

Armada Township

PLANNING COMMISSION

23121 E. Main Street, P.O. Box 578
Armada, Michigan 48005
Telephone: (586) 784-5200 Facsimile: (586)784-5211
planning@armadatwp.org

AGENDA

Wednesday, March 6, 2024 - 7:00 p.m.

(Held in person and electronically via GoToMeeting)

The public may participate in the meeting at the township hall or through GoToMeeting access by way of computer, tablet or smartphone using the following link: <https://meet.goto.com/979853629>

Members of the public may also participate in the Board meeting by calling in to the following number:

Access Code: 979-853-629

United States: +1 (872) 240-3212

Get the app now and be ready when your first meeting starts: <https://meet.goto.com/install>

In the event a member of the public wishes to submit questions or provide input to Commission members prior to the meeting, they can email their input to planning@armadatwp.org. All input received from members of the public prior to the meeting will be read into the record during the meeting.

The agenda for this regular meeting is as follows:

Regular Meeting

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approve/Amend Agenda
5. Approval of minutes:
 - a. **Regular Meeting Minutes February 7, 2024**
6. Public Comments – Agenda Items
7. Public Hearing:
 - a. **None**
8. Reports and Correspondence:
 - a. **Project Status Report- February**
 - b. **Letter from DTE regarding Compatible Renewable Energy Ordinance**
 - c. **Updates from MTA on Public Act 233 of 2023**
 - d. **Ray Township Notice of Draft Master Plan**
 - e. **Updated Planning Commission / ZBA Roster and contact info**
9. Unfinished Business:
 - a. **None**
10. New Business
 - a. **Election of Officers**
11. PC Projects:
 - a. **Planning & Zoning 101 refresher**
 - b. **Zoning Ordinance Project Launch**
 - c. **Alternative Energy**
12. Public Comments – Non-Agenda Items
13. Adjournment.

Next Scheduled Regular Meeting: April 3, 2024



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MINUTES

Wednesday, February 7, 2024 - 7:00 p.m.
(Held in person and electronically via GoToMeeting)

Regular Meeting

1. **Call to Order** – Vice-Chair Finn called the meeting to order at 7:01 p.m.
2. **Pledge of Allegiance** – Finn led the Pledge of Allegiance
3. **Roll Call** –
 - a. **Present** at Roll Call: Vice Chair Finn, Commissioners Abercrombie, Arnold, Jabara and Kutchey, and Board Liaison Murray. Chair Kehrig arrived 7:35
 - b. **Absent**: None
 - c. **Also present**: Planner Smith and Recording Secretary Martin.
4. **Approve/Amend Agenda**
 - a. **Motion** by Murray, 2nd by Abercrombie to approve the agenda as presented. All Ayes, **Motion Passed**
5. **Approval of Minutes**
 - a. **Motion** by Murray, 2nd by Abercrombie to approve the minutes of the Regular Meeting of January 3, 2024, as presented. All Ayes, **Motion Passed**
6. **Public Comments – Agenda Items** – None
7. **Public Hearing** - None
8. **Reports and Correspondence:**
 - a. Project Status Report- January - Finn read the report into the record. Martin updated commission on the status of BooBoo's Boneyard litigation.
 - b. Martin presented a letter from property owner regarding zoning of landlocked parcel, and response from Planning.
Motion by Abercrombie, 2nd by Kutchey to receive and file the reports as presented. All Ayes, **Motion Passed**
9. **Unfinished Business** - Planning Commission 2023 Annual Report
Motion by Jabara, 2nd by Murray to send to township with recommendation to approve the Annual Report. All Ayes, **Motion Passed**
10. **New Business** – None
11. **PC Projects** –
 - a. **Master Plan Discussion**
Cover Page: Move Armada Logo up and enlarge, similar to submitted annual report. Use dark green font on the Vision Statement. Replace picture with #37 Sunset Farm or #20 Winter Wagon Wheel
Pre-index section: Check page numbers in section, duplicated number iii.
Pg i: place a collage of pictures #34 Sunset, #22 Yard, #13 Autumn Tunnel (or 14 Autumn Road), and #19 Snow Flag in the open white space.
Table of Contents: Correct font size and align page numbers on list of maps.
Existing Land Use Map: DeHondt, KLM and Village of Romeo should be commercial. Macomb Orchard trail should be Recreation/Open space.

Future Land Use Map: Add a bubble for Flexible Development (Land Lease Development) over the area indicated on page 28 of the 2014 master plan and include verbiage.

Pictures – All submitted pictures including additional photos requested at meeting are available at the link previously provided.

Pg 5: Chapter 2 Intro - 2nd sentence, change “fabric” to “canvas”.

Pg 6: 2nd paragraph, 1st sentence: remove “cider mills and farm markets”. Put a period after “Township.” Next sentence “Small amounts of industrial land are located in the south...” Last sentence: period after “150 years. Several orchards, cider mills and farm markets are popular destinations within the metro area.” Water tower Picture: Crop bottom.

Pg 12: replace picture with # 12 Main Street South.

Pg. 16: Add Picture #9 Road

Pg 21: (Community Facilities) Add a section for the library with the following wording: “The Armada Free Public Library is located at 73930 Church Street within the Village of Armada. The library was built in 1901 and is a “Carnegie Library”. The library belongs to MeLCat (Michigan Electronic Library) and MLibrariycard. Access to the internet, electronic books, magazines, and music are available inside and outside the library. In addition to these traditional library services, it offers many different events, from reading challenges, book clubs, Lego clubs, to Genealogy Society meetings, as well as virtual Learning & tours, and even virtual Vacations!”

Pg 25: Freiwald Anchor (3rd paragraph) – reword “(pictured right) is a public..” correct spelling “recognition”. Add comment, (please wordsmith) not pictured, there is also a memorial garden for PFC Iron Mike. Replace picture with #42 Jason Freiwald Monument.

Pg 27: Broadband Wi/Fi – remove first word “Now”. Start with “More”

Pg 30: School district map cut off left column and bottom row, add roads.

Pg 41: Purchase of Development Rights add the words “Continue to” participate in the purchase...

Pg 46: 2nd to last sentence – change “Preliminary Sewer District Map” to “Future Land Use Map”.

Pg 54: Keep Pond Guy (original) pic or use new #43 or #44 Henshaw1 or 2 Picture.

Pg 56-58: Place collage of unused pictures on page 56, shifting “Implementing the Plan” to page 57 so that the implementation key (current pg 57) becomes 58 and strategic action plan (current pg 58) becomes 59 (goal to have them on facing pages.) Place Grange Hall overhead #28 above Implementing the Plan.

Motion by Murray 2nd by Abercrombie to recommend sending Master Plan to the Township board to send for public review with the amendments noted. Ayes: Abercrombie, Arnold, Finn, Jabara, Kehrig, Kutchey, Murray. Nays: None **Motion Passed**

12. **Public Comments – Non-Agenda Items** – None

13. **Adjournment - Motion** by Kehrig, 2nd by Murray to adjourn the meeting at 9:01 p.m. All Ayes, **Motion Passed**

Next Scheduled Regular Meeting: Wednesday March 6, 2024

Respectfully submitted:

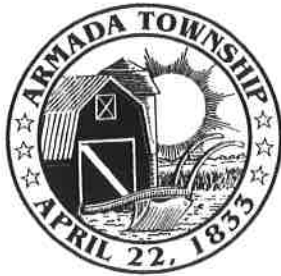
Cris Martin

Recording Secretary

Approved:

DJ Kehrig, Chairperson

Date



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Project Status Report for February 2024

COMMUNITY PROJECTS

Blake's Traffic Study / Landscaping - 17985 Armada Center Rd

No Update 10/23: Meeting requested with Macomb County Road Commission to determine what steps Blakes will need to take to upgrade the 34 Mile exit, other actions that can be taken to address the traffic issues. 9/23: Supervisor Paterek talked with representatives from the County Road Commission and County Executive's office regarding lights and Romeo Plank egress. Waiting for response. No update on new meeting with Blake's. 7/23: Blake's held a meeting on July 12 to discuss options to present back to the county. Synopsis in September packet. 6/23: John Paul Rea, Macomb County Deputy County Executive responded that engineering design and cost considerations were provided to Blake's, but no further progress has been made. 5/23: Emails sent to Blakes and John Paul Rea, Macomb County Deputy County Executive for update, no responses at this time. 12/22: Traffic study was reviewed at April 2022 Meeting. Chair Kehrig reported on a Macomb County meeting regarding road funding options at the June 2022 meeting.

Larry's Parking Lot - (72727) North Ave

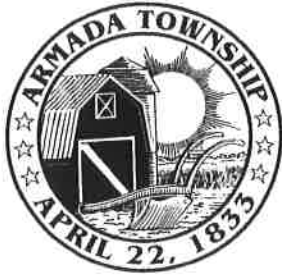
No Update 3/23: The applicant is still working with Macomb County to get Soil/Erosion permit then will complete purchase and we can finalize rezoning. 2/23: Planner reviewed the updated site plan and approved with one additional minor update on 2/27/23. 1/23: Planning commission approved site plan contingent on minor updates at the December 2022 meeting. 12/22: Planner's findings and recommendations on the site plan were reviewed at the November 2022 meeting, and the commission discussed. 11/22: Rezoning was approved at the September 2022 meeting. Site plan was submitted for review on September 22, 2022.

Trillium Farm Wedding Barn - 16191 32 Mile Rd

No Update 12/23: Applicant will be at Jan 4, 2024 meeting to ask for final guidance before submitting application: 4/23: Architect met with Building Inspector and Fire Marshal on April 12 and is now working on updates to the site plan before presentation to the Planning Commission. 3/23: Architect representing Trillium Farm reached out on 3/29/23 requesting to speak with the building inspector to confirm understanding of building codes prior to completion of a site plan for review. 12/22: Owner had a discussion with the Fire Marshal. As of November 17, 2022, she is working through the steps he recommended before submitting her site plan. Pre-planning meeting was held in November 2021. Owner reached out to planning in October 2022 to restart project. Owner attended November 2022 meeting and was provided with guidance on next steps.

BooBoo's Boneyard, LLC Dog Daycare and Boarding - 21500 Bordman Rd

2/24: Property owner filed Application for Leave to Appeal with the Court of Appeals asking for review of Circuit Court decision. Township response on 2/20. 1/24: Court found in favor of the township. Letter sent to property owner. 12/23: Oral arguments held on 12/5, judge took case under advisement and will rule within next 60 days. 11/23: Township brief submitted 10/30.



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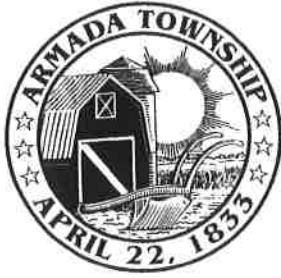
Appellant requested delay in oral arguments to 12/5. 10/23: Appellants brief submitted; Township brief date due revised to Oct 30. 9/23: Appellant's brief on appeal is due Sep 26, and Township's is due on Oct 17, 2023. After that oral arguments will be set and a decision issued by Judge Toia. 8/23: The applicant filed a case in Circuit court to appeal ZBA denial. A response has been filed on the Township's behalf. 7/23: The applicant requested to be added to the August Planning Commission agenda to discuss possible changes to the Zoning Ordinance for kennels, but notified on July 21 that they will not be ready for the August meeting. 6/23: The ZBA denied variances requested at the June 20, 2023, meeting. 5/23: Applicant has submitted payment and paperwork for ZBA meeting to be held on June 20, 2023. 2/23: Waiting for the updated site plan and ZBA application. Applicant has hired an engineer to complete the final site plan. Planning commission approved site plan contingent on minor updates and ZBA approval at the January 2023 meeting. 12/22: Application /for Special Land Use and Site Plan Approval was submitted on November 3, for review at the December 2022 meeting. Due to township error, public hearing was published, but notification was not, so it was opened for Dec and left open for continuation on January 4.

Hidden River Estates – North-east Corner 33 Mile & Powell Rd

No update 1/24: Developer working to obtain a performance bond. 12/23: No Updates. 11/23: Engineering escrow deposited on 11/8. First engineering review provided by Spalding on 11/22. 10/23: Estimated Construction cost submitted by applicant and engineering escrow amount set. Waiting for payment. 8/23: Spaulding DeDecker attended an on-site meeting with representatives of Hidden River on Monday, August 28 to provide guidance on township expectations for the road updates needed. This will assist the applicant with estimating the cost of construction for their escrow. 6/23: Site Plan was approved at June 7 meeting. Waiting for estimated construction cost to begin engineering phase. 5/23: Updated site plan and master deed on agenda for June 7 meeting. 4/23: Master Deed reviewed by Township Attorney and is ready for approval. Second planner review completed 4/17, applicant sent response to the action items identified on 4/25. 3/23: Updated site plan and Draft Master Deed submitted 3/19 and 3/23 and sent to professionals for review. 2/23: Site plan was reviewed at February meeting, table for additional information on a revised site plan. 1/23: Site plan submitted for Planner and Engineering review on 1/12/23. Included in packets for February 2023 meeting.

Laethem Development – Laethem St at Powell Rd

No Update 11/23: Meeting with Laethem Engineer, Spalding and Township Supervisor held on 11/29 to discuss options for Water. Minutes to be provided at 1/3/24 PC meeting. 10/23: Site Plan approved at the October 4 meeting contingent on all engineering comments being addressed during that process. Approval letter emailed on 10/10. 9/23: Professional reviews complete. Will be on the October agenda. 8/23: Updated site plan provided by applicant on 8/22 and sent to professionals on 8/23. Will be on the October agenda. 3/23: Site plan reviewed at the 3/1/23 meeting, tabled for updates; applicant provided guidance on County/state permitting as requested



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at the meeting. 2/23: Site plan submitted for Planner and Engineering review on February 9, 2023. Included in packets for March 2023.

Dehondt Storage – 15450 33 Mile Rd

No Update 6/23: Site plan extended at the June 7, 2023, meeting through June 7, 2024. Waiting for engineering escrow to be provided.

Miller Farm – 71800 Romeo Plank Rd

2/24: Paperwork requested by property owner to request rezoning to AG / SAA Overlay

Frontier's Farm Market – 69475 Romeo Plank Rd

2/24: Paperwork requested by property owner to request rezoning to AG / SAA Overlay

COMMISSION PROJECTS

Zoning Ordinance Amendments

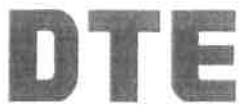
Second Home on a Property/Seasonal Workers Clause – No Update. Attorney and planner to discuss.

Ordinance Book Audit

No update 1/24: Received document showing proposed outline of new ZO book layout. 11/23: Received audit document on 11/9 of several sections of Zoning book with suggestions or recommendations for updates. Received audit document on 11/21 of current approved Zoning District map to confirm unusual or parcels where county and current township maps do not match. Provided to Assessor's office for review and update where appropriate. 8/23: Received draft of Zoning Ordinance book with all amendments since 2019 added, and audit to confirm earlier amendments were included.

Master Plan

2/24: Commission voted to recommend to township board to send MP for public comment with updates identified in February minutes. 1/24: Updates requested; pictures provided to planner. 11/23: Reviewed draft of several sections of Master Plan. Provided feedback to planner. 10/23: Reviewed draft of several sections of Master Plan. Provided feedback to planner. 9/23: Reviewed updated timeline. Goals (old Policies) section, Survey results. Update "Plans Section-Special Agricultural Activities" to note that Overlay district is now in place. 6/23: Discussion of the Master Plan Survey, decision to extend thru 6/30. Final survey results in August packet. Discussion on tiny homes, barn-dominiums, solar and wind, microgrids. 5/23: Members of the Village Council and Village Planning Commission attended the May meeting to informally discuss things that the Township and Village may be able to partner on. The Master Plan Survey was approved for release by the Township Board and distributed on May 11th. 151 responses received as of 5/30/23. 4/23: A joint workshop was held with the Township board to discuss the policies and reviewed the draft survey. 3/23: Discussion on the Policies section, creating an internally tracked survey. 2/23: Chapter #2 provided by the planner: community snapshot and demographic profile including Population change and forecasts to 2045. 1/23: Proposed schedule and community demographics pages were presented at January 2023 meeting. 12/22: The Zoning map was updated for the annexation and other recent changes, but still needs update. 11/22: Master plan is being reviewed by township planner.



8b

Copies to:
☒ Paterek
☒ Goetzinger
☒ Swiacki
☒ Job
☒ Murray

Cris

FEB 12 2024

Greetings, we hope this letter finds you well.

As a leading utility company dedicated to advancing sustainable energy solutions and ensuring a reliable energy supply for Michigan residents, our objective at DTE Electric Company (DTE) is to foster collaborative initiatives with municipalities to explore viable opportunities for utility-scale solar development.

This remains true with the recent enactment of Public Act 233 of 2023, which grants the Michigan Public Services Commission (MPSC) authority over the siting of solar energy facilities with a nameplate capacity of 50 MWs or greater under certain circumstances. The Act mandates local permitting only if the affected local unit of government has adopted a compatible renewable energy ordinance (CREO). The Act defines a CREO as an ordinance that facilitates the development of energy facilities within the local unit of government, with requirements no more restrictive than the provisions of Section 226(8) of the Act.

The section 226(8) siting requirements for solar energy facilities include:

- A 300-foot setback from occupied community buildings/non-participant dwellings, as measured from the nearest edge of the fencing to the nearest wall.
- 50-foot setback from a public right-of-way, as measured from the nearest edge of the public right-of-way.
- 50-foot setback from side and rear non-participating property lines.
- National Electric Code-compliant fencing (currently 7 feet in height).
- Maximum height of 25 feet for solar panel components when the array is at full tilt.
- Maximum sound level of 55 average hourly decibels at the outer wall of the nearest dwelling on a non-participating property.
- Dark sky-friendly lighting solutions.

Importantly, all local units in which a project is proposed, including the county, must have a CREO in place in order for local project review and permitting to be mandatory.

DTE recognizes the importance of local engagement in the siting process and in partnering to determine the feasibility of utility-scale solar projects. We are committed to conducting thorough engineering studies to assess the viability of utility-scale solar projects while prioritizing positive contributions to the community. We are also committed to working with local units of governments that have ordinances in place that include workable setbacks, sound limitations, and landscaping requirements, even if not completely consistent with a CREO.

DTE would greatly appreciate the opportunity to engage with you to discuss potential collaboration, address any concerns, and work together to establish a solar ordinance (or should we say "project requirements") that meet the community's needs and align with our commitment to sustainable energy development. We are open to sharing our expertise and resources to ensure a mutually beneficial partnership.

Someone from our team will be reaching out to discuss partnership opportunities. If you would like to reach out to us please contact us at 989-623-3010.

Sincerely,

Louisa Inez

Louisa Inez
DTE | Site Manager
Land Development CE & Permitting

2-14-24 MTA

7c

MTA Board votes to support efforts to repeal renewable energy facility zoning preemption

MTA's Board of Directors recently voted to support the efforts of an initiative petition that would return local control over utility-scale renewable energy facilities to Michigan's communities. The initiative, led by the group Citizens for Local Choice, seeks to repeal Public Act 233 of 2023—which was strongly opposed by MTA and its members as it quickly moved through the legislative process. The law strips true local siting authority over these facilities, shifting it to the Michigan Public Service Commission. If successful on the November ballot, this initiative would restore this critical zoning authority to Michigan's communities for how they choose to plan and zone for large-scale renewable energy facilities. For more information on the initiative petition, visit the Citizens for Local Choice webpage.

The Michigan Campaign Finance Act limits how a public body can use public funds or property when it comes to campaigning for ballot questions or candidates. For guidance on what townships and township officials may—and may not—do in their official capacity and as individuals to support ballot initiatives, see MTA's fact sheet, "Getting the Word Out: Campaign Finance Act Compliance," and find additional information and resources on MTA's "Campaign Finance Act Compliance" webpage (member login is required to access the webpage). MTA advises members to consult township legal counsel with questions.

IMPORTANT UPDATE

MTA Board votes to support initiative efforts to return local zoning authority for large renewable energy facilities

MTA's Board of Directors recently voted to support the efforts of an initiative petition that would return local control over utility-scale renewable energy facilities to Michigan's communities.

The initiative, led by the group Citizens for Local Choice, seeks to repeal Public Act 233 of 2023—which was strongly opposed by MTA and its members as it quickly moved through the legislative process. The measure strips true local siting authority over these facilities, shifting it to the Michigan Public Service Commission (MPSC). If successful on the November ballot, the initiative would restore this critical zoning authority to Michigan's communities for how they choose to plan and zone for clean energy.

“The Board’s support of this initiative efforts aligns with the Association’s unwavering commitment to local control and the ability of communities and residents to have the final say over local decisions—especially those that have far-reaching, long-lasting and dramatic effects in a community,” said MTA President Pauline Bennett, Addison Township (Oakland Co.) clerk. “Local officials and their residents simply should not—and cannot—be silenced over local issues impacting them, their community, their quality of life—and their future.”

The petition summary language reads:

Initiation of legislation to: amend the clean and renewable energy and energy waste reduction act by repealing statewide requirements for the construction and development of certain wind and solar energy facilities and energy storage facilities, including: assessment of environmental, natural resources, and farmland impact; wages and benefits requirements for workers; setback distance; size and height of structures; and amount of light and sound emitted. If enacted, this proposal would allow local units of government to determine their own standards for such facilities.



TOWNSHIP OF RAY

County of Macomb

64255 Wolcott Road, Ray Township, MI 48096

Phone: (586) 749-5171

Fax: (586) 749-6190 Website: www.raytwp.org

Board of Trustees

Joseph Jarzyna, Supervisor

Lori Lascoe, Clerk

Betsy Bart, Treasurer

Betty Grader, Trustee

Doug Stier, Trustee

February 21, 2024

Notice of Preparation of Draft Master Plan

In accordance with the requirements of the Michigan Planning Enabling Act, PA 33 of 2008, and related amendments, this is to notify you that Ray Township, Macomb County, Michigan, has prepared a "Draft" Master Plan Update.

The Township is requesting your comments on the draft plan that can be accessed electronically at www.raytwp.org.

You are invited to submit your comments or questions within 63 days of receipt of this letter to the Ray Township Clerk, Lori Lascoe, 64255 Wolcott Road, Ray Michigan 48096, clerk@raytwp.org.

We thank you for your cooperation and assistance.

Respectfully,

Lori R. Lascoe, MiPMC, CMC
Ray Township Clerk



Planning Commission Basic Training

Armada Township
Macomb County, Michigan
2024

Presenter: Caitlyn Habben, AICP



1



Agenda

 PLANNING AND ZONING 101	 ROLES & RESPONSIBILITIES	 MASTER PLANNING
 ZONING ORDINANCES PROJECT	 ALTERNATIVE ENERGY	 QUESTIONS & DISCUSSION

2



Planning and Zoning 101

- ✓ WHAT IS PLANNING?
- ✓ GUIDING PRINCIPLES
- ✓ ENABLING LEGISLATION
- ✓ CRAFTING MOTIONS
- ✓ CONFLICT OF INTEREST
- ✓ EX PARTE CONTACT

3

What is Planning?

An interdisciplinary practice dealing with the physical design and regulation of spaces within a community, as well as the social welfare of the people of the community.

Why do we plan?

- To guide orderly development & establish a shared vision for the future
- To protect, strengthen, and enhance community character, the environment, and quality of life
- To promote cooperation between communities

4



5

Relationship of Planning & Zoning

Michigan Zoning Enabling Act Section 201 (l) [part]

A zoning ordinance shall be based on a plan designed to promote public health, safety, and general welfare [and] to encourage the use of lands in accordance with their character and adaptability

MICHIGAN ZONING ENABLING ACT
Act 110 of 2006

AN ACT to codify the laws regarding local units of government regulating the development and use of land; to provide for the adoption of zoning ordinances; to provide for the establishment in counties, townships, cities, and villages of zoning districts; to prescribe the powers and duties of certain officials; to provide for the assessment and collection of fees; to authorize the issuance of bonds and notes; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.

History: 2006, Act 110, IFR, July 1, 2006.

The People of the State of Michigan enact:

ARTICLE I
GENERAL PROVISIONS

125.3101 Short title.
Sec. 101. This act shall be known and may be cited as the "Michigan zoning enabling act".
History: 2006, Act 110, IFR, July 1, 2006.

125.3102 Definitions.
Sec. 102. As used in this act:

6

Planning and Zoning Enabling acts

Planning Enabling Act (PA 33 of 2008)

- Authority to create a planning commission
- Duties of the planning commission
- Authority to adopt a master plan
- Sets master plan public hearing and adoption procedures
- Requirement for a planning commission to review development and public works proposals
- Authority to create subdivision regulations (except counties)

Zoning Enabling Act (PA 110 of 2006)

- Zoning authorization and initiation
- Establishment of a Zoning Commission (Planning Commission)
- Zoning adoption and enforcement
- Special zoning provisions
- Zoning Board of Appeals
- Statutory compliance and repealer

7



Roles and Responsibilities

- ✓ TOWNSHIP BOARD
- ✓ PLANNING COMMISSION
- ✓ ZONING BOARD OF APPEALS

8

Roles and Responsibilities - Summary

Township Board:

- Appointments
- Ordinance Adoption and Amendments (Rezoning)
- Budgets
- Approval SLU
- Master Plan (optional)

Planning Commission:

- Master Plan
- Developing Zoning Ordinance and Amendments
- Approval SP
- Subdivisions and Condominiums
- Zoning Reviews - Recommendations

ZBA:

- Variances
- Appeals
- Interpretations
- Other Duties

9

Planning Commission

- Appointed residents of the community who give guidance to the land use, zoning, and planning process
- Formulate and adopt the master plan
- Make recommendations on zoning ordinances and amendments (rezoning)
- Review and approve site plans, special use requests, subdivision plats, and condominiums.

10

Zoning Board of Appeals

- Appointed residents of the community who act in a judicial capacity under the zoning ordinance
- Deals with requests for variances, ordinance interpretations, and the appeal of administrative decisions by the Staff or Planning Commission.
- It is a “last resort” board: the only appeal of their decision is to Circuit or Federal Court.

11

Zoning Board of Appeals (cont.)

- Safeguard the rights of property owners
- Ensure fair application of regulations
- Keep zoning regulations out of court
- Eliminate the need for minor amendments
- Provide a “safety valve” where the strict application of the ordinance would impose a hardship to a particular property not shared by others.

12

Powers of the ZBA

- Grant (non-use) variances
- Interpret the zoning districts map and the zoning ordinance, and how it applies to given situations
- Hears appeals and applications concerning administrative decisions regarding enforcement of the zoning ordinance.

13



Master Planning

- ✓ WHAT AND WHY?
- ✓ THE VALUE OF A PLAN
- ✓ PLANNING RESPONSIBILITIES

14

What is a Master Plan?

- A comprehensive, long-range plan which provides a framework for growth, development, and the community vision
- A master plan describes...
 - Where the community has been
 - Where the community wants to go
 - How the community plans to get there
- May also be known as...

15

Why Plan?

- Set the community's vision for the future
 - The vision guides all decisions! Especially the "day-to-day" and seemingly minor decisions
- Protect and enhance community character, the environment, and quality of life
- Envision placemaking
- Establish a blueprint for development and redevelopment
- Promote collaboration within and between communities



16

The Value of a Master Plan

- With competing and limited resources, communities must plan in order to determine the wisest use of their resources to reach established goals
- Provides support/increases likelihood of funding
- A word of warning...
 - The value of the master plan is directly related to the community's willingness to follow it and its diligence in keeping the plan current by anticipating changing conditions
 - A plan that is ignored has no value

17

The Impact of a Master Plan

- Aesthetic
- Economic
- Political
- Social
- Physical



18

Master Plan Responsibilities: Elected Body

- Responsible for making policy decisions, adopting ordinances, and laws
- Can assert its right to adopt the master plan (Section 43 of the Planning Enabling Act)
- Appoint members of the Planning Commission
- Provide direction for community needs that should be addressed (work plan)
- Approve/allocate resources for planning



19

Master Plan Responsibilities: Planning Commission

- Advise governing body on needs that should be addressed in the master plan (work plan)
- Oversee and participate in the plan development process
 - May delegate responsibilities to subcommittees, steering committees, staff, consultants, etc.
- Conduct required public hearing
- Adopt the master plan
 - Unless the governing body has asserted its right to adopt

20

Master Plan Responsibilities: Planning Commission (cont.)

- Oversee and participate in plan implementation activities
 - May delegate responsibilities to subcommittees, steering committees, staff, consultants, etc...
- Report progress on the master plan annually to the governing body
- Review the master plan at least every 5 years



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Plan Timeframe

- Per the Planning Enabling Act:
 - *A master plan shall address land use and infrastructure issues and may project **20 years or more into the future**. A master plan shall include maps, plats, charts, and descriptive, explanatory, and other related matter and shall show the planning commission's recommendations for the physical development of the planning jurisdiction.*
- Although long-term oriented, specific short-term recommendations should be included in the plan

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Required Plan Content

- Required content/subjects are outlined in the Planning Enabling Act
- Minimum elements include:
 - Existing conditions (existing land use, environment, transportation, services)
 - Socioeconomic analysis
 - Goals and objectives
 - Future land use plan
 - Zoning plan
 - Implementation recommendations

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Zoning Ordinance Project

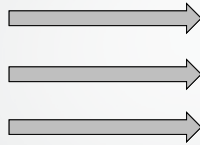
- ✓ BASIC PURPOSE
- ✓ KICK – OFF WORKSHEET

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Relationship Between Planning & Zoning

■ Master Plan

- Long Range
- Guidance
- Policy



■ Zoning Ordinance

- Immediate
- Regulatory
- Enforced

■ Terms

- Future Land Use Map
- Goals & Objectives

■ Terms

- Zoning Map
- Where and how uses are allowed

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Purposes of the Zoning Ordinance

- Protect property values
- Protect natural resources
- Prevent nuisances
- Ensure land use compatibility
- Prevent overcrowding
- Prevent overuse of land



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Zoning Basics

- Zoning is the primary tool communities have in:
 - Implementing the master plan
 - Shaping attractive, livable, physical environment
- Zoning must be based on a plan
- Zoning regulations run with the land and approvals do not change with ownership
- Zoning decisions are permanent, unless temporary by their nature (e.g. mineral extraction)
- Ordinance may provide for expiration of approvals if not acted upon.

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Zoning Ordinance Formatting

As part of our kickoff for the zoning ordinance update, this document will review some important changes to the formatting of the current zoning ordinance. We are using Microsoft Word for the development of the project and will provide this to you at the end of the process. Below is a table showing the current zoning ordinance layout and our proposed changes.

Current	New Layout - Comment
Article 1 Short Title	Article Short Title - No Change
	Article Definitions – Relocate to fit more traditional layout
Article 2 General Provisions	Relocate to General Development Design: Appearance, etc. Relocate into Use Requirements: Accessory Buildings, etc.
Article 3 General Exceptions	Re-incorporate into General Provisions Article Zoning Districts – Relocate to be a more traditional layout Article Use Requirements – Combine use requirements from General Provisions and Special Land Uses Article Reserve** Article General Provisions - Relocate to be a more traditional layout
Article 4 Site Plan Review	Consolidate into Admin & Enf
Article 5 Site Development & Environmental Standards	Article General Development Design – Relocate above listed items and more from General Provisions.
Article 6 Off-Street Parking	Article Off-Street Parking - Relocate to be a more traditional layout
	Article Signs** – Relocated from Site Dev & Envir
	Article Reserve**
Article 7 Zoning Districts	Relocate to be a more traditional layout
Article 8 AG	Consolidation into Article Zoning Districts
Article 8A SAA	
Article 9 R-1	
Article 10 RM	
Article 11 Land Lease Dev	
Article 12 B-1	
Article 13 B-2	
Article 14 M-1	
Article 15 M-2	
Article 16 SLU Requirements	Relocate to earlier in Ordinance
Article 17 Nonconformities	Article Nonconformities
Article 18 ZBA	Article Zoning Board of Appeals
Article 19 Admin & Enf	Article Administration & Enforcement
Article 20 Definitions	Relocate to be a more traditional layout
Article 21 Enforcement	Consolidation into Article Administration & Enforcement
Article 22 – 24	Consolidation into Article Short Title Article Reserve**
Article 25 Effective Date	Article Effective Date
Key: New Article **	

Master Plan

We will review your zoning plan in the master plan as well as other implementation sections to ensure we incorporate proposed changes in the plan. **Based on the zoning plan, we propose to...**

Table of District Dimensions

This table will be developed to have a one stop location to know setbacks and other dimensional components of each zoning district.

Quick Reference Boxes in Introduction

To help promote a one stop shop reference page. We will provide an intro page with shortcuts to common pieces of information in the zoning ordinance by type of user. Below is our standard outline. Let us know if there are other common sections you like added:

- **Homeowner** – Fences, Accessory Buildings, Keeping of Livestock, Zoning Districts
- **Business Owners** – Zoning Districts, Signs, Parking, Administration, Nonconformities
- **Developer** – Zoning Districts, Signs, Parking, Administration, Table of Uses



Footer - Page Numbering:

Our footer will include the name of the article and page number. To assist in the maintenance of zoning ordinances we recommend a chapter/article # then sequencing page number. This makes it so when content is removed or added only that article is required to be re-printed. Example shown below.

Article 3 Administration
Page: 3-1

Numbering Sequence

We are standardizing the subsections to follow the below sequence. Our experience shows this helps minimize errors in allowing the sequence to alternate number, letter, number etc. An example is Sec. 4.A.4.c(1).

Section 3.00 Name

- A. Letter Heading 3
 - 1. Number Heading 4
 - a. Letter Heading 5
 - (1) Number Heading 6

Font

The type of font and size can impact readability. The current font used in the Zoning Ordinance is Arial 11 Point. Below is a sample of popular fonts at various sizes you may want to switch to:

Calibri – 11 Point
Calibri -12 Point
Calibri - 13 Point

Arial – 11 Point
Arial -12 Point
Arial - 13 Point

Times New Roman – 11 Point
 Times New Roman – 12 Point
 Times New Roman – 13 Point

Franklin Gothic Book – 11 Point
 Franklin Gothic Book – 12 Point
 Franklin Gothic Book – 13 Point

Shortcuts & Hyperlinks

Throughout the updated zoning ordinance, we will include digital hyperlinks to make it easier for a user looking at the document on the computer to jump to relevant sections. Throughout the document we will also have buttons to help navigate to various sections of the zoning ordinance.

Abbreviations

We propose at the beginning of each article to fully spell out any abbreviations. Later in the individual articles we propose to use the common abbreviations:

PC = Planning Commission, ZBA = Zoning Board of Appeals, Individual Zoning Districts (Ex. R-1 = Single Family Residential)

Viewing Document

As part of our final product we will provide a Microsoft Word document and PDF that the township is welcome to put on your website for public access.

Maintenance

To assist in the maintenance of the zoning ordinance, provided is an amendment table. At the completion of the zoning ordinance update this table will be blank until further text amendments are made after the new zoning ordinance is adopted.

Project Logistics

As part of this project, we would like to clarify how you would like to receive packets and who will receive packets. A few options for these questions are below:

Who Gets a copy:

- The entire audit and draft process to be sent to Township Board
- Specific relevant audits and drafts to certain groups (ex. ZBA review zoning board of appeals article)
- Specific drafts after the audit are reviewed by the Planning Commission are sent to certain groups (ex. DDA can review drafted sections relevant to aesthetics in downtown)
- The Planning Commission only receives audits and drafts while the pre-public hearing draft will be sent to the Township Board when that time comes

Tentative Timeline

Task	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Jan
Incorp Amendments	X									
Audit	X	X	X	X	X	X	X	X		
Draft		X	X	X	X	X	X	X		
PH									X	
Adoption										X



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PA 233 of 2023 - WIND, SOLAR, AND STORAGE CERTIFICATION

The Michigan Public Service Commission (MPSC) will have ultimate permitting authority over large-scale wind and solar arrays.

Terms:

- A **large scale wind facility** is considered 1 or more wind turbines to generate electricity and has a nameplate capacity of 100 megawatts or more.
- A **large solar energy facility** has a nameplate capacity of 50 megawatts or more.
- An **energy storage facility** is a system which absorbs, stores, and discharges electricity, excluding fossil fuel storage and power to gas storage, with a nameplate capacity of 50 megawatts or more and an energy discharge capability of 200 megawatt hours or more.

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Review Process

- The new law will allow local governments to keep permitting authority if a municipality has a **“compatible renewable energy ordinance”** complying with the development requirements outlined in the law. But developers **could bypass** the local permitting process if a community lacks an approved ordinance, takes too long to review a proposal, or rejects a proposal that complies with State standards.
- Requests to construct new wind and solar energy facilities will go to the MPSC. **A public meeting will need to be held in the local community.** The developer needs to meet with the chief elected official of the local municipality prior to the meeting.
- **Within 30 days after the meeting**, the chief elected official may notify the developer that the local municipality has a compatible renewable energy ordinance. If so, the developer is required to submit the project for approval by the local municipality. **The application would need to be approved or denied within 120 days of receiving the application.** However, the local municipality can’t deny an application (or is overruled by the MPSC if it does) which complies with the development requirements outlined in the law.

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State Standards & Requirements

- Site plans submitted to the MPSC must include minimum informational requirements specified in the law.
- Decommissioning plans are required and allow for strict performance guarantee cost percentages.
- Local units may receive a “grant” determined by the MPSC not to exceed \$75,000 per affected local government or total cost of \$150,000.
- The developer must enter into a host community agreement with the local unit of government, which includes a payment of \$2,000 per megawatt capacity. This payment can be spent by the local unit of government for “police, fire, public safety, or other infrastructure, or for other projects as agreed to by the local unit and the applicant.”
- Construction of the proposed energy facility must begin within 5 years after the date the permit is issued by the MPSC.

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State Standards & Requirements

- The law clarifies that energy storage facilities may include one or more parcels, including noncontiguous parcels, without requiring the combination of parcels.
- **Development requirements for solar energy** are outlined in the law and cover such topics:
 - Ground cover,
 - “Unreasonable Diminish Farmland” Concerns,
 - Setbacks,
 - Fencing,
 - Height,
 - Sound,
 - Exterior Lighting.

Township has
Zoning Ord
Language on Solar

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State Standards & Requirements

- The law clarifies that energy storage facilities may include one or more parcels, including noncontiguous parcels, without requiring the combination of parcels.
- **Development Requirements For Wind Energy** Are Outlined In The Law And Cover Such Topics:
 - Noise,
 - Light,
 - Height,
 - Setbacks,
 - Shadow Flicker.
- **Development Requirements For Energy Storage Facilities** Are Outlined In The Law And Cover Such Topics:
 - Setbacks,
 - Sound,
 - Exterior Lighting.

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Discussion

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Thank you!



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Sources & Resource Materials

- Planning & Zoning Essentials Training, Michigan Association of Planning
- Planning & Zoning Essentials Booklet, Michigan Association of Planning
- Redevelopment Ready Communities (RRC) Best Practices Training, Michigan Economic Development Corporation
- Township Guide to Planning and Zoning, Michigan Townships Association
- Township Planning & Zoning Decision-making, Michigan Townships Association
- Michigan Zoning, Planning, and Land Use, March, 2010 Update, ICLE
- Michigan Laws Related to Planning, 10th Edition, Planning & Zoning Center at MSU
- Planning & Zoning News, various editions
- Zoning Bulletin, various editions