planned and constructed on a unified site as an integrated unit for shopping and other business activity.

Short-Term: In relation to the occupancy of a building or dwelling unit, any period of less than thirty (30) consecutive days.

Sign: Any words, lettering, parts of letters, figures, fixtures, numerals, phrases, sentences, emblems, devices, designs, trade names or marks, or combinations thereof, by which communication is made or presented to identify or call attention to an individual, a firm, an association, a profession, a business, a commodity, or a product which are legible from any public roadway or private road, street, highway or other public way.

Sign Area: The entire area of a sign measured by a rectangle or square enclosing the extreme height and width limits of the sign face and sign structure, regardless of the shape of the sign face or sign structure.

Sign, Banner: A sign other than a flag, with or without characters, letters, illustrations or ornamentation applied to cloth, flexible plastic, canvas, fabric or other similar light material that can be easily folded or rolled, but not including paper or cardboard, that is intended to be hung either with a frame or without a frame. Neither flags nor canopy signs are considered banners.

Sign, Billboard – Highway Advertising: An off-premises sign owned by a person, corporation, or other legal entity that engages in the business of utilizing and/or selling the space on that sign for advertising.

Sign, Changeable Copy: Any part of a sign that is changeable either manually or electronically, including changeable message boards, digital static messages or images that change physical position or light intensity, by any movement or rotation or that gives the illusion of movement or rotation.

Sign, Community: Temporary, on or off premises signs, generally made of woven material or durable synthetic materials primarily attached to or hung from poles or on buildings. These signs are solely of a decorative, festive and/or informative nature announcing activities, promotions, or events with seasonal or traditional themes having broad community interest, and which are sponsored or supported by a legally constituted nonprofit organization.

Sign, Directional: An on-premise sign which solely directs visitors or customers to a particular land use or all or part of a development.

Sign Face: The one vertical plane surface of a sign where the message is displayed or illustrated, irrespective of the size of the associated message.

Sign, Festival Banner Flag: Any banner or flag, as defined in this Ordinance, that meets the definition of a community sign.

Sign, Freestanding: The vertical plane surface of a sign where the message is displayed or illustrated, irrespective of the size of the associated message.

Sign, Nonconforming: A sign or sign structure or portion thereof lawfully existing at the time this Ordinance became effective, which does not now conform.

Sign, Off-Premise: See “Sign, Billboard – Highway Advertising”

Sign, On-Premise: A sign which contains a message identifying a business, profession, product(s), or services conducted or available on the property upon which such sign is located.

Sign, Project Development: A sign placed on the premises of a subdivision or other real estate development to indicate the proposed start of the development project and to provide additional information about the project during the construction period. Project development signs are not to exceed forty (40) square feet on each side of a two (2) sided sign.

Sign, Real Estate Development: A sign placed on the premises of a subdivision or other real estate development to indicate the proposed start of the development project or to inform the public that property within the development is available.

Sign, Roof: A sign erected and constructed wholly on the roof of a building and supported by the roof structure. A roof signs height shall not exceed the midpoint of the roof. A sign located on a buildings flat roof parapet is not considered a roof sign.

Sign Structure: Any supports, uprights or internal framework or bracing of a sign excluding walls which are part of a building, landscape wall, or similar structure.

Sign, Wall: The area of a wall which is used to graphically communicate a message or announcement.

Site Area: The total area within the property lines excluding the street right-of-way.

Site Condominium: Any parcel of land, which may be divided as a condominium under Public Act 59 of the Public Acts of 1978, as amended, into two or more parts, including building sites or lots, for the purpose of being occupied by either separate or attached structures for the purpose of being dedicated to some common use. This definition shall be deemed not exclusive and the definition of site condominium shall include any other decision which may be statutorily or judicially required, or which may be appropriate by common usage.

Site Condominium Lot: A measured portion of a parcel or tract of land which is described and fixed as a unit within a Condominium Project.

Site Condominium Subdivision: A Condominium Project divided into site condominium lots.

Small Warehousing Establishment: A structure, series of structures, or series of interior units with totally enclosed storage, and generally intended to be sold or leased on an individual basis for self-storage purposes.

Solar Collector Surface: Any part of a solar energy system that absorbs solar energy for use in the system's transformation process. The collector surface does not include frames, supports, and mounting hardware.

Solar Energy: Radiant energy received from the sun that can be collected in the form of heat or light by a solar energy system.

Solar Energy System: A system (including solar collectors and ancillary equipment) either affixed to a permanent principal or accessory building or functioning as a freestanding structure, that collects, stores, and distributes solar energy for heating or cooling, generating electricity, or heating water. Solar energy systems include, but are not limited to, photovoltaic (PV) power systems and solar thermal systems. Solar energy systems shall not be considered essential services. Solar energy systems do not include a panel or panel array less than 10 square feet.

Solar Energy System, Accessory: A solar energy system that meets the following:

1. The system is an accessory use of the property.
2. The system is primarily used for generating electricity for on-site use.

Solar Energy System, Primary: A solar energy system that meets the following:

1. The system is the primary use of the property.
2. The system is primarily used for generating electricity for sale and distribution off-site.

Solar Equipment, Ancillary: Any accessory part or device of a solar energy system that does not require direct access to sunlight, such as but not limited to batteries, electric meters, converters, or water heater tanks

Stormwater Containment, Non-Agricultural: Stormwater containment systems on split-zoned properties to support non-agricultural uses.

Story, Height of: The vertical distance from the top surface of one floor to the top surface of the next above. The height of the topmost story is the distance from the top surface of the floor to the top surface of the ceiling joists.

Street: A publicly or privately owned right-of-way, easement, or general common area (in the case of a site condominium subdivision) that provides direct vehicular access to abutting properties.

Street, Minor: A public street or way, the principal use or function of which is to give access to the abutting properties.

Street, Private: A street, defined herein, which is to be privately owned and maintained and has not been accepted for jurisdiction and maintenance by the City of Traverse City, Grand Traverse County, the State of Michigan or the federal government but which meets the requirements of this Ordinance or has been approved as a private road by the Township under this Ordinance or any prior ordinance.

Street, Public: A street, defined herein, which has been dedicated to and accepted for jurisdiction and maintenance by the City of Traverse City, Grand Traverse County, the State of Michigan, or the federal government.

Structure: Any production or piece of material artificially built up and composed of parts joined together in some definite manner, any construction, including decks, dwellings, garages, buildings, mobile homes, signs and sign boards, towers, poles, antennae, landfills, walls, weirs, jetties, pipes or other like objects, but not including fences.

Survival Wind Speed: The maximum wind speed, as designated by the Wind Energy Conversion System manufacturer, at which a Wind Energy Conversion System, in unattended operation (not necessarily producing power) is designed to survive without damage to any structural component or loss of the ability to function normally.

Swimming Pool: Any structure designed and constructed for the purpose of swimming or bathing that contains water over 24 inches deep and has over 100 square feet of surface area.

Swimming Pool, Private: A recreational swimming pool which is an accessory use to a private residential dwelling and/or a private residential development.

Temporary Infrastructure: A non-permanent site element substituted to meet a site development need until construction is complete, and existing for less than 365 calendar days.

Temporary Outdoor Sales: See "Outdoor Sales, Temporary"

Temporary School Facility: A portable classroom used to support students of public or private elementary or secondary schools on a temporary basis.

Tower Height:

1. Horizontal Axis Wind Turbine Rotors: The distance between the ground and the highest point of the Wind Energy Conversion System, as measured from the ground, plus the length by which the rotor blade on a horizontally mounted Wind Energy Conversion System exceeds the structure, which support the rotor and the blades.
2. Vertical Axis Wind Turbine: The distance between the ground and the highest point of the Wind Energy Conversion System.

Township Board: Charter Township of Garfield Board of Trustees.

Transportation Dispatch Center: A facility designed for the operations of a transportation service entity and to house vehicles such as taxicabs in between servicing their customers.

Travel Trailer: See "Recreational Unit"

Travel Trailer Park: See "Campground or Travel Trailer Park"

Trip End: Means the total of all motor vehicle trips entering plus all motor vehicle trips leaving a designated land use or building over a given period of time.

Truck or Rail Freight Terminal: An industrial facility designed to receive freight at the end of a truck or rail trip and facilitate the transfer of freight between modes of transportation.

Use: The purpose for which land and/or a building is arranged, designed, or intended or for which land or a building may be occupied.

Vacation Home Rental: A commercial use of a residential dwelling where the dwelling is rented or sold for any term less than thirty (30) consecutive days.

Vehicle Dealership, with Outdoor Sales: A business which offers for sale cars, boats, trailers, off-road vehicles, recreational vehicles, personal trailers, truck tractors, tractor trailers, farming equipment, or other motorized equipment, and which may include both indoor and outdoor sales.

Vehicle Dealership, without Outdoor Sales: A business which offers for sale cars, boats, trailers, off-road vehicles, recreational vehicles, personal trailers, truck tractors, tractor trailers, farming equipment, or other motorized equipment, and which includes only indoor sales where the vehicles are displayed. This type of use is typically associated with walk-in or internet sales.

Vehicle Service Center, Major: A business which offers servicing of vehicles with impacts which are more significant than a minor vehicle service center, such as a mechanic, body shop, major repair and/or rebuilding of vehicles, or similar. Vehicles serviced may include automobiles, trailers, boats, and other motorized vehicles.

Vehicle Service Center, Minor: A business which offers servicing of vehicles with limited impacts on surrounding uses, such as oil changes, tire sales and service, general maintenance, or similar. Vehicles serviced may include automobiles, trailers, boats, and other motorized vehicles.

Veterinary Hospital: A building where animals are given medical care, but with no long-term boarding facilities. Any boarding of animals is limited to short-term recovery care associated with the hospital use.

- For a facility which includes long-term boarding of animals, see "Kennel"

View Corridor: Areas, usually linear or triangular, which are prevented from obscuring the view of or from particular points, via height limitations, or other development restrictions.

Warehouse or Distribution Center: A structure for storage and/or distribution of goods or material, including storage facilities for sand, gravel, stone, and contractor's equipment.

Warehouse or Distribution Center, Hazardous Materials: A structure for storage and/or distribution of hazardous substances such as fuels, chemicals, hazardous waste, or other flammable or toxic substances.

Water Mark: The highest normal water level of the major lakes within the Township.

Water Mark, Ordinary High: A line between upland and bottomland, which persists through successive changes in water levels, below which the present action of the water is so common or recurrent that the character of the land is marked distinctly from the upland and is apparent in the soil itself, the configuration of the surface of the soil, and the vegetation, as defined in Part 301, Inland Lakes and Streams, of the Natural Resources and Environmental Protection Act (Act 451) of 1994, as amended.



Water Mark, Boardman Lake: 590.0 feet above sea level.

Water Mark, Silver Lake: 862.0 feet above sea level.

Waterfront Stairway and Landing: Small structures on the waterfront of the property which provide points of access from the land to the water.

Wholesaler: A business which includes the warehousing and storage of bulk quantities of goods and the sale of goods directly to businesses. Some wholesalers may also have a portion of their operation which involves retail and the sale of goods directly to consumers, where such retail activity occupies 15% or less of the overall floor space.

Wind Energy Conversion System: Also abbreviated as WECS, a Wind Energy Conversion System shall mean a combination of:

1. A surface area, either variable or fixed, for utilizing the wind for electrical power, and
2. A shaft, gearing, belt, or coupling utilized to convert the rotation of the surface area into a form suitable for driving a generator, alternator, or other electricity producing device; and
3. The generator, alternator, or other device to convert the mechanical energy of the surface area into electrical energy; and
4. The tower, pylon, or other structure upon which any, all, or some combination of the above are mounted.

Wind Energy Conversion System, Interconnected: A wind energy conversion system which is electrically connected to the local electrical power utility system and could feed power back into the local electrical power utility system.

Wind Energy Conversion System, Personal: The combination of structures, mechanical equipment, and associated controllers which convert wind energy into usable electricity for use at a personal residence.

Wireless Communication Collocation: To place or install wireless communications equipment on an existing wireless communications support structure or in an existing equipment compound. "Collocation" has a corresponding meaning.

Wireless Communications Equipment: A set of equipment and network components used in the provision of wireless communications services, including, but not limited to, antennas, transmitters, receivers, base stations, equipment shelters, cabinets, emergency generators, power supply cables, and coaxial and fiber optic cables, but excluding wireless communications support structures.

Wireless Communication Facility: All facilities, equipment, and other structures used in the provision of wireless communications services.

Wireless Communications Support Structure: A structure that is designed to support, or is capable of supporting, wireless communications equipment, including a monopole, self-supporting lattice tower, guyed tower, water tower, utility pole, or building.

Wireless Communication Equipment Compound: An area surrounding or adjacent to the base of a wireless communications support structure and within which wireless communications equipment is located.

Yard: An open space on the same lot with a building, unoccupied and unobstructed from the ground upward, except as otherwise provided herein. The measurement of the yard shall be construed as the minimum horizontal distance between a lot line and a building line.

Yard, Front: A yard, extending across the front of the lot between the side lot lines and measured between the front line of the lot and the building line.

Yard, Rear: An open space on the lot with a principal use, unoccupied, except as herein permitted, extending the full width of the lot and situated between the rear line of the lot and the rear building line projected to the side lines of the lot.

Yard, Side: An open and unoccupied space, unless otherwise provided herein, on the lot with a principal use, situated between the building line and the side line of the lot and extending from the front yard to the rear yard. Any yard not a front yard or rear yard shall be deemed a side yard.

Zoning Permit: A type of permit required for any change in use of land or structure in accordance with the provisions of this Ordinance.

## SECTION 313 R -1 (ONE FAMILY RESIDENTIAL)

**PURPOSE** The R-1 (One Family Residential) districts provide areas for low to medium density one family residential dwelling units. The districts include areas of existing one family developments as well as areas within which such development appears likely and desirable. They are intended to encourage more intensive development in and near the core areas of the township with less intensive development moving outward towards the more rural and remote areas of the township. The R-1 districts are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and parks that will promote a sense of community and urban vitality.

### A. USES PERMITTED BY RIGHT:

- (1) Cemeteries
- (2) Dwelling, Single Family
- (3) Home Occupations
- (4) Publicly Owned and Operated Parks

### B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) Adult Foster Care, Family Home (<7) –See § 707
- (2) Child Care, Family Home (<7) –See § 718
- (3) Child Care, Small Group Home (7-12) - See §719
- (4) Golf Courses –See § 749
- (5) Reserved
- (6) Keeping of chickens –See § 717
- (7) Medical Marihuana Residential Cultivation –See § 758
- (8) Open Space Preservation –See § 428
- (9) Personal Wind Energy Conversion Systems –See § 770
- (10) Recreation Field Complex - See § 772
- (11) Private Swimming Pools –See § 773
- (12) Storage of travel trailer, camper, or other recreational vehicle –See § 613.A.4
- (13) Waterfront Stairways –See § 779

### C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Adult Foster Care, Small Group Home (7-12)
- (2) Institutional Uses - See § 753

### D. ADDITIONAL STANDARDS:

- (1) Driveways for single family residences shall comply with §511.
- (2) Completion. Any single-family dwelling, accessory building or addition thereto must be completed on the exterior surface with a suitable finishing material including painting or staining in the case of wood, within two (2) years from date of issuance of a land use permit or one (1) year from the date of occupancy whichever occurs last.

## SECTION 313 R -1 (ONE FAMILY RESIDENTIAL)

**PURPOSE** The R-1 (One Family Residential) districts provide areas for low to medium density one family residential dwelling units. The districts include areas of existing one family developments as well as areas within which such development appears likely and desirable. They are intended to encourage more intensive development in and near the core areas of the township with less intensive development moving outward towards the more rural and remote areas of the township. The R-1 districts are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and parks that will promote a sense of community and urban vitality.

### A. USES PERMITTED BY RIGHT:

- (1) Cemeteries
- (2) Dwelling, Single Family
- (3) Home Occupations
- (4) Publicly Owned and Operated Parks

### B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) Adult Foster Care, Family Home (<7) –See § 707
- (2) Child Care, Family Home (<7) –See § 718
- (3) Child Care, Small Group Home (7-12) - See §719
- (4) Golf Courses –See § 749
- (5) Reserved
- (6) Keeping of chickens –See § 717
- (7) Medical Marihuana Residential Cultivation –See § 758
- (8) Open Space Preservation –See § 428
- (9) Personal Wind Energy Conversion Systems –See § 770
- (10) Recreation Field Complex - See § 772
- (11) Private Swimming Pools –See § 773
- (12) Storage of travel trailer, camper, or other recreational vehicle –See § 613.A.4
- (13) Waterfront Stairways –See § 779

### C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Adult Foster Care, Small Group Home (7-12)
- (2) Institutional Uses - See § 753

### D. ADDITIONAL STANDARDS:

- (1) Driveways for single family residences shall comply with §511.
- (2) Completion. Any single-family dwelling, accessory building or addition thereto must be completed on the exterior surface with a suitable finishing material including painting or staining in the case of wood, within two (2) years from date of issuance of a land use permit or one (1) year from the date of occupancy whichever occurs last.

## SECTION 313 R-1 (ONE FAMILY RESIDENTIAL)

**PURPOSE** – The R-1 (One Family Residential) districts provide areas for low to medium density one family residential dwelling units. The districts include areas of existing one family developments as well as areas within which such development appears likely and desirable. They are intended to encourage more intensive development in and near the core areas of the township with less intensive development moving outward towards the more rural and remote areas of the township. The R-1 districts are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and parks that will promote a sense of community and urban vitality.

### **A. USES PERMITTED BY RIGHT:**

- (1) Cemetery
- (2) Dwelling, Single Family
- (3) Essential Service Facility, Minor – § 737
- (4) Home Occupation
- (5) Park, Mini
- (6) Park, Neighborhood
- (7) Solar Energy System, Accessory – § 773

### **B. USES PERMITTED BY SPECIAL CONDITIONS:**

- (1) Adult Foster Care, Family Home – § 707
- (2) Child Care, Family Home (<7) – § 718
- (3) Child Care, Small Group Home (7-12) – § 719
- (4) Golf Course or Country Club – § 749
- (5) Keeping of Chickens, Personal – § 754
- (6) Medical Marihuana Residential Cultivation – § 758
- (7) Open Space Preservation – § 428
- (8) Outdoor Storage, Accessory Use – § 613.A (4)
- (9) Recreational Field Complex – § 767
- (10) Swimming Pool, Private – § 776
- (11) Waterfront Stairways and Landings – § 778
- (12) Wind Energy Conversion System, Personal – § 781

### **C. USES PERMITTED BY SPECIAL USE PERMIT:**

- (1) Adult Foster Care, Small Group Home – § 708
- (2) Essential Service Facility, Major – § 737
- (3) Institutional Uses and Structures – § 752
- (4) Solar Energy System, Primary – § 773

### **D. ADDITIONAL STANDARDS:**

- (1) Driveways for single family residences shall comply with § 511.
- (2) Completion. Any single-family dwelling, accessory building or addition thereto must be completed on the exterior surface with a suitable finishing material including painting or staining in the case of wood, within two (2) years from date of issuance of a land use permit or one (1) year from the date of occupancy whichever occurs last.

## **SECTION 314 R - 2 (ONE AND TWO FAMILY RESIDENTIAL)**

**PURPOSE** The R-2 (One and Two Family Residential) districts provide areas for medium density one and two family residential dwelling units in and near to the developed core areas of the township. The districts include areas of existing one and two family developments as well as areas within which such development appears likely and desirable. The R-2 districts are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools, places of worship and parks. They provide a range of housing choices and promote a sense of community, urban vitality and the efficient provision of infrastructure.

### **A. USES PERMITTED BY RIGHT:**

- (1) All uses permitted by right in the R-1 District
- (2) Dwelling, Two-Family

### **B. USES PERMITTED BY SPECIAL CONDITIONS :**

- (1) All uses permitted by special condition in the R-1 District, subject to all standards and conditions specified therefore.

### **C. USES PERMITTED BY SPECIAL USE PERMIT:**

- (1) All uses permitted by Special Use Permit in the R-1 District, subject to all standards and conditions specified therefore.
- (2) Institutional Uses– See § 753

### **D. ADDITIONAL STANDARDS:**

- (1) All additional standards identified in the R-1 District shall apply.

## SECTION 314 R-2 (ONE AND TWO FAMILY RESIDENTIAL)

**PURPOSE** – The R-2 (One and Two Family Residential) districts provide areas for medium density one- and two-family residential dwelling units in and near to the developed core areas of the township. The districts include areas of existing one- and two-family developments as well as areas within which such development appears likely and desirable. The R-2 districts are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools, places of worship and parks. They provide a range of housing choices and promote a sense of community, urban vitality, and the efficient provision of infrastructure.

### **A. USES PERMITTED BY RIGHT:**

- (1) Cemetery
- (2) Dwelling, Single Family
- (3) Dwelling, Two-Family
- (4) Essential Service Facility, Minor – § 737
- (5) Home Occupation
- (6) Park, Mini
- (7) Park, Neighborhood
- (8) Solar Energy System, Accessory – § 773

### **B. USES PERMITTED BY SPECIAL CONDITIONS:**

- (1) Adult Foster Care, Family Home – § 707
- (2) Child Care, Family Home (<7) – § 718
- (3) Child Care, Small Group Home (7-12) – § 719
- (4) Golf Course or Country Club – § 749
- (5) Keeping of Chickens, Personal – § 754
- (6) Medical Marijuana Residential Cultivation – § 758
- (7) Open Space Preservation – § 428
- (8) Outdoor Storage, Accessory Use – § 613.A (4)
- (9) Recreational Field Complex – § 767
- (10) Swimming Pool, Private – § 776
- (11) Waterfront Stairways and Landings – § 778
- (12) Wind Energy Conversion System, Personal – § 781

### **C. USES PERMITTED BY SPECIAL USE PERMIT:**

- (1) Adult Foster Care, Small Group Home – § 708
- (2) Essential Service Facility, Major – § 737
- (3) Institutional Uses and Structures – § 752
- (4) Solar Energy System, Primary – § 773

### **D. ADDITIONAL STANDARDS:**

- (1) Driveways for single family residences shall comply with § 511.
- (2) Completion. Any single-family dwelling, accessory building or addition thereto must be completed on the exterior surface with a suitable finishing material including painting or staining in the case of wood, within two (2) years from date of issuance of a land use permit or one (1) year from the date of occupancy whichever occurs last.

## SECTION 315 R - 3 (MULTIPLE FAMILY RESIDENTIAL)

**PURPOSE** The R-3 (Multiple Family Residential) districts provide areas for medium to high density one and two family residential dwelling units mixed with a variety of multiple family residential dwelling types, including apartments and group housing, where adequate public facilities and services exist with capacity to serve such development. The districts are composed mainly of areas containing an existing mix of these dwelling types as well as areas within which such development appears likely and desirable. They are intended to encourage more intensive development in and near the core areas of the township. The R-3 districts are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools, places of worship and parks that will promote a sense of community, urban vitality and the efficient provision of infrastructure. R-3 district regulations are designed to allow for market and design flexibility while preserving the neighborhood character and permitting applicants to cluster development in order to preserve environmentally sensitive and natural land areas.

### A. USES PERMITTED BY RIGHT:

- (1) All uses permitted by right in the R-1 District
- (2) Dwelling, Two Family

### B. USES PERMITTED BY SPECIAL CONDITIONS

- (1) All uses permitted by special condition in the R-1 District, subject to all standards and conditions specified therefore
- (2) Mortuary or Funeral Home subject to § 764

### C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) All uses permitted by Special Use Permit in the R-1 District, subject to all standards and conditions specified therefore.
- (2) Adult Care Facility (21+) - See § 710
- (3) Adult Foster Care, Large Group home (13-20) - See § 709
- (4) Bed and Breakfast – See § 714
- (5) Child Care Center– See § 720
- (6) (Reserved)
- (7) (Reserved)
- (8) Multiple Family Dwellings
- (9) Boarding Residences– See § 716
- (10) Institutional Uses– See § 753

### D. ADDITIONAL STANDARDS:

- (1) All additional standards identified in the R-1 District shall apply.
- (2) Uses permitted by Special Use Permit in the R-3 District shall provide a minimum of 300-square feet of open space per dwelling unit. Required open space shall be consolidated and contiguous to the greatest extent reasonably possible so as to provide usable park-like areas. Structures shall be adjoined by open space areas on at least one side.



## SECTION 315 R-3 (MULTIPLE FAMILY RESIDENTIAL)

**PURPOSE** – The R-3 (Multiple Family Residential) districts provide areas for medium to high density one and two family residential dwelling units mixed with a variety of multiple family residential dwelling types, including apartments and group housing, where adequate public facilities and services exist with capacity to serve such development. The districts are composed mainly of areas containing an existing mix of these dwelling types as well as areas within which such development appears likely and desirable. They are intended to encourage more intensive development in and near the core areas of the township. The R-3 districts are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools, places of worship and parks that will promote a sense of community, urban vitality and the efficient provision of infrastructure. R-3 district regulations are designed to allow for market and design flexibility while preserving the neighborhood character and permitting applicants to cluster development to preserve environmentally sensitive and natural land areas.

### A. USES PERMITTED BY RIGHT:

- (1) Cemetery
- (2) Dwelling, Single Family
- (3) Dwelling, Two Family
- (4) Essential Service Facility, Minor – § 737
- (5) Home Occupation
- (6) Park, Mini
- (7) Park, Neighborhood
- (8) Solar Energy System, Accessory – § 773

### B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) Adult Foster Care, Family Home – § 707
- (2) Child Care, Family Home (<7) – § 718
- (3) Child Care, Small Group Home (7-12) – § 719
- (4) Golf Course or Country Club – § 749
- (5) Keeping of Chickens, Personal – § 754
- (6) Medical Marihuana Residential Cultivation – § 758
- (7) Mortuary or Funeral Home – § 760
- (8) Open Space Preservation – § 428

### D. ADDITIONAL STANDARDS:

- (1) Driveways for single family residences shall comply with § 511.
- (2) Completion. Any single-family dwelling, accessory building or addition thereto must be completed on the exterior surface with a suitable finishing material including painting or staining in the case of wood, within two (2) years from date of issuance of a land use permit or one (1) year from the date of occupancy whichever occurs last.
- (3) Uses permitted by Special Use Permit in the R-3 District shall provide a minimum of 300-square feet of open space per dwelling unit. Required open space shall be consolidated and contiguous to the greatest extent reasonably possible to provide usable park-like areas. Structures shall be adjoined by open space areas on at least one side.

- (9) Outdoor Storage, Accessory Use – § 613.A (4)
- (10) Recreational Field Complex – § 767
- (11) Swimming Pool, Private – § 776
- (12) Waterfront Stairways and Landings – § 778
- (13) Wind Energy Conversion System, Personal – § 781

### C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Adult Foster Care, Small Group Home – § 708
- (2) Adult Foster Care, Large Group Home – § 709
- (3) Adult Foster Care Facility – § 710
- (4) Bed and Breakfast – § 713
- (5) Boarding Residence – § 714
- (6) Child Care Center – § 720
- (7) Dwelling, Multiple Family
- (8) Essential Service Facility, Major – § 737
- (9) Institutional Uses and Structures – § 752
- (10) Solar Energy System, Primary – § 773

## SECTION 316 R – R (RURAL RESIDENTIAL)

**PURPOSE** The R-R (Rural Residential) districts provide areas for predominantly low density one family residential dwelling units that will harmonize with the natural resource capabilities of the Township. The districts are intended to be semi-rural in character and include areas of the Township where: (1) public water and sewer facilities are not now available and are likely to remain without services indefinitely; and (2) natural resources and environmental conditions, such as hillsides, scenic areas, wetlands and shorelands, tend to make more intensive types of urbanized development destructive to environmental values.

### A. USES PERMITTED BY RIGHT:

- (1) All uses permitted by right in the R-1 District

### B. USES PERMITTED BY SPECIAL CONDITIONS

- (1) All uses permitted by special condition in the R-1 District, subject to all standards and conditions specified therefore.
- (2) Keeping of horses for the personal use of residents of the property subject to § 752

### C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) All uses permitted by Special Use Permit in the R-1 District, subject to all standards and conditions specified therefore.
- (2) Bed and Breakfast – See § 714
- (3) Institutional Uses– See § 753

### D. ADDITIONAL STANDARDS:

- (1) All additional standards identified in the R-1 District shall apply.

## SECTION 316 R-R (RURAL RESIDENTIAL)

**PURPOSE** – The R-R (Rural Residential) districts provide areas for predominantly low density one family residential dwelling units that will harmonize with the natural resource capabilities of the Township. The districts are intended to be semi-rural in character and include areas of the Township where: (1) public water and sewer facilities are not now available and are likely to remain without services indefinitely; and (2) natural resources and environmental conditions, such as hillsides, scenic areas, wetlands and shorelands, tend to make more intensive types of urbanized development destructive to environmental values.

### **A. USES PERMITTED BY RIGHT:**

- (1) Cemetery
- (2) Dwelling, Single Family
- (3) Essential Service Facility, Minor – § 737
- (4) Home Occupation
- (5) Park, Mini
- (6) Park, Neighborhood
- (7) Solar Energy System, Accessory – § 773

### **B. USES PERMITTED BY SPECIAL CONDITIONS**

- (1) Adult Foster Care, Family Home – § 707
- (2) Child Care, Family Home (<7) – § 718
- (3) Child Care, Small Group Home (7-12) – § 719
- (4) Golf Course or Country Club – § 749
- (5) Keeping of Chickens, Personal – § 754
- (6) Keeping of Horses, Personal – § 754
- (7) Medical Marihuana Residential Cultivation – § 758
- (8) Open Space Preservation – § 428
- (9) Outdoor Storage, Accessory Use – § 613.A (4)
- (10) Recreational Field Complex – § 767
- (11) Swimming Pool, Private – § 776
- (12) Waterfront Stairways and Landings – § 778
- (13) Wind Energy Conversion System, Personal – § 781

### **C. USES PERMITTED BY SPECIAL USE PERMIT:**

- (1) Adult Foster Care, Small Group Home – § 708
- (2) Bed and Breakfast – § 713
- (3) Essential Service Facility, Major – § 737
- (4) Institutional Uses and Structures – § 752
- (5) Solar Energy System, Primary – § 773

### **D. ADDITIONAL STANDARDS:**

- (1) Driveways for single family residences shall comply with § 511.
- (2) Completion. Any single-family dwelling, accessory building or addition thereto must be completed on the exterior surface with a suitable finishing material including painting or staining in the case of wood, within two (2) years from date of issuance of a land use permit or one (1) year from the date of occupancy whichever occurs last.

## SECTION 317 R – M (MOBILE HOME RESIDENTIAL)

**PURPOSE** The R-M (Mobile Home Residential) districts provide areas for mobile home subdivisions and mobile home parks. The districts include areas of existing developments as well as areas proposed and approved for such development. They are intended to encourage medium to high density mobile home subdivisions and mobile home park developments where adequate public facilities and services exist with capacity to serve such development. The R-M districts are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses facilities that will support and promote a sense of community.

### A. USES PERMITTED BY RIGHT:

- (1) Adult Foster Care, Family Home.
- (2) Child Care, Family Home.
- (3) Mobile Home

### B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) Mobile Home Park Development or Subdivision, in accordance with § 760 of this ordinance.
- (2) Personal Wind Energy Conversion Systems subject to § 770

### C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Child Care Center – See § 720

### D. ADDITIONAL STANDARDS:

(Reserved)

## SECTION 317 R-M (MOBILE HOME RESIDENTIAL)

**PURPOSE** – The R-M (Mobile Home Residential) districts provide areas for mobile home subdivisions and mobile home parks. The districts include areas of existing developments as well as areas proposed and approved for such development. They are intended to encourage medium to high density mobile home subdivisions and mobile home park developments where adequate public facilities and services exist with capacity to serve such development. The R-M districts are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses facilities that will support and promote a sense of community.

### **A. USES PERMITTED BY RIGHT:**

- (1) Adult Foster Care, Family Home – § 707
- (2) Child Care, Family Home (<7) – § 718
- (3) Essential Service Facility, Minor – § 737
- (4) Mobile Home
- (5) Park, Mini
- (6) Solar Energy System, Accessory – § 773

### **B. USES PERMITTED BY SPECIAL CONDITIONS:**

- (1) Mobile Home Subdivision – § 759
- (2) Wind Energy Conversion System, Personal – § 781

### **C. USES PERMITTED BY SPECIAL USE PERMIT:**

- (1) Child Care Center – § 720
- (2) Essential Service Facility, Major – § 737
- (3) Solar Energy System, Primary – § 773

### **D. ADDITIONAL STANDARDS:**

(Reserved)

## SECTION 318 C-L (LOCAL COMMERCIAL)

**PURPOSE** The C-L (Local Commercial) districts provide nodal areas for convenient, day-to-day retail shopping and service facilities, servicing persons in the adjacent residential areas and designed in scale with surrounding residential uses. The districts include areas of existing commercial use as well as areas proposed and approved for such development. Due to their local service nature, C-L districts are likely to be stand alone or small collective sites located so as to have a minimum impact upon the surrounding residential areas. C-L district regulations are designed to protect abutting and surrounding residential areas by requiring certain minimum yard and area standards which are compatible to those called for in the residential districts. These districts are also intended to reduce automobile trips by permitting a limited group of commercial uses to be located in close proximity to residential areas.

### A. USES PERMITTED BY RIGHT:

- (1) Adult Foster Care, Large Group Home (13-20)
- (2) Clinics
- (3) Financial Institutions not including drive-through facilities
- (4) Reserved
- (5) Marina
- (6) Off-Street Parking Lots
- (7) Offices
- (8) Personal Service Establishments
- (9) Retail, Convenience
- (10) Retail, Food Establishment
- (11) Video Rental and Sales Establishment

### B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) Dry Cleaning Establishment provided that only nonflammable and odorless cleaning fluid and solvent are used
- (2) Dwellings, Commercial, provided such units are designed as an integral part of the commercial development and provided that the requirements cited in § 615 are met.
- (3) Restaurant, provided that such establishments shall not include a drive-in or drive-through
- (4) Temporary Outdoor Sales – subject to the standards of §766
- (5) Veterinary Hospital, provided the use is carried on within a fully enclosed building and contains no boarding facilities
- (6) Pet Shops provided they are completely enclosed and insulated from noise
- (7) Printing, publishing, photographic reproduction and related trades & art uses not to exceed 2,400 square feet of gross building area
- (8) Reserved

### C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Adult Care Facility (21+)– See § 710
- (2) Business uses including complexes located on sites greater than one (1) acre and local shopping centers having a maximum of 10,000 gross square feet
- (3) Child Care Center– See § 720
- (4) Institutional Uses and Structures– See § 753
- (5) Financial Institutions, Drive-Through, having a maximum of two (2) drive-through service lanes
- (6) Gasoline Service Station - Convenience Store provided that the area of the C-L Zoning District, within which the use is located, is not less than four (4) acres and also subject to the standards of § 748.
- (7) Mortuaries and Funeral Homes - See § 764
- (8) WECS – See § 780

## SECTION 318 C-L LOCAL COMMERCIAL

**PURPOSE** – The C-L (Local Commercial) districts provide nodal areas for convenient, day-to-day retail shopping and service facilities, servicing persons in the adjacent residential areas and designed in scale with surrounding residential uses. The districts include areas of existing commercial use as well as areas proposed and approved for such development. Due to their local service nature, C-L districts are likely to be stand alone, or small collective sites located to minimize impact upon the surrounding residential areas. C-L district regulations are designed to protect abutting and surrounding residential areas by requiring certain minimum yard and area standards which are compatible to those called for in the residential districts. These districts are also intended to reduce automobile trips by permitting a limited group of commercial uses to be located near residential areas.

### **A. USES PERMITTED BY RIGHT:**

- (1) Adult Foster Care, Large Group Home – § 709
- (2) Essential Service Facility, Minor – § 737
- (3) Financial Institution, without Drive-Through
- (4) Marina
- (5) Medical Office, Clinic
- (6) Off-Site Parking
- (7) Office
- (8) Park, Mini
- (9) Retail, Low Volume
- (10) Service Establishment, Personal
- (11) Solar Energy System, Accessory – § 773

### **B. USES PERMITTED BY SPECIAL CONDITIONS:**

- (1) Commercial District Housing Development – § 725
- (2) Outdoor Sales, Temporary – § 762
- (3) Pet Shop – § 765
- (4) Restaurant, without Drive-Through – § 768
- (5) Service Establishment, Business – § 772
- (6) Veterinary Hospital

### **C. USES PERMITTED BY SPECIAL USE PERMIT:**

- (1) Adult Foster Care Facility – § 710
- (2) Child Care Center – § 720
- (3) Essential Service Facility, Major – § 737
- (4) Financial Institution, with Drive-Through – § 730
- (5) Gasoline Service Station – § 748
- (6) Institutional Uses and Structures – § 752
- (7) Mortuary or Funeral Home – § 760
- (8) Shopping Center, Local
- (9) Solar Energy System, Primary – § 773
- (10) Wind Energy Conversion System – § 780

**SECTION 319 C-O (OFFICE COMMERCIAL)**

**PURPOSE** C-O (Office Commercial) districts provide areas for service oriented enterprises and institutions having relatively low traffic generation. The districts include areas of existing office developments as well as areas within which such development appears likely and desirable. They are intended to facilitate the support and expansion of local business, while serving as a buffer between residential areas and more intensive commercial areas. The C-O districts are primarily restricted to office and ancillary uses that do not have peak weeknight or weekend usage so as to provide an orderly transition and buffers between uses.

**A. USES PERMITTED BY RIGHT:**

- (1) Adult Foster Care, Large Group Home (13-20)
- (2) Clinics
- (3) Financial Institutions not including drive-through facilities
- (4) Interior Decorating Shops provided no retail sales take place on the property
- (5) Laboratories
- (6) Offices
- (7) Personal Service Establishments
- (8) Pet Grooming Establishment
- (9) Professional Studios
- (10) Rehabilitation Centers

**B. USES PERMITTED BY SPECIAL CONDITIONS:**

- (1) Dwellings, Commercial, provided such units are designed as an integral part of the commercial development and provided that the requirements cited in § 616 are met
- (2) Off-Street Parking facilities, accessory to a permitted use in an adjacent commercial district
- (3) Veterinary Hospitals, provided it is in a fully enclosed building and contains no boarding facilities

**C. USES PERMITTED BY SPECIAL USE PERMIT:**

- (1) Adult Care Facility (21+)– See § 710
- (2) Institutional Uses and Structures – See § 753
- (3) Child Care Center– See § 720
- (4) Financial Institutions, drive-through, having a maximum of two (2) drive-through service lanes



## SECTION 319 C-O OFFICE COMMERCIAL

**PURPOSE** – C-O (Office Commercial) districts provide areas for service-oriented enterprises and institutions having relatively low traffic generation. The districts include areas of existing office developments as well as areas within which such development appears likely and desirable. They are intended to facilitate the support and expansion of local business, while serving as a buffer between residential areas and more intensive commercial areas. The C-O districts are primarily restricted to office and ancillary uses that do not have peak weeknight or weekend usage to provide an orderly transition and buffers between uses.

### **A. USES PERMITTED BY RIGHT:**

- (1) Adult Foster Care, Large Group Home – § 709
- (2) Essential Service Facility, Minor – § 737
- (3) Financial Institution, without Drive-Through
- (4) Live-Work Unit
- (5) Medical Office, Clinic
- (6) Medical Office, Surgical Center
- (7) Office
- (8) Park, Mini
- (9) Pet Grooming Establishment
- (10) Professional Showroom
- (11) Professional Studio
- (12) Rehabilitation Center
- (13) Research and Design Facility
- (14) Service Establishment, Personal
- (15) Solar Energy System, Accessory – § 773

### **B. USES PERMITTED BY SPECIAL CONDITIONS:**

- (1) Off-Site Parking
- (2) Veterinary Hospital

### **C. USES PERMITTED BY SPECIAL USE PERMIT:**

- (1) Adult Foster Care Facility – § 710
- (2) Child Care Center – § 720
- (3) Essential Service Facility, Major – § 737
- (4) Financial Institution, with Drive-Through – § 730
- (5) Institutional Uses and Structures – § 752
- (6) Solar Energy System, Primary – § 773

**SECTION 320 C-G (GENERAL COMMERCIAL)**

**PURPOSE** The C-G (General Commercial) districts provide areas for a broad range of commercial activities and services designed to cater to the needs of a large consumer base. The districts include areas of existing commercial developments as well as areas within which such development appears likely and desirable. They are intended to encourage more intensive commercial development in and near the core areas of the township. The C-G districts are designed to support diversification of the economic base in a manner compatible in use, character, and size to the site and the surrounding areas.

**A. USES PERMITTED BY RIGHT:**

- |  |  |
|--|--|
| (1) All uses permitted by right in the C-L District          | (15) Personal and Business Services  |
| (2) Animal Kennels (Indoor/outdoor permitted)                | (16) Pet Grooming Establishment  |
| (3) Automobile Dealerships, including outdoor sale lots      | (17) Reserved  |
| (4) Bar, Tavern, Night Club                                  | (18) Printing, publishing, photographic reproduction, blueprinting and related trades and arts |
| (5) Building Supply and Equipment Stores                     | (19) Professional Studios  |
| (6) Bus Passenger Terminals and Stations                     | (20) Recreational Facility   |
| (7) Business Colleges and Trade Schools                      | (21) Restaurants without drive thru  |
| (8) Reserved   | (22) Retail Establishments   |
| (9) Hospitals  | (23) Service and repair of motor vehicles, trailers, and boats                                 |
| (10) Indoor Entertainment Center                             | (24) Theaters  |
| (11) Mechanical amusement arcades                            |  |
| (12) Merchandise Service Shop                                |  |
| (13) Miniature golf, trampoline, or similar public amusement |  |
| (14) Mortuaries  |  |

**B. USES PERMITTED BY SPECIAL CONDITIONS:**

- (1) All uses permitted by special use permit in the C-L District, subject to all standards and conditions specified therefore unless the use is specifically listed under § 320 (C).
- (2) Automobile Laundries provided that the site development requirements in § 712 are met
- (3) Reserved
- (4) Reserved
- (5) Hotels and Motels under the following conditions:
  - (a) Minimum Floor Area: Each guest unit shall contain not less than two hundred fifty (250) square feet of floor area.
  - (b) Minimum Lot Area: 800 square feet of lot area per guest unit, with a minimum one (1) acre lot and one hundred fifty (150) feet of road frontage:
  - (c) Maximum Lot Coverage: All buildings, including accessory buildings, shall not occupy more than twenty-five percent (25%) of the net area within property lines of land developed at any one time.
  - (d) Minimum Yard Dimensions: All buildings shall be set back no less than one hundred (100) feet from any street line, and no less than forty (40) feet from any side or rear property line.

## USES PERMITTED BY SPECIAL CONDITIONS (continued)

- (e) Site Screening: The site may be enclosed by an open structure wood or wire fences along any yard line, but shall not exceed six (6) feet in height. Shrubs and/or trees may be used to screen alone or in combination with structural screens. No screening shall in any way impair safe vertical or horizontal sight distance for any moving vehicle. Screening at least four (4) feet high shall be erected to prevent headlight glare from shining on adjacent residential or agricultural property. No screening shall be closer than seventy-five (75) feet to any street line, except for headlight screening which shall not be closer than thirty (30) feet.
- (f) Swimming pools and other outdoor recreational uses, PROVIDED, such facilities are an accessory use to a permitted use within the district and are located on the same site as the principal use to which they are accessory.
- (g) Accessory uses, such as meeting rooms, tavern, bar or similar uses, PROVIDED, such accessory use shall be carried on within the same building as the principal use. A caretaker's or proprietor's residence shall be permitted as an accessory use only when the principal use is a motel, motor-hotel, or other transient tourist facility.
- (6) Open air business uses such as retail sales of plant material not grown on site, sales of lawn furniture, playground equipment and garden supplies provided non-plant materials are screened from public view.
- (7) Outdoor Sales of new and used automobiles, trailers, boats, subject to the standards of § 765
- (8) Pet shops, veterinary hospitals, provided all birds and animals are kept entirely within an enclosed building at all times and contains no boarding facilities.
- (9) Second Hand Stores provided that the use is conducted wholly within an enclosed building and involves no outdoor storage or sales
- (10) Sexually Oriented Businesses - see § 640
- (11) Wholesale activities provided they are supplemental to retail sales and account for no more than forty percent (40%) of all merchant sales
- (12) Temporary Outdoor Sales - see §766

### C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Drive-In Business or Drive-Through Business not otherwise identified above
- (2) Free Standing Automobiles Laundries on lots of less than one hundred fifty (150) feet in width
- (3) Retail Fabricators, shops and establishments which fabricate merchandise primarily for retail sale, provided that such shop or establishment shall not employ more than ten (10) persons in the fabrication process in a twenty-four (24) hour period, and provided further that sixty percent (60%) of sales on the premises are retail
- (4) Sale of Mobile Homes
- (5) Second Hand Stores involving outdoor storage or sales- See § 776
- (6) Shopping Center
- (7) WECS -- See § 780
- (8) Wireless Communication Facilities - See § 792
- (9) Planned Unit Development - See § 426
- (10) Reserved
- (11) Commercial District Housing Developments - See §725

## SECTION 320 C-G GENERAL COMMERCIAL

**PURPOSE** – The C-G (General Commercial) districts provide areas for a broad range of commercial activities and services designed to cater to the needs of a large consumer base. The districts include areas of existing commercial developments as well as areas within which such development appears likely and desirable. They are intended to encourage more intensive commercial development in and near the core areas of the township. The C-G districts are designed to support diversification of the economic base that is compatible in use, character, and size to the site and the surrounding areas. The C-G districts generally allow for the same uses as the C-L Local Commercial districts as well as permitting several additional uses.

### **A. USES PERMITTED BY RIGHT:**

- (1) Adult Foster Care, Large Group Home – § 709
- (2) Auditorium or Assembly Hall
- (3) Business College or Trade School
- (4) Essential Service Facility, Minor – § 737
- (5) Financial Institution, without Drive-Through
- (6) Hospital
- (7) Indoor Entertainment Center – § 751
- (8) Kennel – § 755
- (9) Marina
- (10) Mechanical Amusement Arcade
- (11) Medical Office, Clinic
- (12) Medical Office, Surgical Center
- (13) Off-Site Parking
- (14) Office
- (15) Outdoor Entertainment Center, Minor
- (16) Park, Mini
- (17) Passenger Terminal – § 764
- (18) Pet Grooming Establishment
- (19) Professional Studio
- (20) Recreational Facility – § 766
- (21) Restaurant, without Drive-Through – § 768
- (22) Retail, Low Volume
- (23) Retail, Medium Volume
- (24) Service Establishment, Business – § 772
- (25) Service Establishment, Personal
- (26) Solar Energy System, Accessory – § 773
- (27) Vehicle Dealership, without Outdoor Sales
- (28) Vehicle Service Center, Major
- (29) Vehicle Service Center, Minor

### **B. USES PERMITTED BY SPECIAL CONDITIONS:**

- (1) Adult Foster Care Facility – § 710
- (2) Car Wash – § 717
- (3) Child Care Center – § 720
- (4) Financial Institution, with Drive-Through – § 730

- (5) Gasoline Service Station – § 748
- (6) Hotel or Motel – § 750
- (7) Institutional Uses and Structures – § 752
- (8) Mortuary or Funeral Home – § 760
- (9) Outdoor Sales, Major – § 762
- (10) Outdoor Sales, Minor – § 762
- (11) Outdoor Sales, Temporary – § 762
- (12) Pet Shop – § 765
- (13) Sexually Oriented Businesses – § 640
- (14) Shopping Center, Local
- (15) Vehicle Dealership, with Outdoor Sales – § 762
- (16) Veterinary Hospital
- (17) Wholesaler – § 779

### **C. USES PERMITTED BY SPECIAL USE PERMIT:**

- (1) Car Wash, Principal Use – § 717
- (2) Commercial District Housing Development – § 725
- (3) Drive-In Business – § 730
- (4) Drive-Through Business – § 730
- (5) Essential Service Facility, Major – § 737
- (6) Restaurant, with Drive-Through – § 768 & § 730
- (7) Retail Fabricator – § 769
- (8) Retail, High Volume
- (9) Sale of Prefabricated Structures
- (10) Shopping Center, General
- (11) Solar Energy System, Primary – § 773
- (12) Wind Energy Conversion System – § 780
- (13) Wireless Communication Facilities – § 792

## SECTION 321 C-H (HIGHWAY COMMERCIAL)

**PURPOSE** The C-H (Highway Commercial) districts provide areas for retail business and service activities that generate a considerable amount of traffic and may be appropriately developed on an arterial or major collector road. The districts include areas of existing commercial development as well as areas within which such development appears likely and desirable. They are intended to encourage appropriate automobile oriented development on and near the arterial and major collector streets of the Township. The C-H district regulations are designed to minimize the undesirable effects of commercial strip development, avoid undue congestion on major highways and at major intersections, and to encourage cross-access and shared access between commercial properties via service drives.

### A. USES PERMITTED BY RIGHT:

- (1) Adult Foster Care, Large Group Home (13-20)
- (2) Clinics
- (3) Drive-in or Drive-Through Uses, excluding drive-in theaters
- (4) Farm Produce Market
- (5) Financial Institutions
- (6) Mechanical Amusement Arcades
- (7) Offices
- (8) Passenger terminals
- (9) Personal and business services excluding processing of physical materials
- (10) Public Buildings
- (11) Restaurants
- (12) Retail Establishments not including Second Hand Stores
- (13) Service and repair of motor vehicles, trailers, and boats
- (14) Veterinary Hospital
- (15) Video Rental and Sales Establishment

### B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) Gasoline Service Stations provided that the requirements of § 748 are met
  - (a) Automobile and truck and trailer repair and sale of automotive accessories shall be permitted only as an accessory use to an automobile or truck service station and shall be conducted entirely within a wholly enclosed building.
- (2) Hotels and Motels subject to the conditions specified in § 320.B (5) of this article
- (3) Indoor Entertainment Center when located at least one hundred (100) feet from an adjacent residential district.
- (4) Automotive Dealerships, including outdoor sales lots provided that the requirements of § 765 are met
- (5) Recreational Facilities provided that the facility shall be accessed from a major thoroughfare as classified in the master plan
- (6) Temporary Outdoor Sales - see §766

**C. USES PERMITTED BY SPECIAL USE PERMIT**

- (1) Adult Care Facility (21+)
- (2) Institutional Uses and Structures – See § 753
- (3) Child Care Center– See § 720
- (4) Reserved
- (5) Travel Trailer Parks
- (6) Wireless Communication Facilities - See § 792
- (7) Commercial District Housing Developments - See §725

**D. SITE DEVELOPMENT REQUIREMENTS**

**(1) General**

Applications for development within the C-H district shall be reviewed by the Planning Commission for compliance with Article 4, § 424 - Site Plans and Article 5 – Development Standards.

**(2) External Access**

All site plan proposals submitted under the requirements of the Highway Commercial District shall provide for the proper handling of traffic on the highway, frontage road, or street giving access to the district. No access by motor vehicles other than stated herein shall be permitted to a minor or residential street. All points of entrance or exit for motor vehicles shall be no closer than fifty (50) feet from the intersection of the right-of-way lines of two streets. When a Highway Commercial District is located adjoining or within one-half (½) mile of an existing or proposed state or interstate limited access highway interchange, the Planning Commission shall determine that an acceptable traffic safety relationship exists between the owner's or lessee's site plan and the design of the state or interstate facility. The proposed site development within the Highway Commercial District shall not be so located and designed so that unsafe traffic congestion results on the interchange facilities of the limited access highway.

**(3) Transition Strips**

A fifty (50) foot wide strip of land shall be provided on any side of a C-H District which abuts a residential or agricultural zone. This strip shall serve as a transition between the subject use and the adjacent property uses, both existing and future. No part of this transition strip shall be used for any of the site functions except that thirty (30) feet thereof may be used for parking area. The transition strip shall be occupied by plant materials or structural fences or walls, used separately or in combination. The plans and specifications for site development shall include the proposed arrangement for such plantings and structures.

**(4) Service Roads**

In order to achieve a well-planned center, the Planning Commission may require access to the business facilities from an interior service road at least twenty-four (24) feet wide which shall be established in order to provide the major means of access to the planned commercial area. The site plan layout shall be such that access to commercial center parking lots shall be from the interior road and not from the major thoroughfare. In those instances where the Planning Commission finds that an extensive number of ingress or egress points may occur with relation to major thoroughfares, they may require roads twenty-four (24) feet width paralleling said thoroughfare and, in addition, may require the development of parking so that contiguous lots on abutting properties will allow traffic circulation from one property to another without re-entering the public thoroughfare.

## SECTION 321 C-H HIGHWAY COMMERCIAL

**PURPOSE** – The C-H (Highway Commercial) districts provide areas for retail business and service activities that generate a considerable amount of traffic and may be appropriately developed on an arterial or major collector road. The districts include areas of existing commercial development as well as areas within which such development appears likely and desirable. They are intended to encourage appropriate automobile-oriented development on and near the arterial and major collector streets of the Township. The C-H district regulations are designed to minimize the undesirable effects of commercial strip development, avoid undue congestion on major highways and at major intersections, and to encourage cross-access and shared access between commercial properties via service drives.

### **A. USES PERMITTED BY RIGHT:**

- (1) Adult Foster Care, Large Group Home – § 709
- (2) Auditorium or Assembly Hall
- (3) Drive-In Business – § 730
- (4) Drive-Through Business – § 730
- (5) Essential Service Facility, Minor – § 737
- (6) Financial Institution, with Drive-Through – § 730
- (7) Financial Institution, without Drive-Through
- (8) Hospital
- (9) Mechanical Amusement Arcade
- (10) Medical Office, Clinic
- (11) Medical Office, Surgical Center
- (12) Office
- (13) Park, Mini
- (14) Passenger Terminal – § 764
- (15) Restaurant, with Drive-Through – § 768 & § 730
- (16) Restaurant, without Drive-Through – § 768
- (17) Retail, Low Volume
- (18) Retail, Medium Volume
- (19) Retail, High Volume
- (20) Service Establishment, Business – § 772
- (21) Service Establishment, Personal
- (22) Solar Energy System, Accessory – § 773
- (23) Vehicle Service Center, Major
- (24) Vehicle Service Center, Minor
- (25) Veterinary Hospital

### **B. USES PERMITTED BY SPECIAL CONDITIONS:**

- (1) Gasoline Service Stations – § 748
- (2) Hotel or Motel – § 750
- (3) Indoor Entertainment Center – § 751
- (4) Outdoor Sales, Major – § 762
- (5) Outdoor Sales, Minor – § 762
- (6) Outdoor Sales, Temporary – § 762
- (7) Recreational Facility – § 766
- (8) Vehicle Dealership, with Outdoor Sales – § 762
- (9) Vehicle Dealership, without Outdoor Sales

### **C. USES PERMITTED BY SPECIAL USE PERMIT:**

- (1) Adult Foster Care Facility – § 710
- (2) Campground or Travel Trailer Park – § 716
- (3) Child Care Center – § 720
- (4) Commercial District Housing Development – § 725
- (5) Essential Service Facility, Major – § 737
- (6) Institutional Uses and Structures – § 752
- (7) Solar Energy System, Primary – § 773
- (8) Wireless Communication Facilities – § 792

## SECTION 322 C-P (PLANNED SHOPPING CENTER)

**PURPOSE** It is the intent of the C-P (Planned Shopping) Districts to recognize the various areas of our community that have been developed in a grouped retail setting with department store anchors and expansive parking areas. These planned centers are typically located on a single, unified site and are designed and constructed as an integrated unit for shopping and other business activity. This section recognizes the transition from antiquated development patterns and encourages multi-use, multi-story, infill development of the parking areas to create a more pedestrian-friendly, mixed-use area. Multi-story structures are encouraged.

### A. USES PERMITTED BY RIGHT:

- (1) Auditorium, assembly and indoor entertainment center.
- (2) Bakery, Coffee Shop
- (3) Bar, Tavern, night club
- (4) Clinics
- (5) Commercial District Housing Developments - subject to § 725
- (6) Department Stores
- (7) Financial Institutions
- (8) Grocery Stores
- (9) Hardware Stores
- (10) Hotels subject to the conditions specified in § 320.B (5)
- (11) Live work units
- (12) Offices
- (13) Personal and Business services
- (14) Pet Shops provided they are completely enclosed and insulated from noise
- (15) Professional Studios
- (16) Recreation Facility
- (17) Restaurants and outdoor seating provided the area is delineated by a curb or similar barrier.
- (18) Retail Establishment not including second hand stores.

### B. DIMENSIONAL STANDARDS:

<b>Minimum Lot Area:</b>	15,000 sf
<b>Minimum Lot Width:</b>	60 ft
<b>Maximum Building Height:</b>	
• In Stories:	4
• In Feet:	50 ft
<b>Maximum Yard Setbacks (B)(C)(D):</b>	
• <b>Front:</b>	10 ft (30 ft)
• <b>Minimum Yard Setback (C)(D):</b>	
<b>Each Side:</b>	10 ft (30 ft)
<b>Rear:</b>	30 ft

### Notes to Dimensional Standards:

- (A) Any structure proposed over 25 feet in height shall file a 7460-1 form with the FAA. If at any time the FAA restricts a structure to a lesser height than the district maximum, the FAA restriction shall prevail and made a condition of any approval.
- (B) Setbacks shall be measured from the furthest protruding point of structure.
- (C) A fifty (50) foot wide vegetative strip of land shall be provided on any side of a C-P District which abuts a residential or agricultural zone.
- (D) For lots at the periphery of the Shopping Center that do not abut a residential or agricultural zone, refer to setback distances in parentheses.



## SECTION 322 C-P PLANNED SHOPPING CENTER

**PURPOSE** – It is the intent of the C-P (Planned Shopping) Districts to recognize the various areas of our community that have been developed in a grouped retail setting with department store anchors and expansive parking areas. These planned centers are typically located on a single, unified site and are designed and constructed as an integrated unit for shopping and other business activity. This section recognizes the transition from antiquated development patterns and encourages multi-use, multi-story, infill development of the parking areas to create a more pedestrian-friendly, mixed-use area. Multi-story structures are encouraged.

### **A. USES PERMITTED BY RIGHT:**

- (1) Auditorium or Assembly Hall
- (2) Commercial District Housing Development – § 725
- (3) Drive-In Business – § 730
- (4) Drive-Through Business – § 730
- (5) Essential Service Facility, Minor – § 737
- (6) Financial Institution, with Drive-Through – § 730
- (7) Financial Institution, without Drive-Through
- (8) Hospital
- (9) Hotel or Motel – § 750
- (10) Indoor Entertainment Center – § 751
- (11) Live-Work Unit
- (12) Medical Office, Clinic
- (13) Medical Office, Surgical Center
- (14) Office
- (15) Park, Mini
- (16) Pet Shop – § 765
- (17) Professional Studio
- (18) Recreational Facility – § 766
- (19) Restaurant, with Drive-Through – § 768 & § 730
- (20) Restaurant, without Drive-Through – § 768
- (21) Retail, Low Volume
- (22) Retail, Medium Volume
- (23) Retail, High Volume
- (24) Service Establishment, Business – § 772
- (25) Service Establishment, Personal
- (26) Solar Energy System, Accessory – § 773

### **B. USES PERMITTED BY SPECIAL USE PERMIT:**

- (1) Essential Service Facility, Major – § 737
- (2) Solar Energy System, Primary – § 773

## SECTION 323 I-G (GENERAL MIXED USE INDUSTRIAL BUSINESS)

**PURPOSE** The intent of the General Mixed Use Industrial Business (I-G) District is to remain primarily industrial in nature while allowing a limited number of non-industrial uses that are envisioned as accessory or complimentary to existing and future industrial uses of the districts. Non-industrial uses of property within these districts are subject to industrial impacts from adjacent parcels including, but not limited to, noise, dust, and vibrations.

### A. USES PERMITTED BY RIGHT:

- (1) Accessory Uses, including retail sales of products warehoused or produced on the premises
- (2) Animal Kennels (indoor/outdoor)
- (3) Auto Service, including:
  - (a) Mechanics
  - (b) Body Shops
  - (c) Detailing
  - (d) Tire Sales and Service
- (4) Catering Establishment
- (5) Contractor's Establishment
- (6) Data Centers and Computer Operations
- (7) Indoor Entertainment Center
- (8) Manufacturing (Light)
- (9) Reserved
- (10) Passenger Terminal
- (11) Pet Grooming Establishment
- (12) Photographic reproduction, blueprinting, or related trades and arts
- (13) Printing and publishing (i.e. newspaper)
- (14) Public Utility Structures
- (15) Public Areas, Public Parks, and Public and Private Conservation Areas
- (16) Recreational Facility
- (17) Sawmill and Lumber Processing (indoor)
- (18) Taxi Terminal and Dispatch Center
- (19) Veterinary Hospitals
- (20) Warehouses, including but not limited to:
  - (a) Storage facilities for sand, gravel, stone, and contractor's equipment
  - (b) Small warehousing establishments, with totally enclosed storage
  - (c) Wholesale Operations
  - (d) Distribution Centers
- (21) Reserved

**B. USES PERMITTED BY SPECIAL CONDITIONS:**

- (1) Automobile showroom (indoor sales and display only)
- (2) Central Dry Cleaning Plant provided there is no retail customer contact
- (3) Limited Residential - See § 616
- (4) Medical Marihuana Cultivation Facility subject to § 757
- (5) Outdoor storage as principal use provided that the use is within a fenced and properly screened area
- (6) Research and Design, provided there is no use of materials having high toxicity, radioactivity, or explosive properties, including but not limited to:
  - (a) Engineering
  - (b) High Tech Research
  - (c) Trade or Industrial Schools
  - (d) Business Colleges
  - (e) Industrial, Research, or Business Park
- (7) Accessory automobile sales related to principal mechanic and body shop uses, provided that no additional signage for the sale of the vehicles is permitted and that no more than three vehicles are permitted to be displayed for sale at any point.

**C. USES PERMITTED BY SPECIAL USE PERMIT:**

- (1) Auto Service, including:
  - (a) Automobile Laundries - See § 712
  - (b) Gasoline Service Stations - See § 748
  - (c) Oil Change Facilities
- (2) Institutional Uses and Structures - See § 753
- (3) Limited Residential - See § 616
- (4) Mortuary- See § 764
- (5) Mechanical Amusement Arcades
- (6) Offices
- (7) Parking Facility (i.e. ramp; accessory to principal use)
- (8) Processing Operations not otherwise identified in § 323(A) or (B)
- (9) Professional Studios
- (10) Retail, including:
  - (a) Building Supply/Equipment Store
  - (b) Equipment Sales and Service See § 740
  - (c) Furniture Store
  - (d) Low-Volume Retail
  - (e) Reserved
  - (f) Pet Shop
  - (g) Retail Dry Cleaning Operation (including direct retail customer pickup)
  - (h) Automobile Dealerships
- (11) Truck or Rail Freight Terminal
- (12) WECS - See § 780
- (13) Wireless Communication Facilities See § 792

## SECTION 323 I-G GENERAL MIXED-USE INDUSTRIAL BUSINESS

**PURPOSE** – The intent of the General Mixed Use Industrial Business (I-G) District is to remain primarily industrial in nature while allowing a limited number of non-industrial uses that are envisioned as accessory or complimentary to existing and future industrial uses of the districts. Non-industrial uses of property within these districts are subject to industrial impacts from adjacent parcels including, but not limited to, noise, dust, and vibrations.

### A. USES PERMITTED BY RIGHT:

- (1) Catering Establishment
- (2) Contractor's Establishment
- (3) Data Center and Computer Operations
- (4) Essential Service Facility, Minor – § 737
- (5) Indoor Entertainment Center – § 751
- (6) Kennel – § 755
- (7) Live-Work Unit
- (8) Lumber Processing and Sawmill – § 756
- (9) Manufacturing, Light
- (10) Park, Mini
- (11) Park, Neighborhood
- (12) Passenger Terminal – § 764
- (13) Pet Grooming Establishment
- (14) Printing or Publishing Enterprise
- (13) Recreational Facility – § 766
- (14) Retail, Industrial Accessory – § 611
- (15) Small Warehousing Establishment
- (16) Solar Energy System, Accessory – § 773
- (17) Transportation Dispatch Center
- (18) Vehicle Service Center, Major
- (19) Veterinary Hospital
- (20) Warehouse or Distribution Center
- (21) Wholesaler – § 779

### B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) Business College or Trade School
- (2) Dry Cleaning Plant
- (3) Medical Marijuana Cultivation Facility – § 757
- (4) Outdoor Storage, Primary Use – § 763
- (5) Research and Design Facility
- (6) Vehicle Dealership, without Outdoor Sales

### C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Car Wash – § 717
- (2) Essential Service Facility, Major – § 737
- (3) Gasoline Service Stations – § 748
- (4) Institutional Uses and Structures – § 752
- (5) Mechanical Amusement Arcades
- (6) Mortuary or Funeral Home – § 760
- (7) Office
- (8) Off-Site Parking
- (9) Outdoor Sales, Major – § 762
- (10) Pet Shop – § 765
- (11) Processing Operation
- (12) Professional Studio
- (13) Retail, Industrial Primary – § 770
- (14) Solar Energy System, Primary – § 773
- (15) Truck or Rail Freight Terminal
- (16) Vehicle Dealership, with Outdoor Sales – § 762
- (17) Vehicle Service Center, Minor
- (18) Wind Energy Conversion System – § 780
- (19) Wireless Communication Facilities – § 792

## SECTION 324 I-L (LIMITED MIXED USE INDUSTRIAL BUSINESS)

**PURPOSE** The intent of the Limited Mixed Use Industrial Business (I-L) District is to remain highly industrial in nature while allowing a limited number of non-industrial uses that are envisioned as accessory or complimentary to existing and future industrial uses of the districts. Non-industrial uses of property within these districts are subject to industrial impacts from adjacent parcels including, but not limited to, noise, dust, and vibrations. The Planning Commission will attempt to limit these adverse impacts when considering development applications.

### A. USES PERMITTED BY RIGHT:

- (1) Accessory Uses, including retail sales of products warehoused or produced on the premises
- (2) Auto Service, including:
  - (a) Mechanics
  - (b) Body Shops
  - (c) Detailing
  - (d) Tire Sales and Service
- (3) Catering Establishment
- (4) Contractor's Establishment
- (5) Data Centers and Computer Operations
- (6) Indoor Entertainment Center
- (7) Manufacturing (Light and Heavy)
- (8) Reserved
- (9) Photographic reproduction, blueprinting, or related trades and arts
- (10) Passenger Terminal
- (11) Printing and Publishing Establishment (i.e. newspaper)
- (12) Public Utility Structures
- (13) Public Areas, Public Parks, and Public and Private Conservation Areas
- (14) Recreational Facility
- (15) Sawmill and Lumber Processing
- (16) Taxi Terminal and Dispatch Center
- (17) Warehouses, including but not limited to:
  - (a) Small warehousing establishments, with totally enclosed storage
  - (b) Wholesale Operations
  - (c) Distribution Centers

### B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) Central Dry Cleaning Plant provided there is no retail customer contact
- (2) Medical Marijuana Cultivation Facility subject to § 757
- (3) Outdoor storage as principal use provided that the use is within a fenced and properly screened area
- (4) Research and Design, provided there is no use of materials having high toxicity, radioactivity, or explosive properties, including but not limited to:
  - (a) Engineering
  - (b) High Tech Research
  - (c) Trade or Industrial Schools
  - (d) Business Colleges
  - (e) Industrial, Research, or Business Park
- (5) Limited Residential - See § 616

**C. USES PERMITTED BY SPECIAL USE PERMIT:**

- (1) Auto Service, including:
  - (a) Automobile Laundries - See § 712
  - (b) Gasoline Service Stations - See § 748
  - (c) Oil Change Facilities
- (2) Drive in theaters, race tracks, driving ranges - See § 736
- (3) Fuel/Chemical/Hazardous Waste Storage as Principal Use - See § 744
- (4) Incinerators
- (5) Institutional Uses and Structures- See § 753
- (6) Junk Yards- See § 754
- (7) Reserved
- (8) Metal Plating, Buffering, and Polishing
- (9) Parking Facility (i.e. ramp; accessory to principal use)
- (10) Processing Operations not otherwise identified in § 324(A) or (B)
- (11) Recycling Facility
- (12) Sand and Gravel Pits- See § 774
- (13) Truck or Rail Freight Terminal
- (14) WECS - See § 780
- (15) Wireless Communication Facility -- See § 792

**D. ADDITIONAL STANDARDS:**

The Provisions of § 323.F Additional Standards shall apply.

## SECTION 324 I-L LIMITED MIXED-USE INDUSTRIAL BUSINESS

**PURPOSE** – The intent of the Limited Mixed Use Industrial Business (I-L) District is to remain highly industrial in nature while allowing a limited number of non-industrial uses that are envisioned as accessory or complimentary to existing and future industrial uses of the districts. Non-industrial uses of property within these districts are subject to industrial impacts from adjacent parcels including, but not limited to, noise, dust, and vibrations. The Planning Commission will attempt to limit these adverse impacts when considering development applications.

### **A. USES PERMITTED BY RIGHT:**

- (1) Catering Establishment
- (2) Contractor's Establishment
- (3) Data Center and Computer Operations
- (4) Essential Service Facility, Minor – § 737
- (5) Indoor Entertainment Center – § 751
- (6) Live-Work Unit
- (7) Lumber Processing and Sawmill – § 756
- (8) Manufacturing, Heavy
- (9) Manufacturing, Light
- (10) Park, Mini
- (11) Park, Neighborhood
- (12) Passenger Terminal – § 764
- (13) Printing or Publishing Enterprise
- (14) Recreational Facility – § 766
- (15) Retail, Industrial Accessory – § 611
- (16) Small Warehousing Establishment
- (17) Solar Energy System, Accessory – § 773
- (18) Transportation Dispatch Center
- (19) Vehicle Service Center, Major
- (20) Warehouse or Distribution Center
- (21) Wholesaler – § 779

### **B. USES PERMITTED BY SPECIAL CONDITIONS:**

- (1) Business College or Trade School
- (2) Dry Cleaning Plant
- (3) Medical Marihuana Cultivation Facility – § 757
- (4) Outdoor Storage, Primary Use – § 763
- (5) Research and Design Facility

### **C. USES PERMITTED BY SPECIAL USE PERMIT:**

- (1) Car Wash – § 717
- (2) Essential Service Facility, Major – § 737
- (3) Gasoline Service Station – § 748
- (4) Incinerator
- (5) Institutional Uses and Structures – § 752
- (6) Junk Yard – § 753
- (7) Metal Plating, Buffering, and Polishing
- (8) Off-Site Parking
- (9) Outdoor Entertainment Center, Major – § 761
- (10) Processing Operation
- (11) Recycling Facility
- (12) Sand or Gravel Pit, Quarry – § 771
- (13) Solar Energy System, Primary – § 773
- (14) Truck or Rail Freight Terminal
- (15) Vehicle Service Center, Minor
- (16) Warehouse or Distribution Center, Hazardous Materials – § 777
- (17) Wind Energy Conversion System – § 780
- (18) Wireless Communication Facility – § 792

## SECTION 325 A (AGRICULTURAL)

**PURPOSE** The A (Agricultural) districts provide areas for agricultural operations and low intensity land uses. These districts are composed primarily of unsubdivided lands that are vacant or are in agricultural use with some dwellings and accessory uses. The A districts are suitable for large tracts of open space, agricultural areas, woodlands and fields. They are designed to promote the protection of the existing natural environment and to preserve, enhance and stabilize the essential characteristics and economical value of these areas as agricultural lands. The A districts may be used to encourage development in and near the core areas of the township by limiting the development densities of parcels less suited for intensive development. The A districts may also be used to protect natural resources and environmentally sensitive areas by preserving these areas for low intensity land uses.

### **A. USES PERMITTED BY RIGHT:**

- (1) Agricultural Operations
- (2) Cemeteries
- (3) Dwelling, Single Family
- (4) Home Industry
- (5) Home Occupations
- (6) Pet Grooming Establishment
- (7) Roadside Stands
- (8) (Reserved)
- (9) Publicly Owned and Operated Parks
- (10) Raising and keeping small animals such as poultry, rabbits, and goats
- (11) Raising and keeping livestock, such as cattle, hogs, horses, ponies, sheep and similar livestock upon a lot having an area not less than ten (10) acres, except feeder lots

### **B. USES PERMITTED BY SPECIAL CONDITIONS:**

- (1) Adult Foster Care, Family Home (<7) subject to §707
- (2) Child Care, Family Home (<7) subject to §718
- (3) Child Care, Small Group Home (7-12) subject to §719
- (4) Farm Market subject to § 741
- (5) Keeping of horses subject to § 752
- (6) Medical Marihuana Residential Cultivation subject to § 758
- (7) Stormwater containment on split-zoned properties to support non-agricultural uses provided Low Impact Development standards are used to the satisfaction of the Planning Commission and Township Engineer
- (8) Tenant house for full-time farm employees associated with the principal use of the property as an agricultural operation
- (9) Personal Energy Conversion System subject to § 770



**C. USES PERMITTED BY SPECIAL USE PERMIT:**

- (1) Adult Foster Care, Small Group Home (7-12)
- (2) Adult Foster Care, Large Group Home (13-20)
- (3) Airports and Airfields
- (4) Bed & Breakfast– See § 714
- (5) (Reserved)
- (6) Campgrounds
- (7) (Reserved)
- (8) Drive-In Theaters– See § 736
- (9) Game or Hunting Preserves operated for profit
- (10) Golf Courses and Country Clubs, not including stand-alone golf-driving ranges and miniature golf courses, subject to § 749
- (11) Greenhouses and nurseries selling at retail on the premises
- (12) Incinerators
- (13) Institutional Uses and Structures– See § 753
- (14) Kennels– See § 756
- (15) Livestock Auction Yards
- (16) Essential Service Facilities – See § 737
- (17) Raising of Fur Bearing Animals for profit
- (18) Reserved
- (19) Recreational Field Complex– See § 772
- (20) Reserved
- (21) Sand or Gravel Pits, Quarries– See § 774
- (22) Sawmills
- (23) Veterinary hospitals
- (24) Wireless Communication Facilities – See § 792
- (25) Wind Energy Conversion System (WECS) – See § 780

## SECTION 325 A: AGRICULTURAL

**PURPOSE** – The A (Agricultural) districts provide areas for agricultural operations and low intensity land uses. These districts are composed primarily of unsubdivided lands that are vacant or are in agricultural use with some dwellings and accessory uses. The A districts are suitable for large tracts of open space, agricultural areas, woodlands, and fields. They are designed to promote the protection of the existing natural environment and to preserve, enhance and stabilize the essential characteristics and economical value of these areas as agricultural lands. The A districts may be used to encourage development in and near the core areas of the township by limiting the development densities of parcels less suited for intensive development. The A districts may also be used to protect natural resources and environmentally sensitive areas by preserving these areas for low intensity land uses.

### A. USES PERMITTED BY RIGHT:

- (1) Cemetery
- (2) Dwelling, Single Family
- (3) Essential Service Facility, Minor – § 737
- (4) Farm Market – § 741
- (5) Farm Operation
- (6) Home Industry
- (7) Home Occupation
- (8) Keeping of Farm Animals
- (9) Park, Mini
- (10) Park, Neighborhood
- (11) Pet Grooming Establishment
- (12) Roadside Stand
- (13) Solar Energy System, Accessory – § 773

### B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) Adult Foster Care, Family Home – § 707
- (2) Child Care, Family Home (<7) – § 718
- (3) Child Care, Small Group Home (7-12) – § 719
- (4) Farm Employees House
- (5) Keeping of Horses, Personal – § 754
- (6) Medical Marijuana Residential Cultivation – § 758
- (7) Stormwater Containment, Non-Agricultural – § 774
- (8) Wind Energy Conversion System, Personal – § 781

### C. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Adult Foster Care, Small Group Home – § 708
- (2) Adult Foster Care, Large Group Home – § 709
- (3) Airport or Airfield
- (4) Bed and Breakfast – § 713
- (5) Campground or Travel Trailer Park – § 716
- (6) Essential Service Facility, Major – § 737
- (7) Game or Hunting Preserve, Commercial
- (8) Golf Course or Country Club – § 749
- (9) Greenhouse, Commercial
- (10) Incinerator
- (11) Institutional Uses and Structures – § 752
- (12) Kennel – § 755
- (13) Livestock Auction Yard
- (14) Lumber Processing and Sawmill – § 756
- (15) Outdoor Entertainment Center, Major – § 761
- (16) Recreational Field Complex – § 767
- (17) Sand or Gravel Pit, Quarry – § 771
- (18) Solar Energy System, Primary – § 773
- (19) Veterinary Hospital
- (20) Wind Energy Conversion System – § 780
- (21) Wireless Communication Facilities – § 792

## SECTION 330 P-R (PARK AND RECREATION DISTRICT)

**PURPOSE AND FINDINGS.** The P-R (Park and Recreation) districts provide areas for passive and active recreational facilities which are owned or operated by a municipality or other governmental entity.

### A. USES PERMITTED BY RIGHT:

- (1) Athletic Fields
- (2) Children's Play Area
- (3) Dog Park
- (4) Disc Golf Course
- (5) Fire Pit
- (6) Fitness / Exercise Station
- (7) Non-motorized paths such as nature trails, walking, hiking, running, cross-country skiing, or mountain biking trails
- (8) Publicly Owned and Operated Parks
- (9) Restrooms
- (10) Sculpture
- (11) Sledding hill (non-assisted)
- (12) Trailheads / Parking Areas
- (13) Picnic pavilions or other such structures
- (14) Warming Huts

### B. USES PERMITTED BY SPECIAL USE PERMIT:

- (1) Amphitheatre
- (2) Banquet Center
- (3) Campground
- (4) Challenge Course / Ropes Course
- (5) Climbing Wall (Indoor or Outdoor)
- (6) Daycare facility to accommodate the children of park users
- (7) Guest Services Building for services such as food/beverage, rentals, repair, retail sales, seating, seasonal lockers, etc
- (8) Ice Rink
- (9) Lift or tow-accessed downhill ski terrain, tubing hills, sledding hills, or mountain bike runs
- (10) Lodge
- (11) Nature Center
- (12) Outdoor Lighting
- (13) Summer camps for Kids
- (14) Yoga Retreat
- (15) Zip Line Course

### C. COMPREHENSIVE PARK PLAN

A Comprehensive Park Plan is not required but is encouraged to allow for efficient park development. The purpose of a Comprehensive Park Plan is to provide for the establishment of a development plan specific to the park or recreation area, including uses that are identified by Special Use Permit above and approved following the standards of §423, Special Use Permits, of this Ordinance.

## SECTION 330 P-R PARK AND RECREATION DISTRICT

**PURPOSE AND FINDINGS.** The P-R (Park and Recreation) districts provide areas for passive and active recreational facilities which are owned or operated by a municipality or other governmental entity.

**A. USES PERMITTED BY RIGHT:**


- (1) Essential Service Facility, Minor – § 737
- (2) Park, Mini
- (3) Park, Neighborhood
- (4) Park, Community – Low Intensity
- (5) Solar Energy System, Accessory – § 773

**B. USES PERMITTED BY SPECIAL USE PERMIT:**

- (1) Campground or Travel Trailer Park – § 716
- (2) Essential Service Facility, Major – § 737
- (3) Park, Community – High Intensity
- (4) Solar Energy System, Primary – § 773

**C. COMPREHENSIVE PARK PLAN**

A Comprehensive Park Plan is not required but is encouraged to allow for efficient park development. The purpose of a Comprehensive Park Plan is to provide for the establishment of a development plan specific to the park or recreation area, including uses that are identified by Special Use Permit above and approved following the standards of §423, Special Use Permits, of this Ordinance.

 <b>Charter Township of Garfield</b> <b>Planning Department Report No. 2021-9</b>		
Prepared:	January 13, 2021	Pages: 6
Meeting:	January 27, 2021 Planning Commission	Attachments: <input type="checkbox"/>
Subject:	2020 Charter Township of Garfield Planning Commission Annual Report	

### **INTRODUCTION:**

The 2020 Charter Township of Garfield Planning Commission Annual Report was prepared pursuant to the requirements of Section 19(2) of the Michigan Planning Enabling Act (“MPEA”), which states:

*A planning commission shall make an annual written report to the legislative body concerning its operations and the status of planning activities, including recommendations regarding actions by the legislative body related to planning and development.*

This report is intended to serve as the Planning Commission’s report to the Township Board in accordance with the MPEA as quoted above, and it will also outline the activities of the Planning Department during 2020.

### **BOARDS AND COMMISSIONS:**

The Planning Director and Deputy Planning Director serve on various committees and provide support services to several boards and commissions, including but not limited to:

- Garfield Township Board of Trustees (Staff)
- Garfield Township Planning Commission (Staff)
- Garfield Township Parks and Recreation Commission (Staff)
- Garfield Township Zoning Board of Appeals (Liaison)
- Joint Traverse City and Garfield Township Planning Commission (Staff)
- Joint Traverse City and Garfield Township Recreation Authority (as needed)
- Traverse Transportation Coordinating Initiative (TTCI) (Technical Committee Member)
- Grand Traverse County Road Commission (Garfield Township Alternate Representative)

### **ADMINISTRATION:**

The Planning Department was responsible for generating 166 Staff Reports in 2020 (compared to 159 in 2019 and 125 in 2018) for the various boards and commissions listed above. Day-to-day tasks also include dialogue with Garfield Township residents, the development community, other community stakeholders, and partner organizations; review of new and ongoing development applications; monitoring development approvals as they proceed through the approval process; administering grants and parks and recreation activities; developing plans and related studies; preparing zoning analyses and drafting new ordinance text; and, conducting site visits.

### **PLANNING COMMISSION:**

The Planning Commission meets the second and fourth Wednesdays of each month and is responsible for reviewing development applications, preparing plans, and making recommendations to the Township Board on development applications and zoning amendments. This meeting schedule allows for the Planning Commission to hear, review, and decide on projects during the first meeting and to advance the interests of the community by holding a work session during the second meeting of the month. This schedule will continue throughout 2021.

**STRATEGIC PLAN:**

In February 2020, Planning Department staff provided a year-end report to the Township Board on its activity that supported the Strategic Plan in 2019. In July 2020, staff assisted the Township Board with an amendment of the Strategic Plan to include emergency medical services under the Public Safety goal.

**BARLOW GARFIELD NEIGHBORHOOD PLAN:**

Adopted in June 2020 by the Township Board, the Barlow Garfield Neighborhood Plan was incorporated into the Garfield Township Master Plan to help guide future land use and development for a portion of the east side of the township, including the redevelopment of the Cherryland Center site. The neighborhood includes both sides of the street on portions of Barlow Street, South Airport Road, Garfield Avenue, and surrounding sites. The Plan serves as a template to conduct other subarea plans around the Township where more focused attention to planning and zoning is needed.

**REDEVELOPMENT READY COMMUNITIES:**

The Township applied to and was approved for the Redevelopment Ready Communities (RRC) program. RRC is a no-cost, technical assistance, statewide certification program offered by the Michigan Economic Development Corporation (MEDC). The program evaluates and certifies that a community has integrated transparency, predictability and efficiency into daily development practices through a set of best practices.

To start the certification process, a baseline report was prepared by the RRC program for the Township which includes a number of recommendations for how the community can fully align with the RRC best practices. Staff is working on or preparing to begin several projects in accordance the best practices to help advance the Township towards certification.

**ZONING ORDINANCE USE CHART PROJECT:**

The Planning Commission is reviewing and updating land use names, definitions, requirements, and districts as part of developing a use chart for the Zoning Ordinance. Commissioners will continue this discussion in 2021 and will prepare a Zoning Ordinance amendment incorporating these changes.

**CONCEPTUAL REVIEWS:**

Conceptual reviews allow for applicants to appear before the Planning Commission with little more than a concept for development. This process is intended to provide an applicant with valuable feedback to gauge the Planning Commission's interest in a potential project before a full application is submitted. This process has been utilized by several applicants as they are able to discuss a potential project without having to first enlist surveying, planning, and/or engineering services to complete an application. The following projects were conceptually reviewed by the Planning Commission in 2020:

- Bay Area Transportation Association (BATA) – Planned Unit Development
- Oakleaf Village Senior Living Complex – Planned Unit Development
- Bay Area Transportation Association (BATA) – Planned Unit Development (Revised Concept)
- M Brothers Northern/2326 N US 31 South Apartment Complex – Special Use Permit
- Mosser Apartment Complex – Planned Unit Development

**ADMINISTRATIVE REVIEWS:**

In some specific cases, the Planning Director can administratively approve projects provided that they meet all requirements of the Zoning Ordinance. This procedure significantly improves efficiency in the review of minor requests. The Planning Department requires that any Administrative Amendment be justified via written findings. The following five applications were administratively reviewed and approved in 2020:

- **PUD 2003-02B Morgan Farms PUD Administrative Amendment (Approved)**  
The request was to amend the Neighborhood Center portion of the Morgan Farms Planned Unit Development (PUD) located off East Traverse Highway (M-72). Most of the PUD is located within the boundaries of the City of Traverse City. Due to a reconfiguration of the proposed buildings, the amendment will result in a reduction in floor area and eliminate the proposed commercial and office uses for this portion of the PUD. Only residential uses will remain in the Township. The entire planned Neighborhood Center portion of the PUD is 19.25 acres in area, of which 4.10 acres are located within Garfield Township.
- **SPR 2000-09-I Chelsea Park II PUD Administrative Amendment (Approved)**  
The subject property is in Chelsea Park II within the east portion of Chelsea Park Planned Unit Development located off Hartman Road. The request was to amend Chelsea Park II to replace a proposed 4-unit residential building with a proposed two-unit residential building.
- **SUP-1991-10-N Crown PUD Maintenance Facility Addition Administrative Amendment (Approved)**  
The Crown Planned Unit Development is located off North West Silver Lake Road, west of Zimmerman Road. The subject improvement was an addition to the existing maintenance facility located northwest of the clubhouse for the Crown Golf Club.
- **SUP 1995-07-A McDonald's – SUP Administrative Amendment (Approved)**  
The subject parcel is located on the north side of South Airport Road, just east of Cass Road. The request was to amend the McDonald's Special Use Permit to alter the drive-through circulation pattern and remove three parking spaces, as part of a project which includes a building remodel. Landscaping previously removed from the site was required to be restored as part of the Township approval.
- **SPR 2020-02 Residential/Live Work Building 57 / Grand Traverse Commons (Approved)**  
The subject property, Building 57, is located at 1388 Gray Drive within the west portion of the Village at Grand Traverse Commons. Since the location is within the Grand Traverse Commons, this application was reviewed under the Grand Traverse Commons Development Regulations and not the Township Zoning Ordinance. The request was for administrative site plan review of a proposal for a new replacement building on the site of Building 57 to create 12 live/work condominiums.
- **SUP-2017-04-B Hickory Hills – SUP Administrative Amendment (Under Review)**  
The subject parcel is the Hickory Hills recreational facility owned and operated by the City of Traverse City and located in Garfield Township at 2000 Randolph Street. The request is to amend the Hickory Hills Special Use Permit to allow fourteen replacement outdoor lighting fixtures in the ski area of the Hickory Hills site.

#### **DEVELOPMENT REVIEWS:**

The Planning Commission reviewed and approved numerous projects in 2020, which included Site Plan Reviews, Planned Unit Developments, Special Use Permits, and Zoning Text and Map Amendments. A brief summary of those reviews is as follows:

- **PUD 2019-01 – Village at LaFranier Woods PUD (Approved)**  
Located at 2242 LaFranier Road, north of Hammond Road, the 385-unit Planned Unit Development was approved for a senior living residential development including detached cottages, congregate residential buildings and assisted living residences.
- **PUD 2020-01 Oakleaf Village of Garfield Township PUD (Approved)**  
Located at 5143 North Long Lake Road, west of Zimmerman Road, the 187-unit Planned Unit Development was approved for a senior living campus, including a licensed Adult Care Facility (50 Independent Living Apartments, 60 Assisted Living, and 24 Memory Care units); 20 Independent Living detached villas; and, 33 detached single-family homes.

- **SPR 2000-09-J Chelsea Park West PUD Minor Amendment (Approved)**  
The Chelsea Park Planned Unit Development is located north off Hartman Road, east of US-31. The request was approved to amend the Chelsea Park West apartments by increasing the number of carports from 63 to 195, removing four dumpsters, and replacing a resident storage, package center, and maintenance building with a “compactor building and recycling” and an addition to the clubhouse to provide a space for maintenance.
- **PUD 2019-01-A Village at LaFranier Woods PUD Minor Amendment (Approved)**  
The request to amend the Village of LaFranier Woods Planned Unit Development was approved to allow the division of the Planned Unit Development into four parcels and make adjustments to the main driveway and the northerly emergency driveway.
- **SPR 2019-04 – Harris Hills Site Condominium SPR (Approved)**  
A site condominium was approved to create 40 total single-family units on the site located at the southwest corner of Lone Tree and Harris Roads, east of the existing Lone Tree Planned Unit Development.
- **SUP-2019-04 Habitat for Humanity Addition SUP (Approved)**  
A Special Use Permit was approved to expand an existing retail building, construct an accessory storage building, and add office uses at 2487 Rice Street, near Cass Road.
- **SUP-2019-06 Michigan State University Federal Credit Union SUP (Approved)**  
A Special Use Permit was approved to build a financial institution including a drive-through located at 3750 North US 31, across from Meijer.
- **SUP-2019-07 Consumers Energy Boardman Substation SUP (Approved)**  
A Special Use Permit was approved to expand the existing Boardman Substation located at 825 Cass Road, near North Keystone Road.
- **SUP-2020-01 Chick-fil-A Restaurant SUP (Withdrawn)**  
Located at 3980 US-31 South, this application requested approval of a 4,998-square-foot restaurant with inside seating and a drive-through. The application was withdrawn by the applicant.
- **SPR-2020-01 Wendy’s Restaurant SPR (Approved)**  
The 0.83-acre project site is located at 1712 South Garfield Avenue, north of South Airport Road and part of the former K-Mart parcel at Cherryland Center. The request was to build a 2,584-square-foot fast food restaurant with drive-through.
- **SUP-2020-03 Ligon Bed and Breakfast SUP (Under Review)**  
This request is to use a portion of an existing single-family residence at 5885 Hainey Lane as a bed and breakfast establishment for up to four (4) guests.
- **PURD-2017-01 Fox Run PURD Extension Request (Approved)**  
The Fox Run Planned Unit Residential Development was approved in 2019 was set to expire in 2021. The Planning Commission approved extending the approval until April 25, 2022.
- **SUP 1987-02-L Lake Pointe Village PUD Minor Amendment – Value City Furniture Sign (Denied)**  
Value City Furniture intends to open a store at a former Art Van Furniture located in the Lake Pointe Village Planned Unit Development. The applicant requested a wall sign exceeding the permitted size of 100 square feet. The application was denied by the Planning Commission.
- **1990-04-H Shoe Dept. Encore Sign Review/Grand Traverse Mall (Denied)**  
The applicant is proposed a 100-foot wall sign for Shoe Dept. Encore located on the south side of the Grand Traverse Mall adjacent to the food court entrance and next to the existing Dunham’s Sports store sign. The Dunham’s Sports sign was permitted by a Zoning Board of Appeals decision. Since that decision, the sign requirements of the Zoning Ordinance have been amended to be reflective of the original intent of the plan for the Grand Traverse Mall. Under the current Zoning Ordinance, the Dunham’s Sports store sign would not be permitted. The application was denied by the Planning Commission.



- **SPR 1995-02-D Burlington Department Store Sign Review (Denied)**  
Burlington department store occupied the former location of MC Sports located at 3450 West South Airport Road at US 31. The applicant is proposed a 149 square foot front wall sign located on the south side of the building – exceeding the maximum sign permitted by 49 square feet. The application was denied.
- **Serra Automotive CRA – Car Wash (Postponed)**  
The Serra automobile dealership is located at the southwest corner of Boon Street and Garfield Road and comprises 4.57 acres in area. A Conditional Rezoning Agreement between Serra Works of Traverse City, LLC and Garfield Township was originally approved in 2008 and then amended and restated in 2018. As part of the Agreement, a “wash bay” was approved without any noise generating mechanicals customarily associated with an automated car wash. As condition of the Agreement, any modification to the “wash bay” to include noise generating mechanicals requires review and approval, following a public hearing, by the Planning Commission. The proposal is to construct an automobile car wash was reviewed by the Planning Commission and postponed until the applicant submits additional materials to meet the requirements of the conditional rezoning.

## **ZONING ORDINANCE AMENDMENTS:**

### **Map Amendments**

- **Z-2019-03 Chick-fil-A C-G Rezoning (Approved)**  
The property is located at 3980 N. US-31 South and is currently occupied by the Flap Jack Shack restaurant. The request to rezone the 1.8-acre parcel from the C-L Local Commercial zoning district to the C-G General Commercial zoning district was approved.
- **Z-2020-01 Good News Automotive C-G Rezoning (Approved)**  
The property is located at 3300 Cass Road and is currently home to the Good News Automotive service center. The request to rezone the 0.96-acre parcel from I-G General Industrial to C-G General Commercial was approved.
- **Z-2020-02 4051 Cedar Run C-O Rezoning (Withdrawn)**  
The property is located at 4051 Cedar Run Road. The request to rezone the 3.75-acre parcel from the C-O Office Commercial to C-G General Commercial district was withdrawn by the applicant.
- **Z-2020-03 3077 Garfield Conditional Rezoning (Expired)**  
The property is located at 3077 North Garfield Road and is the former site of Etna Supply. The request to conditionally rezone 2.85 acres of the 4.43-acre parcel from C-G General Commercial to I-G General Industrial expired due to no action by applicant.
- **Z-2020-04 3479 Veterans C-O Rezoning (Approved)**  
The property is located at 3479 Veterans Drive. The request to rezone the 1.93-acre parcel from R-1 One Family Residential to C-O Office Commercial was approved.
- **Z-2020-05 Carter Lumber I-G Rezoning (Under Review)**  
The property is located at the southeast corner of Garfield Road and Hammond Road. The request to rezone the 36.50-acre parcel from A Agricultural zoning district to the I-G General Mixed-Use Industrial Business is currently under consideration.

### **Text Amendments**

- **Amendment regarding Solar Energy Systems (Under Review)**  
An amendment to allow solar energy systems as a use by right and by special use permit.

- **Amendment regarding Signs in the C-P Planned Shopping Center district and in Planned Developments (Under Review)**

The proposed amendment consists of changes to regulations for signs in the C-P Planned Shopping district and in Planned Developments.

- **Amendment regarding Child Care Centers and definition of Major Thoroughfares (Under Review)**

This proposed amendment is to allow Child Care Centers via Special Use Permit in the A-Agricultural district and update several definitions relating to roads and major thoroughfares.


**JOINT TRAVERSE CITY AND GARFIELD TOWNSHIP PLANNING COMMISSION:**

The Joint Planning Commission is comprised of City and Township residents appointed from their respective Planning Commissions and one member jointly appointed by both municipalities. The Commission meets every January, April, July and October at 5:15 PM on the third Wednesday of the month. Recent meetings have focused on continued redevelopment of the historic buildings, the future of the Commons natural area, and the paving improvements at the Historic Barns.

**RECOMMENDATION/ACTION REQUESTED:**

Following review, if the Planning Commission is prepared to accept the 2020 Annual Report in accordance with the Michigan Planning Enabling Act, the following motion is suggested:

THAT the 2020 Planning Commission Annual Report, as provided in Planning Department Report 2021-9, BE APPROVED and FORWARDED to the Township Board.

 <b>Charter Township of Garfield</b> <b>Planning Department Report No. 2021-10</b>			
Prepared:	January 20, 2021	Pages:	3
Meeting:	January 27, 2021 Planning Commission	Attachments:	<input checked="" type="checkbox"/>
Subject:	2021 Priorities and Master Plan Implementation		

**INTRODUCTION:**

The first study session of 2021 offers the Planning Commission the opportunity to review priority projects for the year. The priorities for discussion are gathered from reviewing the Township planning documents, notes from Planning Commission study sessions in 2020, and other materials.

One of the major priorities for 2020 was to begin engagement with the Redevelopment Ready Communities (RRC) program administered by the Michigan Economic Development Corporation (MEDC). The RRC program is designed to encourage redevelopment by implementing best practices such as identifying assets, improving processes, and other steps. Going through RRC would help the Township achieve several of its strategic goals and help to implement the Master Plan and Barlow Garfield Neighborhood Plan.

A major best practice within the RRC program is the Master Plan Implementation matrix. This tool allows the Planning Commission to ensure that key actions from the Master Plan are being taken and to decide on actions to take in the upcoming year and in future years.

Staff has compiled the following list of proposed priority projects for 2021.

**MASTER PLAN IMPLEMENTATION:**

Creating a Master Plan Implementation matrix will allow the Township to track progress on actions which fulfill the goals and objectives of the Master Plan and meets a key RRC best practice. The full Master Plan Implementation matrix is attached to this report. Staff has identified the following actions as the potential 2021 priorities:

- **Housing.** The Implementation section of the Master Plan contains three items relating to housing:
  - Continue to implement zoning incentives such as density bonuses to encourage the development community to include particular housing types in high demand in the Township, such as single-bedroom apartment units and accessible housing options for seniors and individuals with disabilities.
  - Continue to use the Township’s Zoning Ordinance to encourage a wide variety of housing types and densities, as well as the mixing of residential uses with commercial and light industrial uses where compatible.
  - Continue to incorporate subsidized units in developments via state and federally administered programs.

Also, the Housing section of the Master Plan (beginning on page 18) describes goals and objectives for several housing issues including diversity (of the housing supply), accessibility, affordability, housing condition, and location. Housing continues to be a major issue for the region, which has been exacerbated in 2020 by the COVID-19 pandemic and associated economic situation.

Staff suggests engaging a comprehensive conversation about housing and what may be appropriate actions for the Township. This may include allowing different housing types including “missing middle” housing, accessory dwelling units, shipping container homes, and tiny homes; reviewing

the existing residential land use regulations in the Zoning Ordinance; and other actions. Housing North, a regional housing advocacy group, has created the Housing Ready Communities checklist which may be a helpful resource in this discussion.

- **Capital Improvements Program (CIP).** A CIP is intended to help determine the priority capital investments over a six-year period. According to the Michigan Planning Enabling Act, a township is required to prepare and adopt a CIP if it owns and operates a water supply or sewage disposal system, although any township may prepare and adopt a CIP. The CIP may cover utilities such as water or sewer systems, public buildings, parks, trails, sidewalks, or any other capital expenses of the Township. Preparing and adopting a CIP will also fulfill a best practice of the RRC program.

The Implementation section of the Master Plan contains the following relating to potential capital improvement projects:

- Transportation and Community Services – Continue to actively seek grant funding from various sources and to collaborate with regional and local partners to maintain, enhance, and extend the Township’s trail network.
- Natural Resources and Parks and Recreational Opportunities – Continue implementation of the Township’s Green Infrastructure Plan and consider updates to that plan to reflect natural resource management best practices and changing circumstances.
- Natural Resources and Parks and Recreational Opportunities – Continue efforts to acquire additional property for parklands via grants, conservation easements, and open space preservation requirements in development approvals.

Staff anticipates beginning the CIP discussions in late spring or early summer in anticipation of the Township Board beginning their 2022 budget process.

#### **PUBLIC PARTICIPATION PLAN:**

Another key process identified in the RRC program is the Public Participation Plan. Community outreach and public engagement are important to gauge public input on Township activities including development reviews, plans, policies, projects, and more. RRC identifies three key criteria in evaluating a community’s Public Participation Plan, which are as follows:

- The community has a documented public participation strategy for engaging a diverse set of community stakeholders.
- The community demonstrates that public participation efforts go beyond the basic methods.
- The community shares outcomes of public participation processes.

The Township has used basic public engagement practices including standard public meetings, postings to the Township website, newspaper postings, and attachments to water bills. During public engagement for the Barlow Garfield Neighborhood Plan, the Township also sent out individual mailings to property owners and hosted a community workshop to gather public input.

Staff anticipates creating a Public Participation Plan in the second half of 2021. This document will be an important tool for identifying key stakeholders of the Township, determining the most effective ways for the Township to communicate with stakeholders, and tracking and conveying the outcomes of community engagement efforts. Completing the Public Participation Plan in 2021 will prepare the Township for any upcoming public engagement efforts, including the Master Plan and Parks and Recreation Plan which will need to be updated in the next few years.

**ZONING ORDINANCE:**

The Planning Commission recently reviewed several proposed amendments to the Zoning Ordinance. The proposed Zoning Ordinance projects for 2021 include those listed below. Also, Staff has kept informed on current planning issues by attending conferences and seminars and reviewing planning publications. These issues may warrant further study by the Planning Commission.

- **Use Chart.** Finish the proposed related amendments which would include establishing a use chart in Article 3, updating definitions in Article 2, and refining supplemental use standards in Article 7.
- **Wetlands.** Review regulations on development near wetlands, including the process for reviewing and certifying wetland delineations and potentially requiring a wetland review escrow.

**TRAINING:**

Section 9 of Township Ordinance No. 53, Charter Township of Garfield Planning Commission Ordinance, includes the following language:

*“Appointed members of the planning commission shall attend educational programs designed for training members of Michigan planning commissions if the adopted Garfield Township budget for that fiscal year includes funds to pay for tuition, registration, and travel expenses for the training.”*

The Planning Commission By-Laws describe the requirements for annual training and organizations which may provide such training. Staff recommends one of the 2021 priority projects be to formalize the process for Planning Commissioner training including identifying key topics, providing opportunities through the study sessions or other dedicated time, clarifying requirements, and establishing a method to track training activity. Formalizing this process also fulfills a best practice of the RRC program.

**OTHER PROJECTS:**

Staff encourages the Planning Commission to discuss any other potential priorities for 2021. New priority projects may arise throughout the year as well as new issues are identified.

**ACTION REQUESTED:**

This 2021 priorities list is for information and discussion. No formal action is requested at this time.

**Attachments:**

1. Master Plan Implementation Matrix

## Garfield Township Master Plan Implementation Matrix

### About the Implementation Matrix:

This matrix is used by the Garfield Township Planning Commission to assist in implementing the Garfield Township Master Plan. The current Master Plan was originally adopted by the Garfield Township Board of Trustees on September 25, 2018. This matrix is updated on an annual basis. Below is the implementation matrix for 2021 which includes the following information:

- Priority for 2021: These are high priority projects to be studied or completed in 2021.
- Future Priority: The projects are to be studied or completed later.
- Ongoing: These items represent ongoing tasks.
- Complete: These items have been completed.

### Priority Levels:

Priority for 2021	Future Priority
Ongoing	Complete

### Abbreviations:

TB	Garfield Township Board of Trustees
PC	Garfield Township Planning Commission
PRC	Garfield Township Parks and Recreation Commission
GTCRC	Grand Traverse County Road Commission
BATA	Bay Area Transportation Authority
TCAPS	Traverse City Area Public Schools
TART	Traverse Area Recreation and Transportation Trails
GTRLC	Grand Traverse Regional Land Conservancy
GTCD	Grand Traverse Conservation District

Category	Goal	Objective	Actions	Timeline	Responsible Parties
Housing – Diversity (p. 18)	Diversity in the rental market is also important in terms of unit size. In particular, there is a known shortage of single-bedroom or loft-style units, leading to a drain on income as renters are forced to choose a larger, more expensive option.	The Township should encourage development which includes a mix of housing options. The market does seem to be naturally adjusting to meet this demand, as indicated by projects such as the Arbors Apartments constructing 24 loft/garage choices in place of standard carport buildings (see illustration right).	Housing discussion on several issues including: <ul style="list-style-type: none"> <li>• Which housing types are allowed</li> <li>• Availability of land for housing / future land use map</li> <li>• New housing types / “Missing Middle”</li> <li>• Housing incentives</li> </ul>	2021	Staff; PC; Housing North (partner)
Housing – Accessibility (p. 19)	It is increasingly important to consider an adequate accessible housing supply. Accessible housing options will allow aging or disabled individuals to remain in their home.	Consider incentives such as density bonuses to encourage the development community to include accessible housing.	Use the Housing Ready Checklist as a guide		
Housing – Affordability (p. 20)	Continue to lead the region in supporting affordable housing.	Many of the Township’s residential developments are subsidized to allow lower rents, primarily through the Michigan State Housing Development Authority (MSHDA), but also through the Township Board’s approval of Payment In Lieu Of Taxes (PILOT).			

Category	Goal	Objective	Actions	Timeline	Responsible Parties
Housing Condition (p. 20)		The Township has adopted a property maintenance code which requires routine inspections for multifamily rental units on an annual basis. Additionally, tenants of any rental unit may report poor conditions and request an inspection. Appropriate actions may be taken by the Building Official to require that deficiencies or safety issues be addressed, up to and including declaring the residence uninhabitable.	Ongoing	Ongoing	Building Official
Housing – Location (p. 20)	Locating new housing developments proximate to these resources can reduce the overall costs of housing and transportation while helping to create more efficient use of infrastructure in existing urban areas.	Target appropriate areas and incentivize their development or redevelopment through density bonuses.	Housing discussion on several issues including: <ul style="list-style-type: none"> <li>• Which housing types are allowed</li> <li>• Availability of land for housing / future land use map</li> <li>• New housing types / “Missing Middle”</li> <li>• Housing incentives</li> </ul> Use the Housing Ready Checklist as a guide	2021	Staff; PC; Housing North (partner)
Roadways & Transportation Planning (p.22)	Build a basis of support for potential remedies to overburdened roadways.	Work with local road agencies to develop access management plans, to consider signal improvements, or to consider roadway reconfigurations.	South Airport Road access management	Future	Staff; PC; GTCRC (partner)
		Support the development of alternative transportation to reduce demand on area roadways.	Implement Township Non-Motorized Plan	Ongoing	Staff; PC; TB



Category	Goal	Objective	Actions	Timeline	Responsible Parties
		Require detailed traffic impact analysis in development review and consider the impact of additional traffic in the legislative review process.	Ongoing	Ongoing	Staff; PC; TB
Alternative Transportation (p. 22-23)	Improve public transportation opportunities within densely populated and highly frequented locations.	Collaborate with BATA when new developments, roadway improvements, and route planning are underway.	Ongoing	Ongoing	Staff; BATA (partner)
		Consider zoning ordinance requirements for the provision of facilities such as bus stops and shelters.	Evaluate as a potential future priority	Future	Staff; PC; TB
	Improve non-motorized opportunities throughout the Township.	Using a combination of public funds, grants, and zoning ordinance requirements, implement the Township's non-motorized plan.	Create a Capital Improvements Program	2021	Staff; PC; TB
Utilities (p. 24)	Direct development to areas which are served by adequate facilities.	Identify areas with existing utilities which can support higher density and mixed uses.	Review the designated high-development areas on future land use map.	Future	Staff; PC; TB
	Ensure storm water controls are considerate of environmentally sensitive areas.	Incentivize or require Best Management Practices such as low-impact design.	Consider including low impact design standards in Zoning Ordinance.	Future	Staff; PC; TB
Natural Resources (p. 26)	Protect, enhance, and showcase the natural environment.	Implement the Green Infrastructure Plan.	Create a Capital Improvements Program	2021	Staff; PC; TB
		Make environmentally conscious decisions in review of development applications or zoning policy considerations.	Ongoing	Ongoing	Staff; PC; TB

Category	Goal	Objective	Actions	Timeline	Responsible Parties
		Continue to work with area environmental groups to improve the health of the environment.	Ongoing	Ongoing	Staff; PC; other partners (GTRLC, GTCD, Watershed Center, etc.)
		Consider establishing a comprehensive natural resources overlay zoning district similar to what has been established in neighboring communities.	Evaluate as a potential future priority	Future	Staff; PC; TB
		Protect streams, wetlands, and water bodies from direct or indirect stormwater runoff or other encroachments.	Ongoing	Ongoing	Staff; PC; TB
Invasive Species (p. 30)	Attempt to limit the spread of invasive species and reduce the impact of invasive species already present in the area.	Require the incorporation of a majority of native plantings in commercial landscaping.	Review the landscaping standards currently in Section 530.F	Future	Staff; PC; TB

Category	Implementation Statement	Actions	Timeline	Responsible Parties
Housing	<p>Continue to implement zoning incentives such as density bonuses to encourage the development community to include particular housing types in high demand in the Township, such as single-bedroom apartment units and accessible housing options for seniors and individuals with disabilities.</p> <p>Continue to use the Township's Zoning Ordinance to encourage a wide variety of housing types and densities, as well as the mixing of residential uses with commercial and light industrial uses where compatible.</p> <p>Continue to incorporate subsidized units in developments via state and federally administered programs.</p>	<p>Housing discussion on several issues including:</p> <ul style="list-style-type: none"> <li>• Which housing types are allowed</li> <li>• Availability of land for housing / future land use map</li> <li>• New housing types / "Missing Middle"</li> <li>• Housing incentives</li> </ul> <p>Use the Housing Ready Checklist as a guide</p>	2021	Staff; PC; Housing North (partner)

Category	Implementation Statement	Actions	Timeline	Responsible Parties
Transportation and Community Services	<p>Continue to encourage optimal traffic flow on major corridors within the Township by taking Level of Service (LOS) and traffic counts into account in the development approval process, working with road agencies to develop access management plans, and considering signal improvements or roadway reconfigurations.</p> <p>More specifically, consider developing a GIS-based tool which visualizes traffic counts or LOS for use in development review.</p> <p>Continue to support the development of non-motorized and other alternative transportation options to reduce demand on area roadways, improve community connectivity, and promote public health, among many other benefits. More specifically:</p> <ul style="list-style-type: none"> <li>• Continue to actively seek grant funding from various sources and to collaborate with regional and local partners to maintain, enhance, and extend the Township's trail network.</li> <li>• Collaborate with BATA to provide public transit options along fixed routes between densely populated areas and popular locations.</li> <li>• Continue the development of a GIS-based trail maintenance prioritization tool which facilitates easy identification of trail segments most in need of resources.</li> <li>• Consider zoning ordinance requirements which require bus stops or shelters to be included in developments.</li> <li>• Continue to advance the Township's complete streets initiative through requiring the provision of non-motorized infrastructure in Special Use Permit (SUP) and PUD reviews, as well as through opportunities with the Safe Routes to School program, for example, and other resource providers.</li> </ul>	<p>South Airport Road access management</p> <p>Prioritize as staff time allows</p>	<p>Future</p> <p>Future</p>	<p>Staff; PC; GTCRC (partner)</p> <p>Staff</p>
		<p>Create a Capital Improvements Program</p>	<p>2021</p>	<p>Staff; PC; TB</p>
		<p>Future discussions with BATA</p>	<p>Future</p>	<p>Staff; BATA (partner)</p>
		<p>Prioritize as staff time allows</p>	<p>Future</p>	<p>Staff</p>
		<p>Evaluate as a potential future priority</p>	<p>Future</p>	<p>Staff; PC</p>
		<p>Ongoing</p>	<p>Ongoing</p>	<p>Staff; PC; TB; other partners (TCAPS, TART, etc.)</p>

Category	Implementation Statement	Actions	Timeline	Responsible Parties
Natural Resources and Parks and Recreational Opportunities	Continue to work closely with area environmental groups and other interested organizations to support environmental preservation and restoration efforts within the Township.	Ongoing	Ongoing	Staff; PC; other partners (GTRLC, GTCD, Watershed Center, etc.)
	Continue to update the Township's natural resources inventory and associated GIS-based maps to provide context in development review and zoning policy considerations for the preservation of natural features within the Township.	Prioritize as staff time allows	Future	Staff
	Continue implementation of the Township's Green Infrastructure Plan and consider updates to that plan to reflect natural resource management best practices and changing circumstances.	Create a Capital Improvements Program	2021	Staff; PC; TB
	Consider drafting and adopting a septic system inspection ordinance to protect the quality of the Township's water features.	Re-evaluate as potential priority	Future	Staff; PC; TB
	Continue efforts to acquire additional property for parklands via grants, conservation easements, and open space preservation requirements in development approvals.	Create a Capital Improvements Program	2021	Staff; PC; TB
	Continue update of Five-Year Parks and Recreation Plan and draw upon public input to identify and prioritize improvements to Township parks.	Design Plan for Grand Traverse Commons Natural Area	2021	Staff; PRC; Park Design Consultant; advisory group
	Continue to encourage and incentivize new and infill development close to the core area of the Township in close proximity to amenities in an effort to slow outward growth.	Ongoing	Ongoing	Staff; PC
	Research the possible creation of specific redevelopment districts.	Explore the possibility for a CIA / TIF district	Future	Staff; PC; TB
	Focusing on the major corridors identified in this Master Plan, create subarea plans to provide greater detail with regard to desired development in each subarea.	Barlow Garfield Neighborhood Plan	2019-2020	Complete
		Any potential future neighborhood plans	Future	Staff; PC; TB
Managing Future Growth				

Category	Implementation Statement	Actions	Timeline	Responsible Parties
	Use this Master Plan together with the Township's Zoning Plan to guide the analysis and review of proposed map and text amendments to the Township's Zoning Ordinance, site plans, and new or amended master plans of adjoining jurisdictions.	Ongoing	Ongoing	Staff; PC; TB