



**ACME TOWNSHIP PLANNING COMMISSION MEETING
ACME TOWNSHIP HALL
6042 Acme Road, Williamsburg MI 49690
July 11th, 2016 7:00 p.m.**

CALL TO ORDER WITH PLEDGE OF ALLEGIANCE

ROLL CALL:

- A. LIMITED PUBLIC COMMENT:** Members of the public may address the Commission regarding any subject of community interest during public comment periods by filling out a Public Comment Card and submitting it to the Secretary. Public comments are limited to three minutes per individual. Comments during other portions of the agenda may or may not be entertained at the moderator's discretion
- B. APPROVAL OF AGENDA:**
- C. INQUIRY AS TO CONFLICTS OF INTEREST:**
- D. CONSENT CALENDAR:** The purpose of the consent calendar is to expedite business by grouping non-controversial items together for one Commission motion without discussion. A request to remove any item for discussion later in the agenda from any member of the Commission, staff or public shall be granted.
 - 1. RECEIVE AND FILE**
 - a. Approved Township Board Minutes 05/10/16
 - b. Draft Township Board Minutes 06/07/16
 - 2. ACTION:**
 - a. Draft Planning Commission Minutes 06/13/16
- E. ITEMS REMOVED FROM THE CONSENT CALENDAR**
 - 1. _____
 - 2. _____
- F. CORRESPONDENCE:**
- G. PUBLIC HEARINGS:**
 - 1. Zoning Ordinance Amendment 042 – Land Use Table under §6.6.4.1 Regulated Uses
- H. OLD BUSINESS:**
 - 1. Zoning Ordinance Amendment 042 – Land Use Table under §6.6.4.1 Regulated Uses
 - 2. Conceptual Plan for VGT Properties Along M-72
 - 3. Zoning Ordinance Amendment 039 – Article VIII Site Plan Review
 - 4. Zoning Ordinance Amendment 041 – Article IX Special Uses
- I. NEW BUSINESS:**
 - 1. Review §7.4 Signs
- J. PUBLIC COMMENT & OTHER PC BUSINESS**
 - 1. Zoning Administrator Report – Shawn Winter
 - 2. Planning Consultant Report – John Iacoangeli
 - 3. Township Board Report – Doug White
 - 4. Parks & Trails Committee Report – Marcie Timmins

ADJOURN:



**ACME TOWNSHIP PLANNING COMMISSION MEETING
ACME TOWNSHIP HALL
6042 Acme Road, Williamsburg MI 49690
July 11th, 2016 7:00 p.m.**

CALL TO ORDER WITH PLEDGE OF ALLEGIANCE: @ 7:02pm

ROLL CALL:

PC Members Present: D. Rosa, D. White, S. Feringa (Vice Chair), K. Wentzloff (Chair), M. Timmins, T. Forgette (Secretary), B. Balentine

PC Members Absent: J. Jessup

Staff Present: S. Winter, Zoning Administrator; J. Iacoangeli, Township Planner

A. LIMITED PUBLIC COMMENT: 7:03pm

Joel and Debbie Safronoff, 7206 Peaceful Valley Road. Voiced a concern about nuisance issues on a weekly rental in Woodland Acres over the past three weeks and showed some pictures of the issues. Though not a problem in the past, described recent issues this summer related to a nearby property and wanted to know what could be done. They reported issues related to garbage being left, personal safety, etc. to Township Supervisor who indicated the nuisance issues were not allowed but an ordinance would be necessary to prohibit weekly rentals. Discussion occurred and it was thought to look into the topic of weekly rentals in the near future.

Winter wanted to go on record regarding a voicemail message received today at 6pm from Brian Kelley. He was concerned about the site plan review amendment that is on the agenda. Feels recommendation to the Board should be postponed since many people are busy and away in the summer and it should be moved to a later date. Wentzloff asked if whether we should not do anything in December either due to holiday and wanted to go on record saying perhaps we should not work since life is too busy.

Public comment closed at 7:16pm

B. APPROVAL OF AGENDA:

Motion by Timmins to approve the agenda as presented, support by White. Motion passed unanimously

C. INQUIRY AS TO CONFLICTS OF INTEREST:

Feringa recused himself from discussion on agenda item H.2 Conceptual Plan for VGT Properties along M-72.

D. CONSENT CALENDAR:

1. RECEIVE AND FILE

a. Approved Township Board Minutes 05/10/16

b. Draft Township Board Minutes 06/07/16

2. ACTION:

a. Draft Planning Commission Minutes 06/13/16

E. ITEMS REMOVED FROM THE CONSENT CALENDAR

If you are planning to attend and are physically challenged, requiring any special assistance, please notify Cathy Dye, Clerk, within 24 hours of the meeting at 938-1350.

1. Draft Planning Commission Minutes 06/13/16 - Removed from agenda by PC as draft minutes missing from packet.

Motion by Timmins to approve the consent calendar with the removal of action 2.a. Support by Forgette. Motion passed unanimously.

As a housekeeping note, Wentzloff recommended consent calendar item listings should include “approve” where appropriate for items under ACTION.

F. CORRESPONDENCE: None.

G. PUBLIC HEARINGS: Opened at 7:20pm

1. Zoning Ordinance Amendment 042 – Land Use Table under §6.6.4.1 Regulated Uses

No public comment. Hearing closed at 7:20pm.

H. OLD BUSINESS:

1. Zoning Ordinance Amendment 042 – Land Use Table under §6.6.4.1 Regulated Uses

Winter summarized table and went through the recommended changes from previous meeting discussions with PC members. The following changes have been proposed to the Land Use Table under §6.6.4.1 Regulated Uses in the US-31/M-72 Business District (Form-based code district):

- o *Deletions under the Commercial Category*
The land use “Bar / Tavern.”
Under the “General Retail” land use the following exception shall be deleted “e. outdoor sales and storage of cars, boats, trucks and RV’s”
The land use “Microbrewery.”
- o *Additions under the Commercial Category*
The land use “Restaurant, café, coffee shop, bar and taverns except with the following features.”
Under the “Restaurant, café, coffee shop, bar and taverns except with the following features,” add the following “Outdoor Service” as a Special Use Permit (“SUP) in the “C” and “CF” zoning districts.
The land use “Microbrewery, Small Distillery, and Small Winery.”
- o *Additions under the Transportation / Utilities Category*
Public Transit Stop or Station as a Permitted Use (“P”) in the MHN Zoning District.

Motion made by Balentine to send Zoning Ordinance Amendment 042 – Land Use Table under §6.6.4.1 Regulated Uses to the Grand Traverse County Planning Commission for review and to recommend approval to Township Board. Support by Timmins. Motion passed unanimously.

2. **Conceptual Plan for VGT Properties Along M-72**

Iacoangeli provided an overview of a meeting and subsequent discussions with a potential applicant to VGT in the area of the first entrance along M-72. It became apparent to Iacoangeli and others that as presented the area of the site looked like out lots that would stand alone and like that you would see at a suburban site and was inconsistent with the current conceptual plan from 2004. The design dilemma is that the properties wanting to look nice along M-72 but should do so also internally within the development requiring basically two store fronts. Iacoangeli and his firm took this opportunity for a quick mockup of how the properties along this frontage could look and be integrated and presented the drawing to the PC incorporating important components like pedestrian friendly, shared driveway/parking lots, landscaping, incorporated pathways, etc. This drawing was presented to VGT and suggested that a new conceptual plan be created so as to better reflect current conditions. This would require an amendment to the SUP and is part of the continuing process. PC discussed.

3. Zoning Ordinance Amendment 039 – Article VIII Site Plan Review

Winter went over the ordinance as written with changes. The ordinance was part of the consent calendar at the last County Planning Commission meeting and was approved without discussion. Winter asked whether this should be sent to the Board for review and adoption now or part of the overall Zoning Ordinance adoption. Discussion occurred. As a Board member, White was concerned that having to review and approve the entire Ordinance in December may be too much to go over considering this is an election year and potential changes to Board membership. Iacoangeli thought some parts of the ordinance such as this one stand alone and could go to the board now. Wentzloff urged that the PC and staff make sure that other components (such as fee schedules, regular committee meeting schedules, by-laws, per diem, etc) may be linked and should be all buttoned up prior to being sent to the Board for review and approval. Some items may need to have Counsel review and should all be done prior to Board review.

Motion by Timmins to send the Zoning Ordinance Amendment 039, Article VIII Site Plan Review, to the Township Board for approval, support by Ballentine. Motion passed unanimously.

4. Zoning Ordinance Amendment 041 – Article IX Special Uses

Iacoangeli went over the progress made to Article IX since last meeting. Continued discussion to reorganize and identify the uses allowed (by right and special uses) in each district to better understand what changes need to be made in Article IX. Table format removes about 45 pages of the ordinance while making it easier to follow by removing repeating components. Counsel indicated that clarifications needed for accessories, and unlisted uses (Section 5.6). Iacoangeli feels there needs to be something in the ordinance for unlisted uses that the PC could act upon as opposed to sending to the ZBA. PC members agreed. Winter emphasized to PC that this would be a good opportunity for the PC to spend some time reviewing the regulated uses to make sure the tables reflect current and perhaps future land uses. Wentzloff asked about zoning district boundaries in Article 1.6.C.5 and possible conflict in Article 4. Iacoangeli explained rationale for provisions. Wentzloff also wondered if Article 4.14 and possibility of combining the language in parts A-C. Iacoangeli explained the language but could look at making more concise. A discussion on home dimension and square footage occurred which the PC decided this required additional review as its own item in the future. Discussion on if special land use in Article 5 requires a special land use permit. Section 5.9 table will receive additional review and work that involves staff to combine other sections. This will take some time to compile before it is ready for PC review. Usage taken from existing ordinance. Section 4.2 lists established districts and the naming conventions can be addressed later on. Overall, staff and PC are pleased with the process and the direction this rewrite is going.

I. NEW BUSINESS:

1. Review §7.4 Signs

Winter discussed with PC his determination of a recent sculpture on commercial property at the request of the PC Chair. He and counsel will be looking again at our current sign ordinance. They are looking at other communities ordinances and looking at how we regulate signage and abide with recent changes in case law.

J. PUBLIC COMMENT & OTHER PC BUSINESS - Opened at 8:26pm, closed at 8:26pm.

- 1. Zoning Administrator Report –** Shawn Winter provided brief summary of recent activity
- 2. Planning Consultant Report –** John Iacoangeli thinks we may see a minor amendment for VGT and a possible site plan for Chase next month
- 3. Township Board Report –** Doug White indicated work on Sayler Park commencing with road closed for work. Next month looking at Tart Trail.
- 4. Parks & Trails Committee Report –** Marcie Timmins reiterated White's report and added that a recent meeting discussed design standards.

ADJOURN: Motion to adjourn to by Timmins; support by Balentine. Motion approved unanimously. Meeting adjourned at 8:27pm.



MEMORANDUM

Planning and Zoning

6042 Acme Road | Williamsburg, MI | 49690

Phone: (231) 938-1350 Fax: (231) 938-1510 Web: www.acmetownship.org

To: Acme Township Planning Commission
From: Shawn Winter, Zoning Administrator
CC: Jeff Jocks, Counsel; John Iacoangeli, Planning Consultant
Date: June 30, 2016
Re: July 11, 2016 Planning Commission Packet Summary

A. LIMITED PUBLIC COMMENT

1. **Open:** _____ **Close:** _____

B. APPROVAL OF AGENDA

1. **Motion by:** _____ **Support:** _____

C. INQUIRY AS TO CONFLICTS OF INTEREST

1. **Name:** _____ **Item:** _____
2. **Name:** _____ **Item:** _____

D. CONSENT CALENDAR:

1. **RECEIVE AND FILE:**
 - a. Approved Township Board Minutes 05/10/16
 - b. Draft Township Board Minutes 06/07/16
2. **ACTION:**
 - a. Draft Planning Commission Minutes 06/13/16

E. ITEMS TO BE REMOVED FROM THE CONSENT CALENDAR

1. _____
2. _____

F. CORRESPONDENCE:

1. **None**

G. PUBLIC HEARINGS:

1. **Zoning Ordinance Amendment 042 - Land Use Table under §6.6.4.1 Regulated Uses**
 - See overview under OLD BUSINESS below

H. OLD BUSINESS:

1. **Zoning Ordinance Amendment 042 - Land Use Table under §6.6.4.1 Regulated Uses**
 - After the May 9, 2016 PC meeting the following changes have been proposed to the Land Use Table under §6.6.4.1 Regulated Uses in the US-31/M-72 Business District (Form-based code district):
 - Deletions under the Commercial Category
 - The land use "Bar / Tavern."
 - Under the "General Retail" land use the following exception shall be deleted "e. outdoor sales and storage of cars, boats, trucks and RV's"

- The land use “Microbrewery.”
 - Additions under the Commercial Category
 - The land use “Restaurant, café, coffee shop, bar and taverns except with the following features.”
 - Under the “Restaurant, café, coffee shop, bar and taverns except with the following features,” add the following “Outdoor Service” as a Special Use Permit (“SUP) in the “C” and “CF” zoning districts.
 - The land use “Microbrewery, Small Distillery, and Small Winery.”
 - Additions under the Transportation / Utilities Category
 - Public Transit Stop or Station as a Permitted Use (“P”) in the MHN Zoning District.
- Suggested Action:
 - Discuss any additional changes that are warranted, incorporate if needed.
- Suggested Motion:
 - *Motion to send Zoning Ordinance Amendment 042 – Land Use Table under §6.6.4.1 Regulated Uses [as presented] to the Grand Traverse County Planning Commission for review and to recommend approval to Township Board.*
 - Motion: _____ Support: _____

2. Conceptual Plan for VGT Properties Along M-72

- Conversation in regards to updating the VGT Conceptual Plan
- This is a continuing process

3. Zoning Ordinance Amendment 039 – Article VIII Site Plan Review

- Zoning Ordinance Amendment 039 – Article VIII Site Plan Review was sent to the Grand Traverse County Planning Commission for review at their June 21, 2016 meeting. The item was placed on the consent calendar, and no one wanted it pulled for further discussion.
- The item was approved with the consent calendar.
- Draft copy enclosed
- Do we send this to the Township Board for review and adoption now, or at the end as part of the overall Zoning Ordinance adoption? Zoning Ordinance re-write calendar enclosed.

4. Zoning Ordinance Amendment 041 – Article IX Special Uses

- Presentation of the progress made to Article IX since last meeting.
- If you recall, we are attempting to reorganize and identify the uses allowed (by-right and special uses) in each district to better understand what changes need to made in Article IX

I. NEW BUSINESS:

1. Review of §7.4 Signs

- The PC Chair has requested a review of §7.4 Signs be placed on this month’s agenda.
- There was a discussion at the last meeting over the proposed horse sculpture at Spirit of the West. It was determined that a horse sculpture that is for sale is considered merchandise, and under §3.2 DEFINITIONS merchandise can be considered signage. The definition reads as:
 - **Sign Regulation Definitions:**
 1. Highway Advertising Sign: A structure which is an off premises sign owned by a person, corporation, or the entity that engages in the business of selling the advertising space on that sign.
 2. Billboard: See Highway Advertising Sign.
 3. Portable Sign: A free-standing sign not permanently anchored or

secured to either a building or the ground, trailered or similarly mounted signs or signs on parked vehicles where the sign is the primary use of the vehicle or wheeled object.

4. Roof Sign: Any sign which is erected above the roof of a building.
 5. Sign: Any identification, description, illustration, display, or device illuminated or non-illuminated which is visible from any public place, or is located on private property and exposed to the public, and which directs attention to a product, service, place, activity, person, institution, business or solicitation, including any permanently installed or situated merchandise; or any emblem, painting, banner, pennant, placard, or temporary sign designed to advertise, identify or convey information, with the exception of window displays and national, state, municipal, and institutional flags. For the purpose of removal, signs shall also include all sign structures.
- In this case, the last definition (#5) is most applicable as it pertains to merchandise. However, under §7.4.2 DEFINITIONS, we have a different definition of a sign as:
 - **Sign:** Any device visible from a public place whose essential purpose and design is to convey either commercial or noncommercial messages by means of graphic presentation or alphabetic or pictorial symbols or representations. Noncommercial flags or any other flags displayed from flagpoles or staffs will not be considered to signs.
 - As you can see there are some discrepancies between the two definitions. This should be addressed when we work on amending Article VII Supplementary Regulations (next up after Article IX Special Uses), and/or Article III Definitions (scheduled after Article VII).
 - The day after the last PC meeting the horse sculpture was installed before I had the opportunity to speak with the business owner. When I told him the sign had to be removed his point was that it was not a sign, but rather landscaping.
 - I conducted a site visit and made the administrative determination that the horse sculpture was indeed landscaping for although a similar horse sculpture could be purchased inside, that particular horse sculpture was not for sale and was permanently (or semi-permanently) installed into the landscape/parking island using rebar and a 12" or 24" inch concrete base.
 - There are other locations in the Township where this is occurring: Woodland Creek, Wilhelm's Landscaping on M-72.
 - There are a few other items in the §7.4 that should be cleaned up, however, we may need to take a more comprehensive look at how we regulate signs in light of the *Reed v. Town of Gilbert, Arizona* Supreme Court ruling and content-neutral regulations. This will require direction from Counsel on how we move forward.
 - A copy of §7.4 has been included in your packet.

J. PUBLIC COMMENT & OTHER PC BUSINESS:

1. **Public Comment:**
 - **Open:** **Close:**
2. **Zoning Administrator Report:** Shawn Winter
 - Land Use Permits –
 -
 - Sign Permits – 3
 -
3. **Planning Consultant Report:** John Iacoangeli

4. **Township Board Report:** Doug White
5. **Parks & Trails Committee Report:** Marcie Timmins



**ACME TOWNSHIP BOARD MEETING
ACME TOWNSHIP HALL
6042 Acme Road, Williamsburg MI 49690
Tuesday, May 10, 2016, 7:00 p.m.**

CALL TO ORDER WITH PLEDGE OF ALLEGIANCE at 7:00 p.m.

Members present: J. Aukerman, C. Dye, A. Jenema, G.LaPointe, P. Scott, D. White, J. Zollinger
Members excused: None
Staff present: N. Edwardson, Recording Secretary

A. LIMITED PUBLIC COMMENT:

Jason Allen, running for Michigan 1st Congressional district in the 2016 August primary was present. to introduce himself. This is the second largest congressional district east of the Mississippi. If elected it would be a privilege to serve this community.

J. Pulcifer, US 31 North, expressed his opposition with the Tart Trails. He felt as a major property owner he should have been directly contacted by Tart or the Tart Trails committee. Pulcifer feels this will effect his farming operation.

D. Nelson, 7466 Sayler Rd, stated he was running for Board Trustee for Acme Township.

B. APPROVAL OF AGENDA:

Zollinger had three items to add to the agenda under New Business #3 Planning Commission from 9 to 7 Members, New Business #2 41 and New Business #4 Resolution for budget amendments. Zollinger will discuss the Parks & Part 41 prepaid bills under Reports E on the agenda.

**Motion by Scott, seconded by White to approve the agenda with the three additions to New Business.
Motion carried by unanimous vote.**

C. APPROVAL OF BOARD MINUTES

- 1. Draft unapproved minutes 04/05/16 Regular Board**
- 2. Draft unapproved minutes 04/20/16 Special Board meeting**

**Motion by White, seconded by Dye to approve the 04/05/16 and 04/20/16 Board minutes as presented.
Motion carried by unanimous vote.**

D. INQUIRY AS TO CONFLICTS OF INTEREST: None

E. REPORTS:

- 1. Clerk – Dye**
Dye reported at the Elk Rapids School election on May 3, 2016, 50 of the 292 registered voters voted. The mileage passed.
- 2. Parks – Henkel Received and filed**
- 3. Legal Counsel – Jocks Received and filed**
- 4. Sheriff – Ken Chubb Received and filed**
- 5. County – Carol Crawford**
- 6. Roads – Marc McKeller**
- 7. Supervisor’s Report - Zollinger**
Zollinger stated that to assist the township in moving some of our park improvement plans forward he is asking the Board for approval to pay bills for the following. Brown and Brown for Sayler park Shelter # 2 construction and roof repair on Shelter # 3 for \$18,100. The money has been paid by our insurance carrier and once work is completed an additional reimbursement of \$5,648 will be received by the

Township. The other bill is to Consumer Energy for \$3,916 to move overhead power lines to underground lines. Zollinger also commented at Bayside park we need approval to pre pay Wells Irrigation for installation of irrigation to the new garden area up to \$1,600 recommended by Jenema. One additional bill Zollinger is requesting to pay our Part 41 fine to the DEQ for the violation notice of not applying before construction started on the sewer. This should be about \$1,500 which is being charged to the GTTC escrow account.

Zollinger commented that all the work on pavilions 2 and 3 are completed. Pictures of the completed Shelter # 2 were on the table.

Motion by Jenema, seconded by Scott to approve the memo requesting monies as presented by Zollinger not to exceed \$1,600 on the Wells Irrigation. Motion carried by unanimous roll call vote.

F. SPECIAL PRESENTATIONS/DISCUSSIONS: None

G. CONSENT CALENDAR: The purpose is to expedite business by grouping non-controversial items together one Board motion (roll call vote) without discussion. A request to remove any item for discussion later in the agenda from any member of the Board, staff or public shall be granted.

1. RECEIVE AND FILE:

- a. **Treasurer's Report**
- b. **Clerk's Revenue/Expenditure Report and Balance Sheet**
- c. **RecycleSmart Press Release**
- d. **2015 East Bay Water Works Annual Report**
- e. **Metro Fire Newsletter**
- f. **Draft unapproved meeting minutes**
 1. **Planning Commission 04/11/16**
 2. **Parks & Trails 04/14/16**

2. APPROVAL:

- a. **Accounts Payable Prepaid of \$5,736.22 and Current to be approved of \$42,710.83 (Recommend approval: Cathy Dye, Clerk)**

Motion by Jenema, seconded by Dye to approve the consent calendar with the removal of the current bills report. Motion carried by unanimous roll call vote.

H. ITEMS REMOVED FROM THE CONSENT CALENDAR:

Dye requested that two additional bills, for Brown and Brown Contractor for \$9,000.00 and Consumer Energy for \$3,916.00.

Motion by LaPointe, seconded by Jenema to approve the current bills with the additional two bills totaling \$12,916.00. The current bills to be paid will be \$55,626.83. Motion carried by unanimous roll call vote.

I. CORRESPONDENCE: None

J. PUBLIC HEARING: None

K. NEW BUSINESS:

1. Zoning Ordinance amendment 038 – Temporary Outdoor sales

Zoning Administrator, Winter, presented the Zoning Ordinance Amendment 038 to the Board. The Planning Commission voted 5-1 in favor of sending the proposed amendment to the Grand Traverse County Planning where they concurred with the Township Planning Commission. The ordinance would allow for temporary outside sales under Article VII – Supplementary Regulations. The temporary outside sale (i.e. tent sale, sidewalk sale, Christmas tree sale) is intended to be an accessory event to an existing business. Winter reviewed some of the highlights of the ordinance. Discussion followed with Board wanting a fee to be established in the Acme Township Fee schedule for permitting of temporary outdoor sales.

Also Board would like the Planning Commission to revisit Section 7.2.10 under a. Regulations #4 regarding outside agents operating temporary outdoor sales.

Motion by Jenema seconded by Scott to approve Zoning Ordinance Amendment 038 – Temporary Outdoor sales as presented. Motion carried by unanimous roll call vote

Trustee, LaPointe, asked the Board for a straw poll “Did the board support sending this back to PC to look at including the ability to allow an agent to operate the temporary outdoors sales site? It was the consensus of the Board to do this.

2. Fireworks permit Matson property, Kay Ray Road:

Zollinger state that this permit was issued in 2014 for fireworks on Kay Ray Road. The family is returning for approval for fireworks the Summer of 2016.

Motion by Jenema, seconded by LaPointe to approve the fireworks permit as presented. Motion carried by unanimous vote.

3. Planning Commission members reduced from 9 to 7:

Motion by LaPointe, seconded by Aukerman to reduce Planning Commission from 9 to 7 members. Motion carried by unanimous vote.

4. Resolution on balancing Township budget:

Zollinger stated that Funds 861 Retirement Administration and 865 Insurance/Liability policy have budget amounts which need increased to reflect money spent for cost increase to manage the Acme Township 401 plan and for our annual liability insurance.

Motion by Jenema, seconded by Dye, to approve Resolution R-2016-20 for various fund moves adjustments for the 2015/2016 Township Budget be approved as presented. Motion carried by unanimous roll call vote.

L. OLD BUSINESS:

1. 2016-2017 Budget discussion on salaries

Trustee, LaPointe, provided a memo regarding Trustee pay and considering reducing the compensation to a more reasonable amount. A salary survey that was completed a year ago of comparable Townships was included in the memo. Discussion followed.

Motion by Scott seconded by Jenema to leave the Trustee salary as is. Motion carried by a roll call vote of 6 (Aukerman, Dye, Jenema, Scott, White, Zollinger) in favor and 1 (LaPointe) opposing.

Board reviewed all salaries. Discussion followed.

LaPointe expressed concerns about Maintenance & Parks. He would like to call a special meeting to discuss further with Henkel and the Board to come to some resolution as to the concerns and issues. Scott would also request that legal counsel be there as well.

Motion by LaPointe, seconded by Scott, to authorize Zollinger to seek and set a date for a Special meeting to discuss Maintenance & Parks. Motion carried by unanimous vote.

Zollinger stated that DPW is buying a new truck and he increased the Budget line item in Sewer for the portion Acme Township would be required to pay. This is a crane truck to be used when you have large pumps to move. The crane can go right over the pumps and lift them up.

Motion by Scott, seconded by White, to support DPW in the increase to purchase a new crane truck. Motion carried by unanimous vote.

PUBLIC COMMENT & OTHER BUSINESS THAT MAY COME BEFORE THE BOARD:

Trustee, Jenema, expressed her concerns to Pulcipher's comments earlier in Public comments. There was a task force created with farmers present. The focus right now is right here in Acme Township.

Zollinger has received a bid to remove two willows and some other trees in Bayside in preparation for the new pathways. Board approved the work

P. Anderson, 10108 Kay Ray Rd, asked what the progress was on the two burnt houses in the Township. Zollinger said that things were moving along but slowly.

ADJOURN AT 10:00 pm



**ACME TOWNSHIP BOARD MEETING
ACME TOWNSHIP HALL
6042 Acme Road, Williamsburg MI 49690
Tuesday, June 7, 2016, 7:00 p.m.**

CALL TO ORDER WITH PLEDGE OF ALLEGIANCE at 7:00 p.m.

Members present: J. Aukerman, C. Dye, A. Jenema, G.LaPointe, P. Scott, D. White, J. Zollinger
Members excused: None
Staff present: N. Edwardson, Recording Secretary

A. LIMITED PUBLIC COMMENT:

Gail Parsons, Director of Traverse Area District Library (TADL) system was present to talk about the ballot proposal to renew a levy of .9548 mills to provide funding for TADL for ten years at the August 2nd primary.

Kim and Steve Eiseler, owners of the “Spirit of the West” business newly relocated to Acme Township, introduced themselves.

D. Nelson, 7466 Saylor Rd, commented that he was running for the position of Trustee on the Acme Township Board. He wanted to put a face to the name.

B. APPROVAL OF AGENDA:

Zollinger requested two items be added under New Business; #8 Fees schedule update and #9 TC Boom Boom club 4th of July Fireworks funding. Zollinger also stated there was a new report for Henkel and Sheriff on the table.

Motion by LaPointe, seconded by White to approve the agenda with the two additions to New Business. Motion carried by unanimous vote.

C. APPROVAL OF BOARD MINUTES

1. Draft unapproved minutes 05/10/16 Regular Board

Motion by Dye seconded by LaPointe to approve the 05/10/16 Board minutes with the corrections.

Discussion followed regarding second motion by LaPointe. Board decided to strike out the second motion by LaPointe on the May 10th Board minutes.

Motion carried by unanimous vote.

D. INQUIRY AS TO CONFLICTS OF INTEREST: None

E. REPORTS:

1. Clerk – Dye

Dye commented that work was being done on the Employee Handbook by the Personnel committee, also training election for workers was in July.

2. Parks – Henkel Received and filed

3. Legal Counsel – No report

4. Sherriff – Received and filed

5. County – Carol Crawford

6. Roads – Marc McKeller

F. SPECIAL PRESENTATIONS/DISCUSSIONS: None

G. CONSENT CALENDAR: The purpose is to expedite business by grouping non-controversial items together one Board motion (roll call vote) without discussion. A request to remove any item for discussion later in the agenda from any member of the Board, staff or public shall be granted.

1. RECEIVE AND FILE:

- a. **Treasurer's Report**
- b. **Clerk's Revenue/Expenditure Report and Balance Sheet**
Draft unapproved meeting minutes
 - 1. **Planning Commission 05/09/16**

2. APPROVAL:

- a. **Accounts Payable Prepaid of \$74,707.46 and Current to be approved of \$129,223.91**
(Recommend approval: Cathy Dye, Clerk)

Motion by Scott, seconded by Jenema to approve the consent calendar with the removal of the current bills report. Motion carried by unanimous roll call vote.

H. ITEMS REMOVED FROM THE CONSENT CALENDAR:

Jenema requested \$1,500 for postage for July tax bills to be added to current bills.

Motion by Scott, seconded by White, to approve the addition of \$1,500.00 for July tax bill. Motion carried by unanimous roll call vote.

I. CORRESPONDENCE:

1. Email dated 06/02/26 from Brian Kelley

Kelley requested the email to be read. LaPointe stated that Mr. Kelley was not present nor was the issue relative to the Board agenda. The email is in the packet on the website.

Motion by LaPointe, seconded by Scott, to not read the email from Kelley as presented. Motion carried by unanimous vote.

J. PUBLIC HEARING: Adoption of Acme Township Budget for 2016-2017
Resolutions for Budget

Resolution R-2016-#21 Supervisor's Salary

Zollinger recused himself and turned the gavel over to Dye.

Motion by Jenema, seconded Aukerman to approve Resolution R-2016-#21 establishing the Acme Township Supervisor's salary for fiscal year 2016-17 at \$37,000. Motion carried by roll call vote of 6 (Aukerman, Dye, Jenema, LaPointe, Scott, White) in favor and 1 (Zollinger) abstaining.

Resolution R-2016-#22 Stipends for Elected Officials for extra duties performed above statutory responsibilities

Motion by Jenema, seconded by LaPointe to approve Resolution R-2016-#22 supporting stipends for elected officials for extra duties performed above statutory responsibilities. Motion carried by roll call vote of 6 (Aukerman, Dye, Jenema, LaPointe, Scott, White) in favor and 1 (Zollinger) abstaining.

Resolution R-2016-#23 Clerk's Salary

Zollinger reassumed the gavel and Dye recused herself

Motion by White, seconded by Scott to approve Resolution R-2016-#23 establishing the Acme Township Clerk's salary at \$37,008 for fiscal year 2016-17. Motion carried by roll call vote of 6 (Aukerman, Jenema, LaPointe, Scott, White, Zollinger) in favor and 1 (Dye) abstaining.

Resolution R-2016#24 Treasurer's Salary

Dye rejoined the Board and Jenema recused herself

Motion by White, seconded by Aukerman to approve Resolution R-2016-#24 establishing the Acme Township Treasurer's salary at \$25,159 for the fiscal year 2016-17. Motion carried by roll call vote of 6 (Aukerman,Dye, LaPointe, Scott, White, Zollinger) in favor and 1 (Jenema) abstaining.

Resolution R-2016-#25 Trustees' Salaries

Jenema rejoined the Board.

Motion by Jenema, seconded by Dye, to approve Resolution R-2016-#25 establishing the Acme Township Trustees' salaries at \$6,000 and \$50.00/meeting per diem for additional meetings, where the board has requested their attendance. This does not apply when being paid by another entity. Motion carried by unanimous roll call vote.

Budget approval Fiscal year 2016/2017

Motion by White, seconded by Scott to adopt Resolution R-2016-#26 establishing the Acme Township General Appropriations Act for fiscal year 2016-2017. Motion carried by unanimous roll call vote.

K. NEW BUSINESS:

1. Annual Supervisor's recommendations for Planning Commission and various committees

Zollinger commented that the Board will not be voting on the Planning Commission member, Fourgette, as the PC appoints that person.

Motion by LaPointe, seconded by Aukerman to approve the Supervisor's recommendations for Planning Commission and ZBA as presented. Motion carried by unanimous vote.

2. Tribal 2% grant for Bayside Park

Winter presented a memo regarding 2% Tribal allocation grant application. Parks and Trails committee decided at the May 24, 2016, meeting to, upon Board approval to pursue a 2% Tribal allocation grant in the June cycle for additional site amenities at Bayside Park.

Motion by Jenema, seconded by Aukerman, to approve authorization of the Parks and Trails committee to apply for a 2% tribal allocation grant in the June 30th cycle for site amenities at Bayside Park. Motion carried by unanimous vote.

3. Budget Resolutions for 2015-16 budget

Zollinger stated the funds listed in the resolution have budget amounts which need to be increased to reflect money spent for cost increase to manage the annual liability insurance/workmans compensation fund and to balance out our park fund for additional expenses.

Motion by Jenema, seconded by LaPointe to approve Resolution R-2016-#27 for various fund adjustments moves for the 2015-16 budget. Motion carried by unanimous roll call vote.

4. Mobile food vending units draft ordinance - Winter

The Board asked the Planning Commission to draft a police power ordinance regulating mobile food vending units (i.e.food trucks) in the Township. Winter asked the Board to review the draft ordinance and address any questions to him.

5. Zoning Ordinance amendment 040 form base regulated uses - Winter

Winter stated that this amendment is minor in nature, clarifying that new projects in the US-31/M-72 Business District must adhere to the requirements of the district in the case where a conflict exists with provisions elsewhere in the Zoning Ordinance.

Motion by White, seconded by LaPointe, to approve Zoning Ordinance Amendment 040 – Section 6.6.4.1 Regulated Uses clarifying the requirements of in the US-31/M-72 Business District as presented, contingent upon a favorable review by the Grand Traverse County Planning Commission at their June 21, 2016 meeting. Motion carried by unanimous vote.

6. VGT SUP minor amendment 2016-01

Winter stated that a motion was made at the May 2016 Planning Commission meeting to recommend approval to the Township Board of Minor Amendment #4 which rescinds Minor Amendment #3 to SUP 2004-11P.

Motion by LaPointe, seconded by White, to approve the Minor Amendment #4 which rescinds Minor Amendment #3 to SUP 2004-11P. Motion carried by unanimous vote.

7. Resolution to approve keeping Township hours to four 10 hour days

At the December 2015, Board meeting it was approved to conduct office hours of 7:30 am to 6:00 pm Monday-Thursday for a six month trial period. Zollinger commented there were two emails received in early January against the change.

Motion by Jenema, seconded by Scott to approve Resolution R-2016-#28 as presented with the removal of the word “permanent” in two places in the resolution. Motion carried by unanimous vote.

8. Schedule of Fees and Escrow Deposits Update

At the May Board meeting Winter was requested to establish in the Acme Township Fee schedule for permitting of temporary outdoors sales. Winter presented the new Schedule of Fees.

Motion by LaPointe, seconded by Jenema to approve the revised Schedule of Fees and Escrow Deposits as presented. Motion carried unanimously.

9. Boom Boom Club Fireworks donation

Zollinger commented that for the last four years we have financially supported the Traverse City Boom Boom club 4th of July fireworks to light up the Traverse City sky.

Motion by Scott, seconded by LaPointe to approve a \$300.00 donation to the Traverse City Boom Boom club for the 4th of July fireworks. Motion carried by unanimous roll call vote.

L. OLD BUSINESS:

- 1. Approval of final contract amount to Molan constructing \$327,020.81 for Sayler Park Boat Launch**
Zollinger stated that Molan Excavating was awarded the bid to construct the Sayler Park Boat Launch.

Motion by LaPointe, seconded by Aukerman to approve Resolution R-2016-#29 supporting the awarding of the contract with Molan Excavating, Inc. to construct the Sayler Park Boat Launch. Motion carried by unanimous roll call vote.

- 2. Approval of By-laws/Vision statement for Parks and Trails committee**

Earlier this spring the Parks & Trails committee provided the Board with a working draft of the committee's bylaws. Feedback was received and reviewed and updated the draft. A vision statement was also produced.

Motion by LaPointe, seconded by Scott to approve the Parks & Trails Bylaws and Vision statement has presented. Motion carried unanimously.

PUBLIC COMMENT & OTHER BUSINESS THAT MAY COME BEFORE THE BOARD:

Steve Eiseler, from the “Spirit of the West” business, commented on the lack of sidewalks in the township.

Jenema said the next Parks & Trails meeting will be Friday, June 17th at 10:00 am.

ADJOURN AT 9:00 pm

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**ACME TOWNSHIP PLANNING COMMISSION MEETING
ACME TOWNSHIP HALL
6042 Acme Road, Williamsburg MI 49690
May 9th, 2016 7:00 p.m.**

CALL TO ORDER WITH PLEDGE OF ALLEGIANCE at 7:01pm.

ROLL CALL:

PC Members Present: D. Rosa, D. White, S. Feringa, K. Wentzloff, M. Timmins, T. Forgette, B. Balentine, J. DeMarsh and J. Jessup.

PC Members Absent: None

Staff Present: S. Winter, Zoning Administrator; J. Iacoangeli, Township Planner; J. Jocks, Counsel (arrived at 7:07pm)

A. LIMITED PUBLIC COMMENT: Opened at 7:04pm

Rachelle Babcock, Spoke to the amendment to the site review ordinance. Cautioned Planning Commission (PC) member on taking public review out of the process with the addition of administrative review. Public comment closed at 7:05pm.

B. APPROVAL OF AGENDA:

Motion to approve the agenda made by D. White; support by Balentine. Motion passed unanimously

C. INQUIRY AS TO CONFLICTS OF INTEREST:

Conflict of interest request for New Business item G.1, SUP 2016-01 made by S.Feringa. Recused from that discussion.

D. CORRESPONDENCE:

1. GT County Planning Commission comments on ZO Amendment 038 – Temporary Outdoor Sales

Zoning Administrator provided PC with brief summary of the comments from GTC Planning Commission review that was placed on the April 12th GTCPC meeting as a consent item with comments. The consent calendar item was approved unanimously by GTCPC. The Acme Township Board will have the amendment presented with the recommendation to approve at their May 10th meeting.

E. PUBLIC HEARINGS:

1. Zoning Ordinance Amendment 039 – Article VIII: Site Plan Review

Hearing opened at 7:06pm. No public comments. Hearing closed at 7:06pm.

2. Zoning Ordinance Amendment 040 – §6.6.4.1 Regulated Uses (text amendment)

Hearing opened at 7:09pm. No public comments. Hearing closed at 7:09pm

F. OLD BUSINESS:

1. Zoning Ordinance Amendment 039 – Article VIII: Site Plan Review

Zoning Administrator read through a highlight summary of the amendment and notable changes that were discussed at the April 11th meeting. Summary included::

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Administrative Review Process (8.1.2)

- Three member Administrative Review Committee consisting of the Zoning Administrator, the Chair of the PC, and another member of the PC, as well as an alternate appointed by the PC;
- Appointments will be made annually at the time of the PC elections (typically July) and would be a one year term;
- The Committee's reviews will be subject to requirements of the Open Meetings Act;
- Eligible projects/properties for Administrative Review will be those allowed by right in the districts SFN – Single Family Neighborhood, MHN – Mixed Housing Neighborhood, CS – Corridor Shoreline, C – Corridor Commercial, CF – Corridor Flex and B-4 Material Processing and Warehousing, not located within 500 feet of Acme or Yuba Creeks, and must generate less than 500 trip ends per day;
- The process is not applicable to those projects subject to a Special Use Permit

Application Requirements (8.1.4)

- This section has been edited to provide better organization of the requirements of all site plan review applications.
- The list of items required for all site plan reviews has been revised with the modification of some requirements, and the addition of others, to better reflect the changes that have been implemented within the Township's Zoning Ordinance
- Site Plan requirement items that from the table that have been modified include numbers 1, 8, 15, 17, and 21
- Site Plan requirement items that from the table that have been added include numbers 10, 14, 16, 18, 19, 20, and 23
- The modified and additional Site Plan requirements is not limited to Administrative Review but would apply to all Site Plan applications and strengthens them to better reflect other changes made to the zoning ordinance amendments.

Additional Edits since previous meeting included:

- The addition of 500 trip ends per day in 8.1.2
- Document numbering clarifications

Wentzloff asked if the PC appointment to the review committee would require a modification to our by-laws. Counsel would review to determine if a change was necessary before this amendment would be formally approved and/or effective. Winter asked counsel of the notification requirements. Counsel recommended setting a regular meeting schedule at the beginning of each year and gets posted on the township calendar. A question on compensation was to be looked into by counsel to see if it would be stipulated by the per diem policy.

Motion made by Timmins to send the proposed Zoning Ordinance Amendment 039 to amend the procedures and requirements of the Site Plan Review process under Article VIII of the Acme Township Zoning Ordinance with additional recommendations incorporated to the Grand Traverse County Planning Commission for review and to be brought back before the Planning Commission for deliberation. Additional recommendations include:

- Review by counsel of the by-laws and the appointment/election
- Review by counsel of the per-diem policy
- Creation of schedule for regular committee meetings

Support by White. Motion passed unanimously.

2. Zoning Ordinance Amendment 040 – §6.6.4.1 Regulated Uses (text amendment)

If you are planning to attend and are physically challenged, requiring any special assistance, please notify Cathy Dye, Clerk, within 24 hours of the meeting at 938-1350.

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Zoning Administrator provided summary of proposed text amendment that is minor in nature. The amendment clarifies that new projects in the district must adhere to the regulations of §6.6.5 Lot and Building Placement and §6.6.6 Special Provisions. A key was added per the PC's request that identifies the different zoning classifications within the district. Forgette asked inquired about references to numbering and Iacoangeli indicated sections will be re-codified throughout the process to reflect changes as they occur. This will be an ongoing process as the ordinance review continues.

Motion made by Timmins to send the proposed Zoning Ordinance Amendment 040 clarifying the requirements of regulated uses in the US-31/M-72 Business District to the Grand Traverse County Planning Commission for review and to recommend approval to the Township Board. Support by Balentine. Motion passed unanimously.

3. Draft Police Power Ordinance – Mobile Food Vending Units

Zoning Administrator provided the PC with a summary of the ordinance and discussions to date. This would be a Police Power Ordinance adopted by the Township Board, however, they tasked the Planning Commission to draft the language. The draft language was modeled after food truck ordinances in other jurisdictions throughout the state. Many of these jurisdictions exist in a denser urban setting, therefore adaptations were made to better reflect the needs and setting of Acme Township.

As the result of concern from the Township Board that the operation of a food truck on lands acquired through the Trust Fund grant would violate the terms of the grant agreement, Winter spoke with the DNR who indicated it would be permissible as an amenity to those recreating on the property. However, no provision was made in the draft language.

In lieu of concern expressed of an unfair advantage over brick and mortar restaurants that pay property taxes, a provision was included that prevents the operation of a food truck within 150 feet of an established restaurant. A two-tiered fee system was mentioned as an additional option and this would require Board approval in the schedule of fees.

A property approved with a special use permit that prohibits outdoor sales would not be eligible for a food truck operation.

Food trucks would not be allowed to operate on public streets, given the nature of our street pattern. Food trucks would be allowed to operate on private streets in approved districts compliant with the provisions set forth in the draft language.

White asked how "ice cream trucks" and mobile vendors such as Schwann's would be considered under this new ordinance. Discussions centered on the definition of a food truck as defined by the County Health Department, which regulated rules applied to vendors, and differences between prepared food and uncooked food and how this ordinance may differ. Counsel felt that Public Act 92 covered the concerns raised. Members of the PC were in agreement with inclusion of a two-tiered fee system, where a food truck operated by an established restaurant in the Township would pay a lower fee than an independent food truck. DeMarsh noted that suggested fees were based on the Traverse City ordinance and felt that to establish the fees, the Board would likely want a wider range of fee structures to evaluate. In such a way, fees could be used to help tax in lieu of brick and mortar.

Concerns regarding signage and noise were discussed. Section 8.8 established a sign limit of one sign to remove any conflict with the current sign ordinance, Counsel recommended an additional statement be added that stated no other signage should be added to that section. Section 8.9 limited the hours of

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operation. This limit was discussed and the PC thought any concerns would be self-regulated by other parts of the zoning ordinance. Section 8.13 may be removed as a streamlining measure as the components fall under other sections of the ordinance.

Winter indicated he would incorporate changes discussed. Counsel added there was no need for a motion on this item as it would go straight to the Board.

G. NEW BUSINESS:

1. SUP 2016-01 Min. Amd. – request by GTTC to amend SUP 2004-11- Feringa recused.

Planner Iacoangeli provided PC with a history of the GTTC SUP and a timeline of the SUP amendments. GTTC has requested to rescind Minor Amendment #3 and restore the density from 130 dwelling units back to the original concept plan and land use table which contained 430 dwelling units and reaffirm the new urbanism design of the residential development proposed for the southeastern portion of the project as originally approved. This minor amendment (#4) would rescind the changes in minor amendment #3 and return that portion of the property to the original provisions under SUP 2004-11. He recommends the PC approve the request as submitted by Steve Schooler, agent for the Village at Grand Traverse, LLC. Motion made by Timmins, support by Forgette to recommend approval to the Township Board of Minor Amendment #4 which rescinds Minor Amendment #3 to SUP 2004-11P.

2. SPR 2016-01 – MI Local Hops pole barn site plan review

Zoning Administrator provided PC with a summary of his review. Highlights of review include:

- Peninsula Construction and Design, on behalf of MI Local Hops, have submitted an application for a Site Plan Review to construct a 14,400 ft² hops processing and storage barn
- This is a use that is allowed by right in the A-1 district, and meets the requirements of the Zoning Ordinance.
- The barn will be located adjacent to their existing hops drying facility and in close proximity to their equipment storage building. All processing/production operations will be concentrated at one location on the property
- Access to and around the processing/production area will be provided with a gravel drive circulating the operations area, gravel parking lot and two locations where trucks will be able to turn around and maneuver.
- GT Metro has stated that no review is necessary since the proposed facility is for agricultural use.
- The Soil Erosion and Sedimentation Control permit (No. 23476) issued on 04/10/2015 and amended 07/08/2015 is still valid for this project. The SESC office confirmed that they are still covered under their permit for this work.
- Gosling Czubak performed a storm water review of the proposed design and provided a favorable review.

Motion made by Balentine, support by Timmins, to approve the site plan submitted by Peninsula Construction and Design, on behalf of MI Local Hops, for the construction of a 14,400 square foot hops processing and storage barn with the stipulation that the final approved site plans be sealed by the Applicant's engineer, and signed by the Applicant and Planning Commission Chair. Motion passed unanimously

3. Zoning Ordinance Amendment 041 – Article IX Special Uses

Planner Iacoangeli provided an overview of the next topic of review in the Zoning Ordinance rewrite process; Article IX, Special Uses. He presented a draft that moves some sections to more appropriate Articles in the Ordinance and provided suggestions of removing sections that may be outdated, no longer necessary, or redundant due to their regulation being located elsewhere in the Ordinance. Sections 9.26 and

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9.27 dealing with medical marihuana dispensaries and cultivation have since been amended and adopted and the new language will need to be included. The key objective is follow standard and follow process.

Winter had a question on service station as there are only a few spots where they can be located. Planned shopping area seems like a good fit. Consensus among PC was if another ordinance covers the use, it should not need to be covered here. The intent being to pull them out and same or similar objectives can be met by a Planned Development. An easy fix is to streamline provision with B3 using PD restrictions. Mixed use can only be in B3

Iacoangeli and Winter will discuss changes, re-codify, and come back to PC with a new draft for review.

4. Zoning Ordinance Amendment 042 – §6.6.4 Land Use Table (list of allowable uses)

A review of the current table was provided by the Planner and ZA. Review of the list of allowable uses in US-31/M-72 Business District. Public transit should probably be added to MHN as permitted. Thought spirit of form-based code district was to allow outdoor seating for food and beverage properties. Iacoangeli to add uses to table..

Motion made by White, support by Timmins to set a public hearing for the June 13th Planning Commission meeting for Zoning Ordinance Amendment 042 to §6.6.4 Land Use Table of the Acme Township Zoning Ordinance that would add “small winery”, “small distillery” with additional changes determined by the Planning Commission to the uses permitted by right in the Corridor Commercial (C) and Corridor Flex (CF) districts. Additional changes include add transit stop permitted by right in mixed housing neighborhood, add Outdoor food and beverage service as uses permitted by right in the commercial and corridor flex districts

H. ADMINISTRATIVE ACTION

- 1. Receive and file Township Board Minutes 3/16/16 - Motion made by White, support by Timmins to receive and file Township Board Minutes 3/16/16. Motion passed unanimously
- 2. Approve draft Planning Commission Minutes 4/11/16 - Motion made by Timmins, support by Feringa to approve draft Planning Commission Minutes 4/11/16. Motion passed unanimously.

I. PUBLIC COMMENT & OTHER PC BUSINESS

- 1. Zoning Administrator Report – Shawn Winter submitted a summary
- 2. Planning Consultant Report – John Iacoangeli - nothing to report
- 3. Township Board Report – Doug White - Currently going over the budget. Proposing a reduction in size of PC to 5 or 7 members (instead of 9) to be more in line with the area.
- 4. Parks & Trails Committee Report – Marcie Timmins - Grants have been put in. Talked about discussions with the Disability Network and Mobi mats.

Motion made by Timmins, support by Balentine to adjourn the meeting. Motion carried unanimously.

ADJOURN: 9:12pm

Section 6.6.4 LAND USE TABLE

6.6.4.1

Regulated Uses

Regulated uses are identified for each **ZONE** either as a Permitted Use (**P**) or a use requiring a Special Use Permit (**SUP**). If a use is blank with no designation or not listed it means it is not permitted in that zone. All uses requiring a Special Use Permit must address the General Standards listed below. If the SUP has additional standards over and above the General Standards the special provision column references that specific section of the Zoning Ordinance. Otherwise, SUP uses must meet the General Standards in 6.6.2.3.

Land Use Table					
Type	SFN	MHN	CS	C	CF
<i>Residential</i>					
Single Family	P	P	P		
Single Family Condominium Subdivisions		P			
Live / Work Unit		P		P	P
Open Space Preservation Development		P			
Duplex	P	P	P		
Multiple Family		P	SUP	P	P
Home Occupation 1	P	P	P	P	P
Home Occupation 2 or More Persons	SUP (7.7)	SUP (7.7)	SUP (7.7)		
Bed and Breakfast (5 Bedroom Maximum)	SUP (9.24)	SUP (9.24)	SUP (9.24)		
<i>Residential - Services</i>					
Nursing Home	SUP	P			
Adult Day Care Center	SUP	SUP	SUP		
Assisted Living Group Facilities	SUP	P	SUP		
State Licensed Residential	SUP	SUP	SUP		
Group Child Care Home	SUP	SUP	SUP		
<i>Public and Private</i>					
Marinas (Public or Private)			SUP		
Outdoor Public Owned Parks and Recreation Facilities	P	P	P	P	P
Public and Private Schools	P	P	P	P	P
Public Uses: Critical, Supporting and Essential	P	P	P	P	P
Churches with and without Assembly Halls		P		P	P
<i>Transportation / Utilities</i>					
Parking (Public or Private)		P	P	P	P
Wireless Telecommunication Facilities		SUP		SUP	
Public Transit Stop or Station		P	P	P	P

Land Use Table					
Type	SFN	MHN	CS	C	CF
Office					
Professional Offices			P	P	P
Medical / Dental Offices				P	P
Medical Urgent Care Facilities				P	P
Veterinary Clinic			P	P	
Commercial					
Mixed Use with Residential above the 1st floor				P	P
General Retail; except with the following features				P	P
a. Alcoholic beverages				SUP	SUP
b. Floor area over 10,000 sq.ft.				SUP	SUP
c. On-site production of items sold in or out of store locations				SUP	SUP
d. Operating hours between 10pm and 7am				SUP	SUP
Restaurant, cafe, coffee shop, bar and taverns except with the following features				P	P
a. Drive-thru facilities				SUP	
b. Drive-In facilities				SUP	
c. Outdoor Service				SUP	SUP
Micro brewery, Small Distillery, and Small Winery				P	P
Movie & Performance Theaters				SUP	P
Convenience market less than 3,500 sq.ft				P	P
Personal Services				P	P
Farmers Market				P	P
Banks and Financial; except with the following features				P	P
a. Drive-thru facilities				SUP	
Shopping Centers				SUP (9.12)	SUP (9.12)
Grocery Stores; except with the following features				P	P
a. Floor area over 10,000 sq.ft				SUP	P
b. Gasoline Service Station				SUP (9.6)	
Gasoline Service Station				SUP (9.6)	
Automotive Supply & Parts				P	
Automotive Service				SUP	
Lodging					
Hotel; except with the following features				P	P
a. Greater than 120 rooms				SUP	P
b. Conference and convention facilities				SUP	SUP

**GRAND TRAVERSE COUNTY PLANNING COMMISSION
MASTER PLAN/ZONING REVIEW**

Pursuant to Section 307 of Public Act 110 of 2006, a township shall submit for review and recommendation the proposed zoning ordinance or zoning ordinance amendment to the county. The county will have waived its right for review and recommendation of an ordinance if the recommendation of the county planning commission has not been received by the township within 30 days from the date the proposed ordinance is received by the county.

TOWNSHIP: Acme
AMENDMENT #: 039
DATE RECEIVED: May 23, 2016
PUBLIC HEARING: May 9, 2016
PRELIMINARY REVIEW:

MASTER PLAN:
ZONING ORDINANCE:
TEXT: **MAP:**
MAP ATTACHED:
PUBLIC HEARING MINUTES:

CHANGE:

Amendment 039 would amend Article VIII - Site Plan Review of the Acme Township Zoning Ordinance. The proposed amendment introduces an administrative review process for projects that are allowed by right in the Single Family Neighborhood (SFN), Mixed Housing Neighborhood (MHN), Corridor Shoreline (CS), Corridor Flex (CF), Corridor Commercial (C), Material Processing & Warehousing (B-4) districts, not located within 500' of Acme or Yuba Creek, and generate less than 500 trip ends per day. The amendment also incorporates revised and additional requirements in the application submission process to reflect previous updates that have been adopted in the Zoning Ordinance, organize and clarifies the format of required documentation, and address inefficiencies in the review process.

TOWNSHIP PLANNING COMMISSION RECOMMENDED TO TOWNSHIP BOARD:

Motion made by Timmins to send the proposed Zoning Ordinance Amendment 039 to amend the procedures and requirements of the Site Plan Review process under Article VIII of the Acme Township Zoning Ordinance with additional recommendations incorporated to the Grand Traverse County Planning Commission for review and to be brought back before the Planning Commission for deliberation. Additional recommendations include:

- Review by counsel of the by-laws and the appointment/election
- Review by counsel of the per-diem policy
- Creation of schedule for regular committee meetings

Support by White. Motion passed unanimously.

COUNTY PLANNING STAFF COMMENTS:

Administrative review for site plans is common in many communities. Most are conducted with a review by the Zoning Administrator. This approach establishes an Administrative Review Committee. Section 8.1.4. Application Requirements clarifies the format of the required information in the table format. Based on review of the amendment and information provided by the Township, staff recommends that the County Planning Commission concur with the Township Planning Commission's proposed action.

COUNTY PLANNING COMMISSION ACTION:

In accordance with the Zoning Enabling Act and having considered neighboring zoning and the County Master Plan, the County Planning Commission concurs with the Township Planning Commission's proposed action.

COMMENTS FROM CPC ACTION:

RETURNED TO TOWNSHIP (DATE/RECOMMENDATION): Emailed to the Acme Township Zoning Administrator, Clerk and Planning Commission Chair on June 28, 2016.

1 **PROPOSED AMENDMENT TO THE ACME TOWNSHIP ZONING ORDINANCE**
2 **AMENDMENT 039 – SITE PLAN REVIEW**
3 **ARTICLE VIII**
4

5 **8.0 SITE PLAN REVIEW REQUIREMENT:**

6 This Article governs the processes and standards for all uses and structures for which site plan
7 approval is required under other provisions of this ordinance. Site plans for special uses shall
8 receive a recommendation from the Township Planning Commission and a final decision by the
9 Township Board. The Planning Commission shall make the final decision on site plans that are not
10 related to special uses.

11 **8.1 PROCEDURES:**

12 **8.1.1 SITE PLANS FOR SPECIAL USES:**

13 Site plans for special uses will be processed according to this Article and any applicable
14 procedures for special uses in Article IX.

15 **8.1.2 SITE PLANS FOR ADMINISTRATIVE REVIEW**

16 Site Plans for uses that are Permitted by Right in the SFN, MHN, CS, C, CF, and B-4 Zoning
17 Districts are processed by Administrative Review and shall follow the requirements
18 outlined in Section 8.1.4, except if the proposed site plan is within 500 feet of Acme Creek
19 or Yuba Creek, or generates 500 or more trips ends per day as determined by proposed
20 land use activity based on the most recent edition of the Trip Generation Manual published
21 by the Institute of Transportation Engineers. Under this exception the site plan shall be
22 reviewed under Section 8.1.3.

23
24 **a.** The Administrative Review Committee shall consist of three members: the
25 Zoning Administrator, Chairperson of the Planning Commission or their
26 designee, and a Planning Commissioner. The Planning Commission shall also
27 select a member to be an Alternate to the Administrative Review Committee.
28 The Alternate shall attend if the Chairperson or Planning Commission member
29 cannot attend the review meeting.

30 **b.** The Planning Commission shall make these appointments to the Administrative
31 Review Committee at the same annual meeting where the Planning
32 Commission elects its officers.

33 **8.1.3 SITE PLANS NOT INVOLVING A SPECIAL USE OR ADMINISTRATIVE REVIEW:**

34 Site plans for uses other than special uses or administrative review will be processed using
35 the following procedures.

36
37 STEP 1: The Zoning Administrator shall review the application and determine whether it
38 contains all of the required information. If the Zoning Administrator determines the
39 application is not complete, he or she shall notify the applicant of what additional
40 information is required.
41

1 STEP 2: Once the Zoning Administrator determines the application is complete, they shall
 2 schedule it for review by the Planning Commission.
 3

4 STEP 3: After adequate review and study of the application, the Township Planning
 5 Commission shall make a decision on the application, including its findings and any
 6 conditions. If a separate document is not prepared, the Planning Commission's meeting
 7 minutes will serve as its findings.

8 **8.1.4 APPLICATION REQUIREMENTS:**

9 The required contents of an application for site plan approval are:

- 10
- 11 a. A site plan drawn to scale of 1" - 50' of all property showing the location of all
 12 abutting streets, the location of all existing and proposed structures and their
 13 uses, and the location and extent of all above and below ground development,
 14 both existing and proposed.
 - 15 b. Elevations (front, side and rear) for all proposed structures.
 - 16 c. All information required by any other provision of this ordinance governing the
 17 land use or structure for which site plan approval is sought.
 - 18 d. The Site Plan and supporting Written Documentation shall include the
 19 following:

Site Plan Item	Description	Shown on Site Plan	Written Documentation
1	A description of the environmental characteristics of the site prior to development, i.e.: topography, soils, vegetative cover, drainage, streams, creeks or ponds, as well as, the delineation of these features on the site plan drawing.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2	Types of uses and other man-made facilities		<input checked="" type="checkbox"/>
3	The number of: people to be housed, employed, visitors or patrons and vehicular and pedestrian traffic		<input checked="" type="checkbox"/>
4	Phasing of the project, including ultimate development proposals	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
5	Natural features which will be retained, removed and/or modified including vegetation, drainage, hillsides, streams, wetlands, woodlands, wildlife and water.	<input checked="" type="checkbox"/>	
6	The description of the areas to be changed shall include their effect on the site and adjacent properties. An aerial photo may be used to delineate the areas of change.		<input checked="" type="checkbox"/>

7	The method to be used to serve the development with water and sanitary sewer facilities		<input checked="" type="checkbox"/>
8	The location, size, and routing of water and sanitary sewer facilities	<input checked="" type="checkbox"/>	
9	Plans for storm water control and drainage, including measures to be used during construction	<input checked="" type="checkbox"/>	
10	Storm water calculations; and if requested storm water modeling data.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
11	If public sewers are not available to the site the applicant shall submit a current approval from the health department or other responsible public agency indicating approval of plans for sewage treatment.		<input checked="" type="checkbox"/>
12	The method to be used to control any increase in effluent discharge to the air or any increase in noise level emanating from the site. Consideration of any nuisance that would be created within the site or external to the site whether by reason of dust, noise, fumes, vibration, smoke or lights.		<input checked="" type="checkbox"/>
13	An indication of how the proposed use conforms to existing and potential development patterns and any adverse effects		<input checked="" type="checkbox"/>
14	Location of known Air Sheds and how the proposed use impacts this natural feature.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
15	Plans to control soil erosion and sedimentation.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
16	Incorporation of low impact development storm water technologies and other best management practices such as, but not limited to, rain gardens, rooftop gardens, vegetated swales, cisterns, permeable pavers, porous pavement, and filtered storm water structures.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
17	Type, direction, and intensity of outside lighting shown on a photometric plan in compliance with exterior lighting standards.	<input checked="" type="checkbox"/>	
18	Location of any or required cross access management easements.	<input checked="" type="checkbox"/>	
19	Location of pedestrian and non-motorized facilities; if required.	<input checked="" type="checkbox"/>	
20	Landscaping plan	<input checked="" type="checkbox"/>	
21	General description of deed restrictions and/or cross access management easements, if any or required.		<input checked="" type="checkbox"/>
22	Name(s) and address(es) of person(s) responsible for preparation of site plan drawings and supporting documentation.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
23	Sealed drawings from a licensed architect, engineer, or landscape architect.	<input checked="" type="checkbox"/>	

- 1 e. Properties located in the SFN, MHN, CS, C and CF zoning districts may require
2 site and building information, in addition to that specified in Section 8.1.4.
- 3 f. All site plan drawings shall be submitted on sheets 24 inches by 36 inches and
4 in digital form in AutoCad™ format.

5 **8.2 STANDARDS FOR SITE PLAN REVIEW:**

6 The Township shall not approve a site plan unless it meets each and every one of the
7 following standards that are applicable to the use under consideration:

- 8 a. That the applicant may legally apply for site plan review.
- 9 b. That all required information has been provided.
- 10 c. That the proposed development conforms to all regulations of the zoning
11 district in which it is located and all other applicable standards and
12 requirements of this ordinance, including but not limited to all supplementary
13 regulations.
- 14 d. That the plan meets the requirements of Acme Township for fire and police
15 protection, water supply, sewage disposal or treatment, storm, drainage, and
16 other public facilities and services.
- 17 e. That the plan meets the standards of other governmental agencies where
18 applicable, and that the approval of these agencies has been obtained or is
19 assured.
- 20 f. That natural resources will be preserved to a maximum feasible extent, and that
21 areas to be left undisturbed during construction shall be so indicated on the
22 site plan and at the site per se.
- 23 g. That the proposed development property respects floodways and flood plains
24 on or in the vicinity of the subject property.
- 25 h. That the soil conditions are suitable for excavation and site preparation, and
26 that organic, wet, or other soils which are not suitable for development will
27 either be undisturbed, or modified in an acceptable manner.
- 28 i. That the proposed development will not cause soil erosion or sedimentation
29 problems.
- 30 j. That the drainage plan for the proposed development is adequate to handle
31 anticipated storm water runoff, and will not cause undue runoff onto
32 neighboring property or overloading of water courses in the area.
- 33 k. That grading or filling will not destroy the character of the property or the
34 surrounding area, and will not adversely affect the adjacent or neighboring
35 properties.
- 36

- 1 i. That structures, landscaping, landfills or other land uses will not disrupt air
2 drainage systems necessary for agricultural uses.
- 3 m. That phases of development are in a logical sequence, so that any one phase
4 will not depend upon a subsequent phase for adequate access, public utility
5 services, drainage, or erosion control.
- 6 n. That the plan provides for the proper expansion of existing facilities such as
7 public streets, drainage systems, and water and sewage facilities.
- 8 o. That landscaping, fences or walls may be required when appropriate to meet
9 the objectives of this Ordinance.
- 10 p. That parking layout will not adversely affect the flow of traffic within the site,
11 or to and from the adjacent streets.
- 12 q. That vehicular and pedestrian traffic within the site, and in relation to streets
13 and sidewalks serving the site, shall be safe and convenient.
- 14 r. That outdoor storage of garbage and refuse is contained, screened from view,
15 and located so as not be a nuisance to the subject property or neighboring
16 properties.
- 17 s. That the proposed site is in accord with the spirit and purpose of this Ordinance,
18 and not inconsistent with, or contrary to, the objectives sought to be
19 accomplished by this Ordinance and the principles of sound planning.

20 **8.3 APPROVAL AND CONDITIONS:**

- 21
- 22 a. A site plan shall be approved if it contains the information required by the
23 Zoning Ordinance and is in compliance with the Zoning Ordinance and the
24 conditions imposed under the ordinance, other township planning documents
25 other applicable ordinances, and state and federal statutes.
- 26 b. Conditions: The Site Plan Administrative Review Committee and/or the
27 Planning Commission may impose reasonable conditions on any site plan
28 approval. The conditions may include conditions necessary to ensure that
29 public services and facilities affected by a proposed land use or activity will be
30 capable of accommodating increased service and facility loads caused by the
31 land use or activity, to protect the natural environment and conserve natural
32 resources and energy, to insure compatibility with adjacent uses of land, and to
33 promote the use of land in a socially and economically desirable manner.
- 34 c. Conditions imposed shall:
- 35 1. Be designed to protect natural resources, the health, safety, and welfare,
36 as well as the social and economic well-being, of those who will use the
37 land use or activity under consideration, residents and landowners

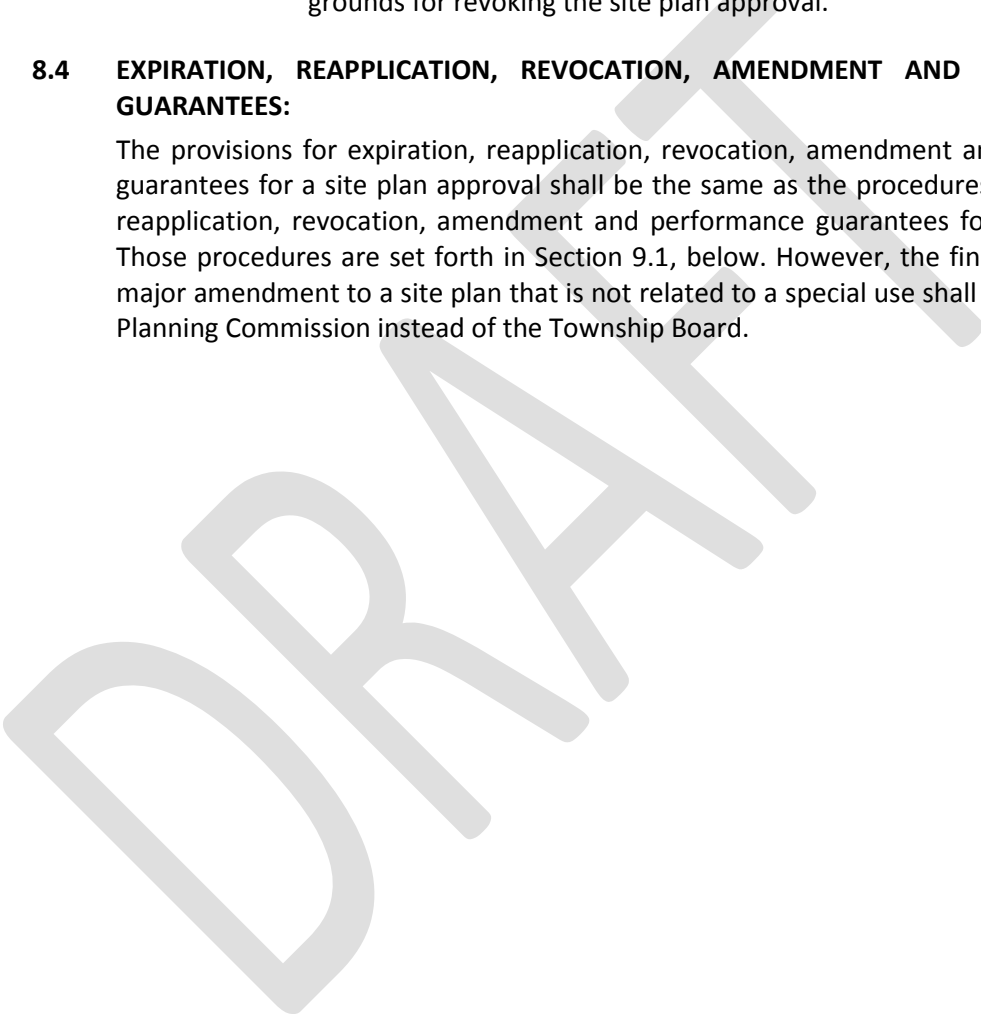
1 immediately adjacent to the proposed land use or activity, and the
2 community as a whole.

3 2. Be related to the valid exercise of the police power and purposes which
4 are affected by the proposed use or activity.

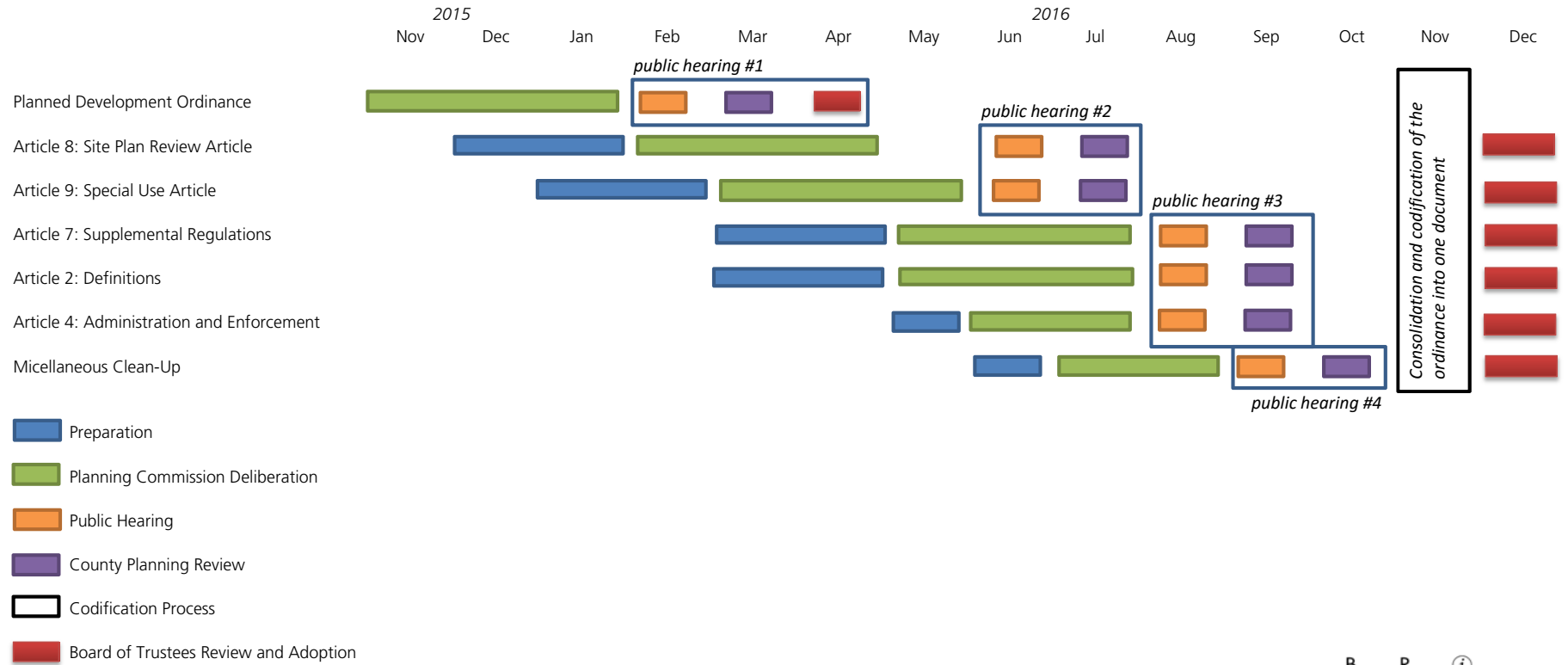
5 3. Be necessary to meet the intent and purpose of the zoning requirements,
6 be related to the standards established in the zoning ordinance for the
7 land use or activity under consideration, and be necessary to ensure
8 compliance with those standards. The breach of any condition shall be
9 grounds for revoking the site plan approval.

10 **8.4 EXPIRATION, REAPPLICATION, REVOCATION, AMENDMENT AND PERFORMANCE**
11 **GUARANTEES:**

12 The provisions for expiration, reapplication, revocation, amendment and performance
13 guarantees for a site plan approval shall be the same as the procedures for expiration,
14 reapplication, revocation, amendment and performance guarantees for a special use.
15 Those procedures are set forth in Section 9.1, below. However, the final decision on a
16 major amendment to a site plan that is not related to a special use shall be made by the
17 Planning Commission instead of the Township Board.
18



ACME TOWNSHIP ZONING ORDINANCE REWRITE





Applicable Zoning Ordinance §§ 7.4 – 7.10

Township of Acme, Grand Traverse County, Michigan

6042 Acme Road, Williamsburg, MI 49690

Phone: (231) 938-1350 Fax: (231) 938-1510 Web: www.acmetownship.org

Zoning Administrator: Shawn Winter Email: swinter@acmetownship.org

7.4 SIGNS:

7.4.1 PREAMBLE

It is recognized that signs, placed upon the premises and/or structures to which they relate, serve a vital communicative function by allowing residents and visitors alike to readily ascertain the availability and location of facilities that serve their needs. It is the purpose of this code to optimize the communicative value of on-premise signs within the landscape and along public thoroughfares by providing for an orderly and equitable means for the presentation and assimilation of the messages that such signs contain.

7.4.2 DEFINITIONS

Abandoned Sign: A sign that no longer identifies or advertises a location, product, or activity conducted on the premises on which the sign is located.

Animated Sign: A sign employing actual motion or the illusion of motion. Animated signs, which are differentiated from changeable signs as defined and regulated by this code, include the following types:

- **Environmentally Activated:** Animated signs or devices motivated by wind, thermal changes, or other natural environmental input. Includes spinners, pinwheels, pennant strings, and/or other devices or displays that respond to naturally occurring external motivation.
- **Mechanically Activated:** Animated signs characterized by repetitive motion and/or rotation activated by a mechanical system powered by electric motors or other mechanically induced means.
- **Electrically Activated:** Animated signs producing the illusion of movement by means of electronic, electrical, or electromechanical input and/or illumination capable of simulating movement through employment of the characteristics of one or both of the classifications noted below:
- **Flashing:** Animated signs or animated portions of signs whose illumination is characterized by a repetitive cycle in which the period of illumination is either the same as or less than the period of non-illumination. For the purposes of this ordinance, flashing will not be defined as occurring if the cyclical period between on-off phases of illumination exceeds four (4) seconds.
- **Patterned Illusionary Movement:** Animated signs or animated portions of signs whose illumination is characterized by simulated movement through alternate or sequential activation of various illuminated elements for the purpose of producing repetitive light patterns designed to appear in some form of constant motion.

Architectural Projection: Any projection that is not intended for occupancy and that extends beyond the face of an exterior wall of a building but that does not include signs as defined herein. See also: Awning; Back-lit Awning; and Canopy, Attached and Freestanding.

Awning: A roof-like covering of canvas or similar material, used as a shelter from sun, rain, etc., and projecting from and supported by an exterior wall of a building.

Awning Sign: A sign displayed on or attached flat against the surface or surfaces of an awning. See also: Wall or Fascia Sign.

Back-lit Awning: An awning whose covering material exhibits the characteristic of luminosity obtained by means of a source of illumination contained within its framework.

Billboard - See Highway Advertising Sign.

Canopy (Attached): A multi-sided overhead structure or architectural projection supported by attachment to a building on one or more sides and either cantilevered from such building or also supported by columns at additional points. The surface(s) and/or soffit of an attached canopy may be illuminated by means of internal or external sources of light. Similar to a Marquee.

Canopy (Freestanding): A multi-sided overhead structure supported by columns, but not enclosed by walls. The surface(s) and or soffit of a freestanding canopy may be illuminated by means of internal or external sources of light.

Canopy Sign: A sign affixed to the visible surface(s) of an attached or freestanding canopy. May be internally or externally illuminated. Similar the a Marquee Sign. Refer also to Section III herein for visual reference example.

Changeable Sign: A sign with the capability of content change by means of manual or remote input, includes the following types:

- **Manually Activated:** Changeable sign whose message copy or content can be changed manually on a display surface.
- **Electrically Activated:** Changeable sign whose message copy or content can be changed by means of remote electrically energized on-off switching combinations of alphabetic or pictographic components arranged on a display surface. Illumination may be integral to the components, such as characterized by lamps or other light-emitting devices; or it may be from an external light source designed to reflect off the changeable component display. See also: Electronic Message Sign or Center.

Copy: The graphic content or message of a sign.

Copy Area of Sign: The actual area of the sign Copy.

Directional Sign: Any sign that is designed and erected for the purpose of providing direction and/or orientation for pedestrian or vehicular traffic.

Double-faced Sign: A sign with two faces, back to back.

Façade: That portion of any exterior elevation of a building extending vertically from grade to the top of the parapet wall or eaves and horizontally across the entire width of the width of the building elevation.

Fascia Sign: See Wall Sign

Flashing Sign: See Animated Sign, Electrically Activated.

Highway Advertising Sign: A structure which is an off premises sign owned by a person, corporation, or the entity that engages in the business of selling the advertising space on that sign.

Marquee: See Canopy (Attached). Definition is similar.

Marquee Sign: See Canopy Sign. Definition is similar.

Multiple-Faced Sign: A sign containing three (3) or more faces.

On-Premise Sign: A used to display messages appurtenant to the use of, products sold on, or the sale or lease of the property on which it is displayed.

Parapet: The extension of a building facade above the line of the structural roof.

Political Sign: A sign intended to advance a political statement, cause, or candidate for office.

Projecting Sign: A sign projecting from a building wall or façade with sign face(s) approximately perpendicular to the wall or façade from which it projects.

Roof Line: The uppermost line of the roof of a building or, in the case of an extended facade or parapet, the uppermost point of said facade or parapet.

Roof Sign: A sign mounted on the main roof portion of a building or on the uppermost edge of a parapet wall of a building and which is wholly or partially supported by such building. Signs mounted on architectural projections such as canopies or marquees shall not be considered to be roof signs.

Sign: Any device visible from a public place whose essential purpose and design is to convey either commercial or noncommercial messages by means of graphic presentation of alphabetic or pictorial symbols or representations. Noncommercial flags or any other flags displayed from flagpoles or staffs will not be considered to be signs.

Sign Structure: Any structure designed for the support of a sign.

Temporary Sign: A sign of a transitory or temporary nature. Portable signs or any sign not permanently embedded in the ground, or not permanently affixed to a building or sign structure that is permanently embedded in the ground, are considered temporary signs.

Under Canopy Sign or Under Marquee Sign: A sign attached to the underside of a canopy or marquee.

V Sign: A sign containing two faces of equal size, positioned at an interior angle subtending less than one hundred seventy-nine degrees (179°) at the point of juncture of the individual faces.

Vehicle-Mounted Sign: A sign located on vehicles, trailers, and/or semi-trailers and is parked primarily for the purpose of attracting attention to a product or business.

Wall or Fascia Sign: A sign that is in any manner affixed to any exterior wall of a building or structure. Also includes signs affixed to architectural projections that project from a building provided the copy area of such signs remains on a parallel plane to the face of the building facade or to the face or faces of the architectural projection to which it is affixed.

Window Sign: A sign affixed to the surface of a window with its message intended to be visible to exterior environment. Merchandise displays are not considered to be window signs.

7.4.2A. Illustrations of Sign Types and Area Calculations

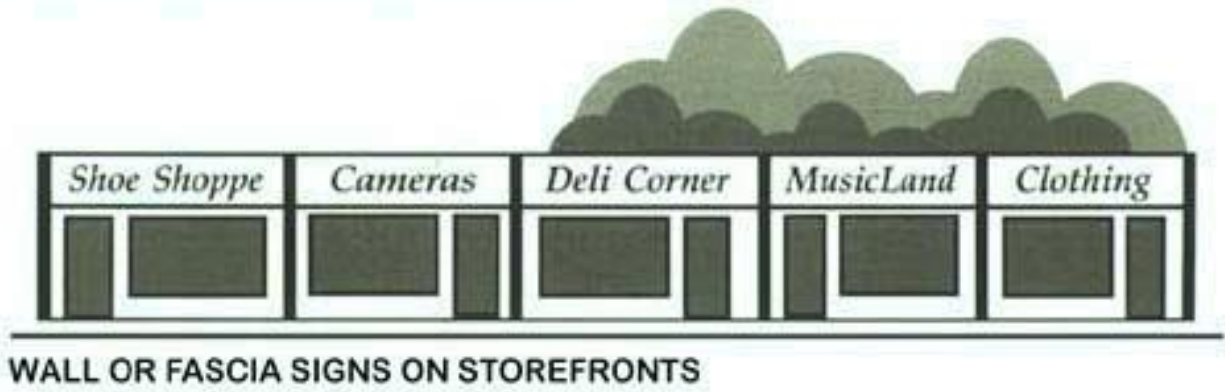
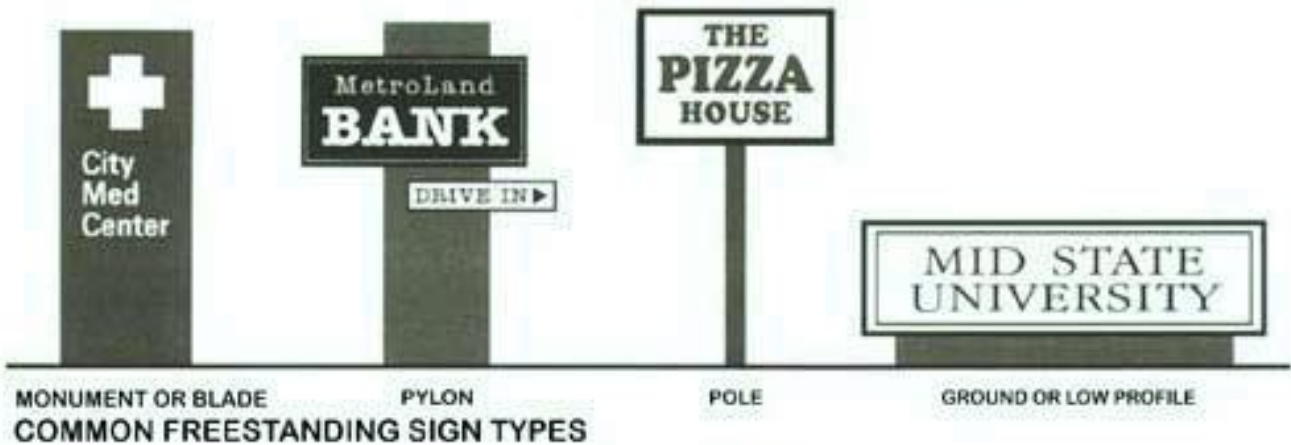
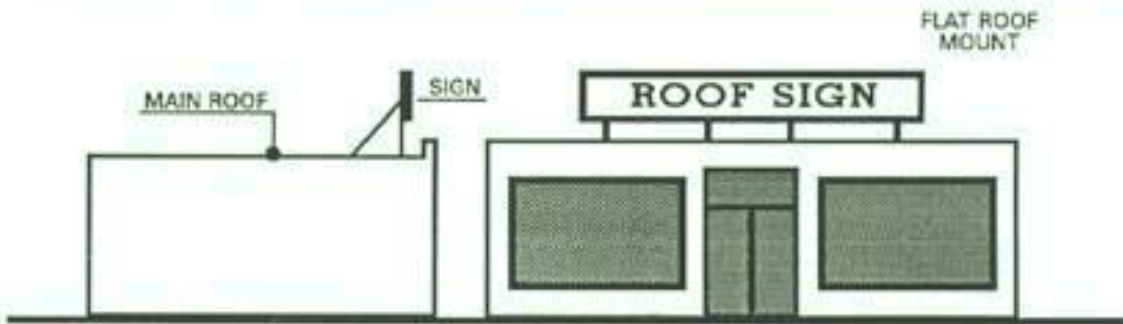


Figure 1003.1
General Sign Types

ROOF SIGNS



FASCIA SIGNS ON ROOF-LIKE PROJECTIONS

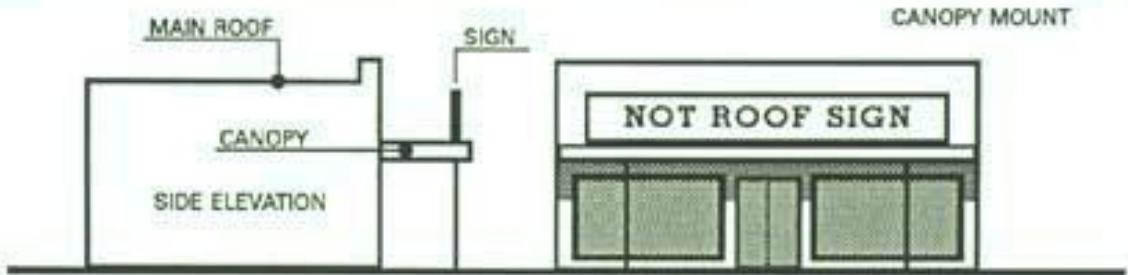


Figure 1003.2
Comparison - Roof and Wall or Fascia Signs



Sign structures

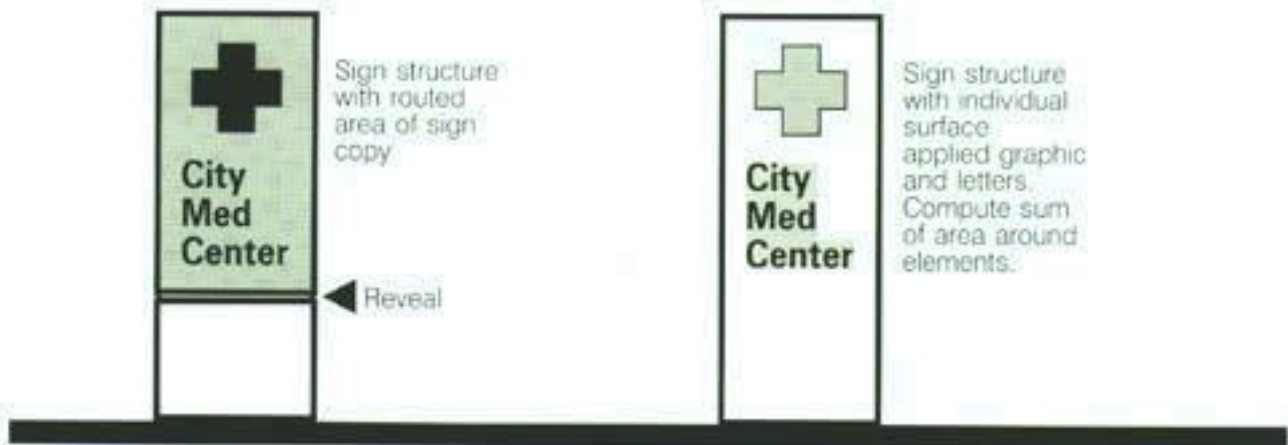


Figure 1003.3
SIGN AREA - COMPUTATION METHODOLOGY
 Sum of Shaded Areas Only Represent Sign Area
 Signs constructed with panels or cabinets

METROLAND BANK
Drive In Branch

◀ Compute area around copy elements only.

Compute area inside defined border or inside contrasting color area.



Arrowhead

Compute sum of areas of individual elements on wall or structure

PARKING ▶

Village Center

In computing area for upper and lower case lettering, include ascenders OR decenders, but not both. Calculate super ascenders separately as indicated.

Figure 1003.4

SIGN AREA - COMPUTATION METHODOLOGY

Sum of Shaded Areas Only Represent Sign Area for Code Compliance Purposes

Signs consisting of individual letters, elements, or logos placed on building walls or structures

7.4.3 GENERAL PROVISIONS

- a. No sign, other than those approved by an authorized governmental agency, shall be erected within the lines of any street or public right-of-way.
- b. Signs that attempt or appear to regulate, warn, or direct the movement of traffic or that resemble a traffic-control device are prohibited.
- c. Illuminated Signs shall comply with Section 7.8 Exterior Lighting Standards.
- d. Signs projecting over public walkways may do so only subject to the projection and clearance limits either defined herein or, if not so defined, at a minimum height of ten (10) feet from grade level to the bottom of the sign. Signs, architectural projections, or sign structures projecting over vehicular access areas must conform to the minimum height clearance limitations imposed by the municipality for such structures.
- e. No sign or sign structure shall be erected at the intersection of any street in such a manner as to obstruct free and clear vision, nor at any location where by its position, shape, or color it may interfere with or obstruct the view of or be confused with any authorized traffic sign, signal or device.
- f. Every sign permitted by this ordinance shall be kept in good condition and repair. Any sign becomes insecure, in danger of falling, or otherwise unsafe shall be removed or brought into compliance within ten (10) days of written notice by the Township.
- g. Any sign that no longer advertises or identifies a use conducted on the property on which said sign is erected must be removed within ten (10) days after written notification from the Township.
- h. Revolving, moving, animated, electronic (led, lcd, plasma and similar technology) or flashing signs are prohibited.
- i. Roof Signs are prohibited.
- j. Vehicle-mounted signs are prohibited.
- k. No sign shall be greater than twelve (12) feet tall.

7.4.4 PERMITS

- a. Unless specifically exempted, a permit must be obtained from the Zoning Administrator for the erection and maintenance of all signs erected or maintained in the municipality. Exemptions from the necessity of securing a permit, however, shall not be construed to relieve the owner of the sign involved from responsibility for its erection and maintenance in a safe manner and in a manner in accord with all the other provisions of this ordinance.
- b. No sign shall be enlarged or relocated except in conformity to the provisions herein, nor until a proper permit, if required, has been secured. The changing of movable parts or components of an approved sign that is designed for such changes, or the changing of copy, display and/or graphic matter, or the content of any sign or sign structure shall not be deemed an alteration.
- c. Signs specified in this section are exempt from the permit requirement: 7.4.6.a.1, 7.4.6.a.2, 7.4.6.a.4, 7.4.6.a.5, 7.4.6.a.6, 7.4.6.a.8, 7.4.6.b.1, 7.4.6.b.4, 7.4.6.d.3, 7.4.6.c.8.
- d. Permit fees to erect, alter, or relocate a sign shall be in accordance with the sign fee schedule adopted by the municipality.

7.4.5 AREA OF SIGNS

- a. **Permanent Signs**
 - 1. For signs without integral, well-defined backgrounds: The Copy Area is the sign area of signs that comprise individual elements of Copy displayed on a surface not specifically designed to serve as a sign background.
 - 2. For signs with integral, well-defined backgrounds: The area of the backgrounds that are or appear to be specifically designed as backgrounds to the Copy is the area of the sign.
 - 3. Only one face will be used to determine the sign area of double-faced signs.
 - 4. For V-Signs with an interior angle greater than 90°, the sign area is the sum of both sign faces; otherwise, the area is the same as for double-faced signs.
- b. **Temporary Signs**

1. Sign Area for temporary signs will include the Copy Area and the sign structure, excluding supports necessary for display.
2. Sign Area for irregularly-shaped temporary signs may be approximated with smallest convex simple polygon (including rectangles, trapezoids, etc.) and/or circle.

7.4.6 REGULATION BY ZONE

- a. **All Zoning Districts, On-Premise Signs Permitted:** In addition to any signs designated as permissible in the General Provisions and/or in any other sections of this ordinance, the following signs and/or sign types are permitted in all zones:
 1. One (1) non-illuminated Real Estate sign, up to nine (9) square feet in area so long as the property is available for sale, lease or rental. All signs must be removed within ten (10) days after execution of an agreement of sale, lease, or rental.
 2. Signs with the copy "NO HUNTING" or "NO TRESPASSING."
 3. One (1) temporary sign per premise for each contractor or artisan performing work on the parcel. Such signs may not exceed nine (9) square feet in area.
 4. One (1) Political sign that does not endorse political parties, candidates, or issues subject to an election. Such signs may not exceed nine (9) square feet in area.
 5. Political signs that endorse political parties, candidates for election, or other issues subject to election are allowed two (2) months prior to an election and must be removed three days following said election.
 6. Seasonal signs advertising the sale of agricultural products. Such signs are limited to sixteen (16) square feet; must be located on private property, with written permission of the land owner; and may be directional in nature. Any one parcel is limited to one (1) sign per advertiser.
 7. Memorial signs or historical signs or tablets, provided that the area of any such sign shall not exceed four (4) square feet.
 8. Directional signs with maximum area of two (2) square feet.
 9. Traffic control signs or other signs authorized by law or policy of the Michigan Department of Transportation or Grand Traverse County Road Commission, or signs required for traffic or parking control in planned developments and on private roads and private drives. **AMENDED BY AMENDMENT 008 ADOPTED 11/09/10 EFFECTIVE 02/11/11.**
 10. One non-illuminated sign per premises advertising a home occupation. Such signs are limited to two (2) square-feet in area.
- b. **Residential Zoning Districts, On-Premise Signs Permitted**
 1. Name plates and numbers identifying the occupant and locations of dwelling units provided that the area of any such sign shall not exceed two (2) square feet.
 2. One sign displaying the name of a platted or condominium subdivision or apartment complex for each separate street entrance. Such signs may not exceed sixteen (16) square feet in area and must be set back at least ten (10) feet from any right-of-way. The sign and sign structure may not exceed twenty-four (24) square feet or have a height greater than six (6) feet. Signs shall not be placed within any designated traffic clear vision area. Illuminated residential development signs must comply with the following regulations:
 - a) Illumination shall be by an externally located steady, stationary light source only.
 - b) Light fixtures shall be limited to not more than one shielded light per 4 horizontal linear feet of sign face, shall be mounted at the top of the sign or sign structure, and shall be directed and/or employ shielding as required so as to direct light onto the sign and/or sign structure face only.
 - c) The light source within the fixture shall not be visible from any street right-of-way or cause glare that may be hazardous to pedestrians or vehicle drivers, or create a nuisance on adjacent properties.
 - d) Signs shall not have reflective backgrounds, but may have reflective lettering.

- e) Colored lamps are not permitted.
- f) In lieu of a freestanding sign, a development may use signs on entrance structures such as fences or walls in compliance with the following requirements:
 - i. The number of sign faces is limited to 2 per entrance, with one immediately on either side of the entrance.
 - ii. Each sign face is limited to 16 sq. ft.
 - iii. The distance between the closest points of the sign faces shall not exceed 100’.

SECTION 7.4.6.b.2 AMENDED 03/01/2011 EFFECTIVE 03/12/2011 AS ZONING ORDINANCE AMENDMENT 011.

- 3. One sign per premises for permitted non-residential or permitted institutional uses provided that the area of any such sign shall not exceed sixteen (16) square feet.
- 4. Temporary signs advertising garage sales or similar sale signs. Up to three (3) signs are allowed, provided they are on private property and are removed promptly after the sale is concluded.
- 5. Temporary signs advertising a temporary “open house” for the sale or lease of a house or building. Such signs are limited to two (2) square feet of area, must be located on private property, and must be removed after the “open house” has concluded.
- 6. On multiple-family dwellings, one (1) wall sign per elevation. Such signs may not exceed twelve (12) square feet in area.

c. Commercial Zoning Districts, Excluding B-4, On-Premise Signs Permitted

- 1. All signs permitted in Residential Zoning Districts.
- 2. One free-standing per premises indicating businesses on said premises. Such signs may be up to thirty-two (32) square feet in area, up to twelve (12) feet tall, and set back at least ten (10) feet from any street right-of-way; signs no taller than eight (8) feet are allowed a size bonus of twenty (20) percent. For a planned shopping center, the free-standing sign may identify the center per se and not the individual occupants.
- 3. Temporary signs not previously specified. Such signs are limited to sixteen (16) square feet in area and may be displayed for no more than sixty (60) days in any calendar year.
- 4. Wall signs, provided the total area of said signs do not exceed twenty (20) percent of the area of the façade or one-hundred (100) square feet, whichever is less.
- 5. Canopy-, marquee-, or architectural-projection signs. Such signs’ copy area may not exceed twenty (20) percent of the area of the face of the canopy, marquee, or arch-projection.
- 6. Awning signs. The maximum copy area for awning signs is twenty (20) percent of the background/backlit area of the awning.
- 7. One (1) projecting sign for each building façade, up to four (4) square feet in area.
- 8. Window signs. Such signs are limited to twenty (20) percent of window area.
- 9. Signs displaying the price of gasoline at gasoline stations, not to exceed six (6) square feet in area.
- 10. One (1) directional signs and/or sign that consist only of words “washing,” “lubrication,” “repair,” or similar above each service bay of an automobile service station. Such signs may not exceed four (4) square feet in area.
- 11. Corporate logo or institutional flags. Such flags are limited to thirty five (35) square feet in size.

d. Agricultural Zoning Districts, On-Premise Signs Permitted

- 1. All signs permitted in Residential and Commercial Zoning Districts.
- 2. One non-illuminated sign advertising the sale of farm products grown on the premises or related products and merchandise supplemental to products grown on the premises. Such signs may not exceed thirty-two (32) square feet in area nor be placed closer than ten (10) feet from a street right-of-way.
- 3. Names of occupants and other identification painted on or otherwise made part of the surface or roof of a barn and other necessary buildings pertaining to and identifying the owner and/or activity of the farm unit, provided such identification is not for advertising.

- 4. Memorial or historical signs such as “Centennial Farms” signs and/or other signs representing awards won by the farm unit and/or its proprietors.
 - e. **B-4 Zoning Districts, On-Premise Signs Permitted**
 - 1. All signs permitted in Residential, Commercial, and Agricultural Zoning Districts.
- SECTION 7.4 AMENDED 05/11/2010 EFFECTIVE 06/04/2010 AS ZONING ORDINANCE AMENDMENT 007.**

7.8 EXTERIOR LIGHTING REGULATIONS:

7.8.1 DECLARATION OF POLICY AND INTENT:

The Acme Township Board of Trustees finds and declares that the naturally lit night sky is an important aspect of our environment and a resource which contributes significantly to our quality of life by contributing to the public peace and to the health, safety, and welfare of the residents of and visitors to Acme Township. The essential public purposes that warrant Township regulation of the use of outdoor light fixtures include, but are not necessarily limited to:

- a. Safety of individuals using outdoor areas for legitimate and necessary purposes after dark;
- b. Minimization of light pollution, which has a detrimental effect on the environment, astronomical research, amateur astronomy, and general enjoyment of the night sky;
- c. Elimination of unnecessary and/or unwanted illumination of adjacent and distant properties;
- d. Conservation of electrical energy-generating resources; and
- e. Protection of vehicular and pedestrian traffic from dangerous glare.

7.8.2 LIGHTING-RELATED DEFINITIONS:

- a. Automatic Timing Device: A device which automatically turns outdoor light fixtures and/or circuits on and off. Photo-electric controls and motion detectors are not considered automatic timing devices for the purposes of this Ordinance.
- b. Cut-off Shielding: A technique or method of construction which causes light emitted from an outdoor light fixture to be projected only below an imaginary horizontal plane passing through the fixture below the light source.
- c. Light Pollution: Artificial light which causes a detrimental effect on the environment, astronomical observation, enjoyment of the naturally-illuminated night sky or causes undesirable glare or unnecessary and/or unwanted illumination of adjacent or even distant properties.
- d. Light Source: The bulb or other element in an outdoor light fixture which emits light.
- e. Motion Detector: A device triggered by motion and used to energize light source(s).
- f. Outdoor Light Fixture: An illuminating device which is permanently installed outdoors, including but not limited to devices used to illuminate signs.
- g. Security Lighting: Such outdoor light fixtures and/or practices intended to discourage intrusion on the premises by unwanted persons.
- h. Shielding: In general, a permanently-installed, non-translucent shade, cowl, hood, baffle, or other construction which limits, restricts, or directs light or the visibility of a light source to meet the standards of this Article.
- i. Yard Lighting: Such outdoor light fixtures and/or practices intended for the convenience, enjoyment, and safety of a property owner or tenant or guest.

7.8.3 OUTDOOR LIGHTING STANDARDS:

- a. Business Zoning Districts and Land Uses: All outdoor light fixtures and lighting practices shall conform with either Item (a) or (b) following, and with all of the remaining items in this Section:
 - 1. All outdoor light fixtures EXCEPT gas lighting; glass tubes filled with Neon, Argon, or Krypton; and/or small decorative fixtures such as porch lights shall have cut-off shielding that:
 - a) Prevents light sources from being visible beyond the boundaries of the property on which they are installed;

- b) Prevent lights rays from being directed above an imaginary horizontal plane passing through the fixture below the light source; and
 - c) Protects vehicular and pedestrian traffic from unnecessary and/or dangerous glare from the intense light of directly visible light sources.
2. Outdoor light fixtures shall be selected and installed to conserve electrical energy by:
 - a) Using fixtures with good optical control to distribute light in the most efficient manner
 - b) Using the minimum amount of light to meet the lighting criteria set forth by the Illuminating Engineers Society of North America (IESNA) for safety and visibility relevant to the land use where the lighting is installed.
 - c) Using sodium light sources where required by this Ordinance and wherever else feasible.
 - d) Energizing light fixtures only when necessary in relation to the land use where the lighting is installed by means of automatic timing devices and/or through the use of motion detection devices on security lighting.
 - e) Acme Township can require light fixtures that are neither integral to the use nor necessary to protect public health, safety and welfare be turned off between 11:00 p.m. and sunrise.
 3. Sodium light sources shall be used for street lighting, parking lot lighting and for security lighting when such security lighting is not to be energized by motion detection devices.
 4. All outdoor recreational facilities (including but not limited to tennis courts; baseball, football, soccer, and softball fields; ski runs and trails; and golf courses and driving ranges) shall be illuminated with fixtures equipped with cut-off shielding as needed to direct and restrict light to the playing surface, playing air space, and immediately surrounding areas, and to eliminate glare in the night sky and unnecessarily reflected light on adjacent or distant properties.
 5. Floodlights shall be directed downward and shielded so that the light source is not visible from roadways or adjacent properties, and shall be located and directed so that light is not unnecessarily reflected onto adjacent properties or into the night sky.
 6. In addition to fixture design and shielding, architectural and landscape design features may be incorporated into an outdoor lighting plan in order to comply with the intent and requirements of this Ordinance.
 7. The following lighting types and/or practices are PROHIBITED as being contrary to the expressed intent of this Ordinance:
 - a) Searchlights, lasers, or other high-intensity lights designed or used primarily to light the sky for advertising or entertainment purposes.
 - b) Broad-spectrum lighting, such as quartz and mercury vapor lighting, due to the broad spectrum of visible light these light sources emit and because of the diffusive and reflective characteristics of such light.
 8. The following LIMITATIONS apply to outdoor lighting in order to uphold the intent and requirements of this Ordinance:
 - a) Advertising Signs:
 - i. Illuminated advertising signs must be turned off no more than one hour after the close of business and may be turned on no earlier than one hour before the opening of business except by special permission granted as a condition of site plan approval.
 - ii. All fixtures or circuits illuminating advertising signs shall be equipped with automatic timing devices.
 - iii. External illumination shall:
 - a. Be mounted at the top of the sign or sign structure
 - b. Employ cut-off shielding as required to direct the light onto the sign and/or sign structure face only and to shield the light source from the view of vehicular and pedestrian traffic and adjacent properties.
 - iv. Internally illuminated signs shall have a dark background with lighter colored translucent (NOT transparent) lettering, logos, and/or designs.

- v. No sign shall incorporate flashing or moving lights and all signs shall comply with the requirements of Section 7.4 of this Ordinance.
- b) Off-Street Parking Areas:
 - i. Off-street parking areas shall be illuminated only when in use during regular business hours, for a brief period of time after regular business hours until all members of the public and employees have left the premises, and for a brief period of time before regular business hours when employees are arriving at the premises.
 - ii. If entrance and traffic marker lights along access roads and drives, in parking lots, and/or along pedestrian ways are approved as part of a site plan, they shall be of a sodium type and equipped with cut-off shielding that prevents the light source from being visible to vehicular and pedestrian traffic.
- c) Security lighting may be approved as part of a site plan, and if approved shall be directed away and/or shielded from view by vehicular and pedestrian traffic and adjacent properties.
- d) Outdoor Display Areas and Architectural Lighting:
 - i. Building facades may be lit from the top in a downward direction; employing lighting fixtures with cut-off shielding and any additional shielding that may be required to hide the light source from view by vehicular and pedestrian traffic and adjacent properties.
 - ii. If an outdoor display area, including but not limited to automobile or equipment dealer displays or storage lots, is approved as part of a site plan, such area may be illuminated until 11:00 p.m.
 - iii. Metal halide lighting may be used as a minor portion of a lighting plan if it will reduce disability glare. Such fixtures shall be equipped with full cut-off shielding and project the minimum amount of light necessary for good visibility.

b. Residential Zoning Districts; and Residential and Recreational Land Uses:

1. All outdoor light fixtures shall have cut-off shielding such that no light is emitted above an imaginary horizontal plane passing through the fixture below the light source regardless of type or wattage **SUBJECT TO THE FOLLOWING EXCEPTIONS:**
 - a) Gas lighting;
 - b) Glass tubes filled with Neon, Argon or Krypton; and
 - c) Small decorative fixtures such as residential porch lights.
2. Spectrum lighting, such as quartz and mercury vapor lighting, is **PROHIBITED** due to the broad spectrum of visible light these light sources emit and because of the diffusive and reflective characteristics of such light.
3. The following **LIMITATIONS** apply to residential outdoor lighting in order to uphold the intent and requirements of this Ordinance:
 - a) Residential security lighting shall be energized by motion detectors unless otherwise permitted as a condition of site plan or land use permit approval. Security lighting shall be shielded from view by vehicular traffic and adjacent properties.
 - b) Residential yard light fixtures shall employ a sodium light source with full cutoff shielding.

7.8.4 APPROVED MATERIALS:

The provisions of this Ordinance are not intended to prevent the use of any design, material or method of installation that meets the spirit and intent of this Ordinance, even if not specifically prescribed by this Ordinance, provided that such alternative has been approved by the Planning Commission and meets or exceeds Illuminating Engineers Society of North America (IESNA) standards at the time of proposal.

7.8.5 EXEMPTIONS:

The following uses and activities shall be **EXEMPT** from the Outdoor Lighting Standards of this Ordinance:

- a. Emergency Equipment
- b. Holiday decorations, PROVIDED that decorative exterior lighting shall not include searchlights, floodlights, stroboscopic lights, or lights which create glare or distractions that pose a potential danger to vehicular or pedestrian traffic or unnecessary and unwanted glare in the night sky;
- c. All outdoor light fixtures producing light directly from the combustion of fossil fuels such as kerosene lanterns or gas lamps.
- d. Voluntary compliance with the intent of this Ordinance by any use or facility exempt from its requirements is encouraged.

7.8.6 CONFLICTS:

Where any provision of the statutes, codes or laws of the United States of America, the State of Michigan and/or the County of Grand Traverse conflict with any of the provisions of this Ordinance, the most restrictive provisions shall apply unless otherwise required by law.

7.9 REVIEW OF BUILDING DESIGN NEAR PUBLIC BUILDINGS AND SITES:

The design of proposed non-residential buildings within 500 feet of the nearest property line of public parks, scenic areas, and the premises on which are located historic buildings and civic buildings, such as township office buildings, schools, libraries, community center, hospital, or cemetery shall first be approved by the Planning Commission before a building permit can be issued. The purpose of this requirement is to prevent the occurrence of inappropriate structural appearance of building designs intended to attract attention of potential customers and patrons in proximity to improvements in which the public has invested tax monies.

7.10 APPLICATION:

All land uses in all Zoning Districts, with the exception of Manufactured Housing Communities regulated under Article XII, shall be subject to all of the applicable provisions in this Article VII.

AMENDED 04/07/09 EFFECTIVE 04/19/09 AS ZONING ORDINANCE AMENDMENT 001