Public Hearing at 7:05pm: PC-2021-63, Meijer Special Land Use, 1107 S. Lapper Road Special Land Use Request, the request is for 24-hour operation, located at 1107 S. Lapper Road, parcel number 09-14-226-008 and unaddressed parcel number 09-14-226-001 (surrounded by parcel 09-14-226-008.)

1. OPEN MEETING
2. ROLL CALL
3. MINUTES
   A. 08-18-2021 Planning Commission Regular Meeting Minutes
   B. 08-18-2021 Planning Commission Workshop Meeting Minutes
4. AGENDA REVIEW AND APPROVAL
5. BRIEF PUBLIC COMMENT - NON-AGENDA ITEMS ONLY
6. CONSENT AGENDA
7. NEW BUSINESS
   A. PC-2021-63, Meijer Inc. #680 Special Land Use request for 24-hour operation, located at 1107 S. Lapeer Road, parcel number 09-14-226-008 and unaddressed parcel 09-14-226-001 (surrounded by parcel 09-14-226-008).
8. UNFINISHED BUSINESS
   A. PC-2021-07, 5-Year Master Plan Update
9. PUBLIC COMMENTS
10. COMMUNICATIONS
    A. Tree City USA
    C. Communication from Planning & Zoning Director Regarding PC-2021-57, Administrative Review of Site Plan for Cell Tower change of equipment.
    D. Communication from the Planning & Zoning Director Regarding PC-2021-61, Administrative Review of Site Plan for Cell Tower new equipment
    E. Communication from the Planning & Zoning Director Regarding PC-2021-64, Administrative Review of Site Plan for Cell Tower equipment modification
11. PLANNERS REPORT/EDUCATION
12. COMMITTEE REPORTS
13. FUTURE PUBLIC HEARINGS
14. CHAIRMAN'S COMMENTS
15. COMMISSIONERS' COMMENTS
16. ADJOURNMENT

In the spirit of compliance with the Americans with Disabilities Act, individuals with a disability should feel free to contact Penny S. Shults, Clerk, at (248) 391-0304, ext. 4001, at least seventy-two hours in advance of the meeting to request accommodations.
Public Hearing at 7:05 pm: PC-2021-63, Meijer Inc. #680, Special Land Use request for a 24-hour operation, located at 1107 S. Lapeer Road, parcel number 09-14-226-008 and unaddressed parcel number 09-14-226-001 (surrounded by parcel 09-14-226-008).

1. OPEN MEETING

2. ROLL CALL

3. MINUTES
   A. 08-18-21, Planning Commission Regular Meeting Minutes
   B. 08-18-21, Planning Commission Workshop Meeting Minutes

4. AGENDA REVIEW AND APPROVAL

5. BRIEF PUBLIC COMMENT – NON-AGENDA ITEMS ONLY

6. CONSENT AGENDA

7. NEW BUSINESS
   A. PC-2021-63, Meijer Inc. #680, Special Land Use request for a 24-hour operation, located at 1107 S. Lapeer Road, parcel number 09-14-226-008 and unaddressed parcel number 09-14-226-001 (surrounded by parcel 09-14-226-008).

8. UNFINISHED BUSINESS
   A. PC-2021-07, 5-Year Master Plan Update

9. PUBLIC COMMENTS

10. COMMUNICATIONS
   A. Tree City USA
   B. Communication from the Planning & Zoning Director Regarding PC-2021-53, Administrative Review of Site Plan for Cell Tower equipment upgrades
   C. Communication from the Planning & Zoning Director Regarding PC-2021-57, Administrative Review of Site Plan for Cell Tower change of equipment.
   D. Communication from the Planning & Zoning Director Regarding PC-2021-61, Administrative Review of Site Plan for Cell Tower new equipment
   E. Communication from the Planning & Zoning Director Regarding PC-2021-64, Administrative Review of Site Plan for Cell Tower equipment modification

11. PLANNERS REPORT/EDUCATION

12. COMMITTEE REPORTS

13. FUTURE PUBLIC HEARINGS

14. CHAIRMAN’S COMMENTS

15. COMMISSIONERS’ COMMENTS

16. ADJOURNMENT

In the spirit of compliance with the Americans with Disabilities Act, individuals with a disability should feel free to contact the Township at least seventy-two hours in advance of the meeting when requesting accommodations.
The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, August 18, 2021, at 7:00pm at the Orion Township Community Center, 1335 Joslyn Rd., Lake Orion, Michigan 48360

PLANNING COMMISSION MEMBERS PRESENT
Scott Reynolds, Chairman
Don Gross, Vice-Chairman
Joe St. Henry, Secretary
Jessica Gingell, Commissioner

Don Walker, PC Rep to ZBA
Kim Urbanowski, BOT Rep to PC
Derek Brackon, Commission

PLANNING COMMISSION MEMBERS ABSENT:
None.

1. OPEN MEETING
Chairman Reynolds opened the meeting at 7:03 pm.

2. ROLL CALL
As noted

CONSULTANTS PRESENT:
Rodney Arroyo, (Township Planner) of Giffels Webster
Mark Landis (Township Engineer) of Orchard, Hiltz, and McCliment, Inc.
Tammy Girling, Township Planning & Zoning Director

OTHERS PRESENT:
None

3. MINUTES
A. 08-04-21, Planning Commission Regular Meeting Minutes
B. 07-29-21, Township Board of Trustees, Planning Commission, Zoning Board of Appeals & Corridor Improvement Authority Joint Meeting, Special Meeting Minutes.
Moved by Secretary St. Henry, seconded by Commissioner Walker, to approve both sets of minutes, as submitted. Motion carried

4. AGENDA REVIEW AND APPROVAL
Moved by Vice-Chairman Gross, seconded by Commissioner Gingell, to approve the agenda as presented. Motion carried

5. BRIEF PUBLIC COMMENT – NON-AGENDA ITEMS ONLY
None

6. CONSENT AGENDA
None

7. NEW BUSINESS
A. PC-2021-62, Candid Inc. Ord. 154 Application, located at 163 Premier Drive (parcel #09-35-476-001)
Chairman Reynolds disclosed that his company has done work on Premier Dr., he doesn’t have any known affiliations with Candid, Inc. at this point and time but wanted to make it clear that they have done work for that. He didn’t think that there was any conflict of interest but if someone feels otherwise, he would recuse himself. No one objected.
Vice-Chairman Gross asked, Planning & Zoning Director Girling if the conditions of the ordinance have been satisfied? Planning & Zoning Director Girling replied that the location requirements have, there is within the suggested motion the conditions which are typical conditions as the development within the building proceeds and it is monitored to make sure that it is within regulations.

Moved by Vice-Chairman Gross, seconded by Trustee Urbanowski, that the Planning Commission grant approval of the application, as required per Ord. #154, for PC-2021-62, Candid, Inc. for an Adult-Use Processor facility, located at 163 Premier Dr., (parcel 09-35-476-001) based on the findings of facts that the operation does meeting the following location requirements: it is located in an IP zoning district; located in a building that meets all the distance requirements shown in Ord. 154; is located in a building that has an ingress/egress road with less than 6,000 vehicles/day; is located in a building that has an ingress/egress road that does not serve as a road that also serves for residential zoning.

Vice-Chairman Gross amended the motion, Trustee Urbanowski re-supported, that this is conditioned upon: that the applicant meets all applicable Township Ordinances and promulgated standards of the Township and, prior to opening, shall demonstrate to the Township that it meets the rules and regulations promulgated by the State Marijuana Regulatory Agency (MRA).

Roll call vote was as follows: Gross, yes; St. Henry, yes; Urbanowski, yes; Walker, yes; Gingell, yes; Brackon, yes; Reynolds, yes. Motion carried 7-0

B. PC-2021-65, Township Initiated Text Amendment to Ordinance 78, 2021 Ordinance Updates

Planning & Zoning Director Girling said as they had requested previously on one of her text’s amendments, they were given all the pages printed out so that if they want to mark them up, they are able to follow along. A lot of these are housekeeping whenever, day to day she runs across something, sometimes they are just clerical. One was something that she wanted to get their opinion on before she puts anytime into it. Starting with all the documents they have the first one is from Article III which lists all the zoning districts within the Township and they do not have (BIZ) listed. (BIZ) is a physical district so her proposal is to list (BIZ) within there.

Planning & Zoning Director Girling on Article II on page 2-14, that the definition of a mezzanine does not match building code. She did look at another community’s definition of a mezzanine and verified with the Building Official that the attached that they see is the proper definition, so, proposing to make it correct. Chairman Reynolds said that was one of the comments he had, do they really want to get into 1/3 of the floor area. He thought that if they look at the building code and it doesn’t explicitly in the definition of mezzanine speak to an area. He didn’t know if they just wanted to even get into referencing the building code but even just defining it as an intermediate that it is not a story but rather an intermediate floor. He asked if they care if it is 1/3 or, do they care that it meets the building code as a mezzanine because there are different avenues for that? He added that if they are just saying it is just a mezzanine why are they adding another definition on top of that by saying it is 1/3 versus just having it defined by the building code as a mezzanine. Commissioner Brackon asked isn’t it restricting? Chairman Reynolds said that 1/3 could potentially be restricting but give or take is kind of the rule of thumb. He was just wondering why from a zoning perspective they would even discuss that versus to him that is a building code item. Planner Arroyo said that they know that they got the building code issue but to put it on the interpretation someone could try to stretch that and almost turn that into an entire floor by taking advantage of it that is the concern. He thought that 1/3 is pretty typical but it depends on how their building code is administered as well. He added that in his experience the 1/3 is not unusual. Chairman Reynolds said that when he looks at
mezzanine in the building code it is an intermediate level or levels between the floor and ceiling of any story. He said from a building code a story is like at the ground floor or the second floor so, it is inherently by definition it is not considered a full floor. He thought that a full area is limited from the building code it would be defined as a story. He said he was ok with it sticking to a 1/3 his comment was just defaulting back to the building code and even as you look into it further it is not contributing towards a building area or the stories it is kind of that extra in-between. He was happy to share that verbiage with them. Planning & Zoning Director Girling said that they realized if they look at how it is currently defined it already had the 1/3 but it had it backward to what it should be. She added that after she looked at other communities that had the 1/3, they had the 1/3 but they had it correctly. She felt that they just typed it wrong, let's keep it uniform with what they have had for years with the 1/3 concept and just make it correct. Again, checking with the Building Official because he is always pointing out that they have to follow building code they can't be more restrictive. She said that if he was dead set that they think they shouldn't have the 1/3. Chairman Reynolds said he looked at it as one more thing to maintain but he defaults back to if it is the building code that defines it just let that define it. Commissioner Brackon asked if the owner called it a park but it is really not a park? Planning & Zoning Director Girling said they are not calling it a park but our zoning district is called (IP) Industrial Park so they can have and they had some parcels that are created that are (IP) zoning they are not large enough to be a park. Chairman Reynolds asked instead of reusing the idea of a park to have multi-development in (IP) can they just add something that speaks to developments of two or more buildings? Planning & Zoning Director Girling said that she tried that. She added that she has on the third line there is a 1, 2, and 3 with circles around them. 1- is talking about shall have an internal roadway with a minimum 60-ft. right-of-way, 2 – that each building or use within the complex have direct access on to the internal roadway, 3 – that the district as a whole has direct access onto an existing or proposed major thoroughfare. Planning & Zoning Director Girling said that she2 js suggesting that they then insert this other sheet that she gave them which says at the asterisk it would say “this regulation is intended
when the (IP) zoned property is to be developed as a park and contains numerous parcels to be developed as individual parcels. If the parcel is to remain whole even if numerous buildings are on the parcel the requirements of one, two, and three above do not apply. She said she didn’t know if that was clear, she didn’t know their thoughts on it? Planner Arroyo said that was one of the things that he didn’t like about this is that he thought it was the wrong location. He said this is the preamble to the district and in the preamble, they are putting regulations. He thought that they should just be describing what the district is intending to accomplish. The language that is suggested and all in the second paragraph really belongs down below in the actual section that regulates. Chairman Reynolds said that it could be bumping “C” and talk about access. Planning & Zoning Director Girling asked if it was all of the second paragraph? Planner Arroyo said yes. Planning & Zoning Director Girling said because that has regulations. Chairman Reynolds said to transition from a paragraph to bullet points of requirements. Planning & Zoning Director Girling said taken out of that section moved somewhere else as bullet points not at all in the preamble. Planner Arroyo replied right except for the fact that the first paragraph talks about development in a parklike setting it may be worth it to add a sentence to say that it reflects when numerous parcels are part of the development proposal. He added because that is really what they are saying, they are suggesting inserting when numerous parcels are intended to be developed. Planning & Zoning Director Girling said that is what makes it truly a park. Chairman Reynolds said that he doesn’t like the whole idea of a park, and felt it wasn’t clearly defined. He thought it would be more straightforward to speak to development as a group or grouping of unit’s buildings or parcels. He thought that they should define park. He felt that the intent was it is a typical park or it is not it is when there is multiple units or parcels that need access that is when they want that when it is a grouping of two or less, they could argue that it is just one development split into two. Commissioner Brackon said that the term numerous is ambiguous and needs to be more specifically defined as to one or two or three or more. Chairman Reynolds said he thought that they needed to define park. Do they want to see that parcel that was on Silverbell have a 60-ft. assess drive, or it works without it? If they take those two examples whether it is units, buildings, or parcels they are just trying to maintain assess thoroughly. Planning & Zoning Director Girling said that if they were maintaining assess and they were doing a division or following the ordinance it says that a road has to be 60-ft. wide. They already by the default of creating multiple parcels requiring 60-ft. road, this section was just trying to make it that park setting. Chairman Reynolds didn’t know if units were the accurate word, maybe just buildings or parcels. Planner Arroyo said principal buildings or parcels. Chairman Reynolds thought that the principal would be an accurate statement because they have seen those buildings that might have an addition or a building by code that is required to be hazardous storage or something that still meets that.

Planning & Zoning Director Girling stated if they go to page 18-4, they had minimal parcel sizes which gave the minimum parcel size for the (IP) as a whole is 20-acres yet the minimum lot size within an industrial park shall be 2-acres, and that is where she went into again describing that they can have an individually zoned (IP) parcel that is only required to be the 2-acres because they have parcels that are zoned (IP) that are not 20-acres and they are not in a park. Chairman Reynolds said don’t use the word park, and even state multi-unit development or multi-lot development and just state development of three or more. If it is two or fewer buildings or lots then that requirement does not apply.

Planning & Zoning Director Girling stated on page 18-5 (I) Covered Trash Area. She noted that they have tossed around whether a trash area should only be required to be in the rear or there could be some criteria where it is allowed in a side yard. She wrote it as “The PC may also allow in a side yard if not adjacent to residential and screened to Planning Commission satisfaction”. She said that she heard some comments on maybe they should allow the garbage dumpsters to be somewhere besides the rear. She didn’t know if they wanted to straight out allow it or leave it like it is. Chairman Reynolds said he thought that their ability to
waive does need to be added in an ordinance because there are many parcels including the new Township Hall. They have a 77-acre site and if they really put that in the rear yard they are in the woods. Where it is in the side yard or where it would want to be in the side yard is still 450-ft. from the road. He added that the project that they saw the other day the street frontage could be argued as a side yard even though defined by the ordinance it is the front. He thought that they needed to come up with some language to make it waivable. Planning & Zoning Director Girling said that they are trying to get away from the word waive, and motions to waive. They are trying to come up with a list of criteria that if they meet, they can do it versus here is your regulation, however, we will let you waive it and not give any specific reason why. This was to start a conversation she will try to come up with things if they have any ideas on what they think would be those ideas. What she didn’t get to in time was to go out to other communities see if she could come up with some of those. Planner Arroyo said that they may want to start treating interior versus exterior side yards, so if someone wants to put in an interior side yard this would be the criteria if it is exterior which means it is facing a street then it might be more like a distance from the road or there is natural screening in place that shields it. He thought that they needed to treat them a little bit differently because an interior side yard with a similar use may have less restrictive conditions versus an exterior where it could be seen by more people from the street, they want to be more careful and have a greater level of scrutiny. Chairman Reynolds said for him it would be sightlines, so whether that is provided via a significant setback distance allowing it because it is on a corner parcel of what could be conceived as the primary view or elevation of the building and then grade, it would be in the side yard and then also it is 20-ft. down from the road, and thought that those were all conditions to consider. He asked if a covered trash area was truly the proper terminology versus enclosure? He said covered trash kind of intends that it is a roofed area versus a shielded from view. Also, they are explicatively saying a masonry brick type wall, he didn’t care if it is CMU that is nice or even if it is metal and goes with architectural features of the building. He thought that as they update this section and pull in the others to say trash enclosure because there are even prefab structures, fencing that is nice looking versus requiring everyone to do a brick enclosure, he felt there were other ways. He thought that the other term would be architectural is the right word, permanent, or some other verbiage. Planner Arroyo said that he would say similar material in terms of durability aesthetic quality and consistency with the overall design of a principal structure.

Planning & Zoning Director Girling said in Section 27.02 (A)(5) page 27-10 they get into detached accessory and say setbacks and everything related to residential they never come out and say that a detached accessory structure and a non-residential have to meet the setbacks of the principal. She suggested putting it in there so it removes any questions. She said on page 27-15 (G)(3) – signs they were saying that street address numbers be at least 3-inches in height on residential and at least 5-inches in height on non-residential. She said she was corrected by the Building Official that the building code says it has to be 4-inches for both and they can’t be more restricted, so she was going to change both to 4-inches.

Planning & Zoning Director Girling referenced Basement Residency she knew that people can have a bedroom in the basement but they mean a separate residency. She also pointed out if they look at the attached when she ran it past the Building Official that he liked the definition of a basement residency or the regulations on a basement residency that another community had which she had attached. Commissioner Brackon asked if this meant separate family type residency as opposed to a family member type residency? Planning & Zoning Director Girling replied correct; they can have it if they have a window well, they can have a bedroom in the basement but that does not make it a separate residency. They can’t have someone else that their home is completely in their basement. Planner Arroyo said it can’t be an accessory dwelling unit. It would be called an accessory dwelling unit if they had a kitchen and a bedroom in the basement with a different family living there. In this instance, they are basically just
saying a family member can live in the basement. Commissioner Brackon didn’t understand the purpose of restricting basement residency. Planning & Zoning Director Girling replied that single-family is not multi-family so they are not supposed to have more than one family so they are not supposed to have a residency in their basement. Planner Arroyo said that a lot of communities are looking at accessory dwelling units and allowing them so that they have a place for their aging mother or mother-in-law. Chairman Reynolds said to him it is just another item under an accessory dwelling, so why call out basement residency in general provisions versus it an accessory dwelling with the primary structure. Planning & Zoning Director Girling said that basement residency has been in the ordinance forever. She said as she read this, she thought it was saying that they couldn’t have a bedroom in the basement. Secretary St. Henry said so basically it says a community does not want multiple families living in a residence. Chairman Reynolds said it is trying to clarify the difference between a single-family home and a multi-family home. He added that this definition they are getting here is an example would be when they get brownstones and walkups that is how it is explicitly called out. He didn’t know if they rework just accessory dwelling, he knew they have talked about in that they primarily focus on accessory buildings in the sense that an apartment building above a garage cannot be rented out it can be used for family. They are not creating a separate unit in the basement. He thought that they just need to look at both of those together. Planning & Zoning Director Girling thought that this could go away if they look up definitions look up family, family defines what family is. When they say single-family home then they default back to the definition of family, which already covers it. She added that the basement isn’t the concern it is that they another not family living with them that they can segregate their living quarters and make it be multi-family basically. Chairman Reynolds said what he is saying is to add to accessory dwelling to include attached or detached structure whether it is on a single floor or multi-floor that it should never be a separate dwelling unit unless it is multi-family zoned. Vice-Chairman Gross asked how does this impact an Airbnb? Planning & Zoning Director Girling said that the law may change. Planner Arroyo said that an accessory unit is really different from multiple-family even if there is a separate family in there because typically a multiple-family by most ordinances is three or more units, it is a two-family with two. A principal dwelling with a smaller accessory unit is usually not considered to be a duplex or a multi-family because usually there is a restriction it is supposed to be very small in relation to the principal and it is intended to allow for minimal occupancy of a smaller size. He did think that the basement residency section could come out because he didn’t think that they had to say that because it is already regulated by what defines the unit and family. He said that they could define an accessory dwelling unit and if they don’t want to allow them, they could just say that accessory dwelling units are not permitted and then that would take care of it. Planning & Zoning Director Girling asked as a whole combine what they said? Chairman Reynolds said yeah, streamline the definitions and make sure that it is covered elsewhere that kind of addresses this comment without explicatively calling it out. Secretary St. Henry asked if they could say that accessory dwelling units are not permitted? Planner Arroyo said they can and they need to define what that is if that is what they want to do. Commissioner Reynolds said right now accessory dwelling unit can only be a family member or relative it cannot be a rented unit. Planning & Zoning Director Girling said there are some grandfathered throughout the Township. Commissioner Reynolds said that they cannot build a carriage house and go rent a two-bedroom unit behind their house to someone else that is not their family or relative. He added to Planner Arroyo’s point that is one comment of having different housing opportunities in the Township and have a more price-pointed thing. Trustee Urbanowski said that she has seen a couple of things recently but pole barns are being built. Commissioner Reynolds said the same thing that it is all an accessory to the principal dwelling. Planner Arroyo said in California passed state legislation where all municipalities in all single-family districts accessory dwelling units are permitted.
Planning & Zoning Director Girling under the same section I. Fire Protection Water Supply Standards. She said that this paragraph has been there forever. She checked with the Fire Marshal and he said that is way out of date, so she is changing it to the correct reference because it was completely wrong. Chairman Reynolds asked if they could say the currently adopted fire code, and then they issue a sheet of what is currently adopted versus amending text? He added that there are other ordinances that just say to the applicable current fire code or adopted fire code in the community and then there is a single sheet that says that they have this code, and then they are not reviewing this section when the Fire Marshal says now, they have adopted “XX” ordinance. Planning & Zoning Director Girling said that is what it says per Ordinance #176 and or the currently adopted fire code. Chairman Reynolds said just strike the ordinance of whatever they have adopted to that way it is a little more future proof. Planning & Zoning Director Girling said so per the current ordinance and currently adopted in case the ordinance number changes. Chairman Reynolds said when they go adopt a new MFPA then are they going to catch this section again, probably not.

Planning & Zoning Director Girling said on page #27-16 she always looked at the fact that they talk about that this is a section of the ordinance that goes into projections. If you have a 10-ft. side yard setback it says, in all yards, even though they have a 10-ft. side yard setback they can have an awning and canopy and steps 4-ft. or less all of those can hang into or project into the setbacks and she suggested window wells because they get questions on that all the time. It would be in the side, or in the rear it would not be in all yards and she would just have it be the number of feet that the Building Official suggested. She said that there is another chuck of 27-16 that has window wells with the suggested language which is in the rear yards and in the side yards and it says window wells projecting 3.5 into the yard. Chairman Reynolds asked if there is something that they add to that by definition as they do with patios versus decks, anything less so many inches above grade? He said they are talking about a window well so that it is negative in the ground. Right now, they talk about what is a deck versus a patio and if it is a patio it doesn’t apply as a deck does. He asked if that would help by defining that 12 or fewer inches above grade? So that it doesn’t become a projection as in an overhang, those should be negative in the ground. Planning & Zoning Director Girling questioned what he is proposing, is that they have an actual definition of a window well? Chairman Reynolds replied correct; kind of how they have patio or paver, it is something they are assuming is less than 10-inches above grade or then above that, it is considered a deck, so if it ends up being over that it is technically a building façade. Secretary St. Henry asked if egress windows were considered a window wall. Planning & Zoning Director Girling said that they have a window but in order for it to be basement they have to have that well. Chairman Reynolds said yes for egress components. He said that the egress well is the window well so he thought they needed to lock in what that is.

Planning & Zoning Director Girling referenced page 27-27. They used to have a district called Limited Industrial I and Limited Industrial II they combined it into just Limited Industrial but this section still sighted Limited Industrial I so that will just say (LI).

Planning & Zoning Director Girling referenced page 27-62. They reference the wrong section instead of 17 it should be 16.

Planning & Zoning Director Girling referenced page 30-25. She stated that she pulled the former Planner’s review of Waldon Meadows, and the Planner in his review has said that if a residential neighborhood comes in and it is developed without a PUD and this neighborhood she is referencing developed as zoned they really don’t have any landscape requirements. They have the typical commercial around the entire perimeter, they have the landscape preservation but they don’t have anything saying one street tree, like in the PUD. If anyone were to come in and develop it in an RM-1, RM-2, & RM-3, or an (SF), (SE), (SR) neighborhood they have nothing about landscaping that neighborhood. Chairman Reynolds thought that they
should look at this when they look at residential with the Master Plan. To him it was about character and raising the bar, he could see why it is in a PUD because they are giving the other things and setting the bar but do they want to raise the bar for those (R) districts and is it just applied to when there are more than 3 buildings, lots, or units? Secretary St. Henry thought it was a great idea. He was thinking about his neighborhood when it was developed 25-30-years ago looking back on it they had to plant their own trees to start with. Planning & Zoning Director Girling said sometimes based on the number of trees that they got rid of perhaps the developer in replacing them volunteered to do it but she could not find a section that specifically says they have to do that. Planner Arroyo asked if she checked the subdivision ordinance. Planning & Zoning Director Girling said a subdivision ordinance is a plat. Planner Arroyo said that those standards apply to site condos as well. Planning & Zoning Director Girling said she thought she looked and she didn’t find it, she said she would double-check that. Chairman Reynolds said that he loved the idea, to him, it comes down to beefing up their tree ordinance. Secretary St. Henry thought that it should be changed, and they should hold these developers to a higher standard. Secretary St. Henry said in Orion Woods the developer planted one tree in every yard. Planner Arroyo said that every community that he works with requires at least one tree per lot. It is probably the greatest investment they could make to enhance property value because the trees will get big and that will change the entire character of the subdivision. Chairman Reynolds said it was just leading to the Woodland/Tree Ordinance.

Secretary St. Henry asked why something like this wasn’t put in place 30-years ago when these neighborhoods started to blow up all over Orion Township? Planning & Zoning Director Girling said she didn’t know she was surprised that they didn’t. She questioned if there was something in the Plat Act that requires something?

Chairman Reynolds said that the Tree Ordinance in general he thought that they were at the turning point where they have to look at raising the bar with that and look at it against some other adjacent communities. He added that some have become very harsh in the sense of tree replacement. He said if they want tress to be important and they want to maintain that character they have to set the bar to say this is what they want to see. So, in that sense of the tree replacement, they say “hey it is in the development area, it is not a legacy tree, go for it”. For him, this is a good start but it is a bigger topic of if they say there were 1,000 trees on that parcel and they are going to develop it, there are some sort of replacement credit there whether it is something significant, or not, they have to start replacing trees. That will start forcing some of these, and they may have a lot of trees lining all of those roads plus factor in some open area, or consider starting up the tree fund.

Commissioner Gingell said she just saw a neighboring community, it just posted “time to get your tree, if you need a street tree”.

Trustee Urbanowski said that Orion was just named a tree city also. Commissioner Brackon asked what that meant? Trustee Urbanowski said there were a number of parameters, they have to apply for it, it is a national recognition, so many trees per acre of land. Planning & Zoning Director Girling said that she remembered when they were applying for that they looked for us having something in our ordinance. She added that they do but it has problems. Chairman Reynolds asked if they won it based on their current Tree Ordinance? Planning & Zoning Director Girling said from the Joint Meeting, she has to go through and make action items. She thought that Planner Arroyo was going to get a quote on working on that.

Commissioner Walker thanked the Commissioner’s for their concerns regarding the trees. He said he has been after this for at least a decade, maybe longer, and this is the first time he heard from any Board that this is a prime concern of theirs.
Planning & Zoning Director Girling said moving on to page 9-7. She said that she used Office Professional (OP) as an example but it carries through to all of the districts. Under (OP) #4 is talking about parking not being closer than 30-ft. if it is adjacent to residential but 20-ft. if it is commercial. #5 talks about the surface of it, #7 talks about that it is being waived. She said that further on in the Ordinance under General Provisions and it almost goes through the same things again. She said that they say it in every district and then they say it in General Provisions. She thought that they should take the off-street parking, which they talk about the parking criteria for that one per two-hundred square feet, and then say and per 27.35 and you get to 27.35 and all of these things are spelled out. It is one line in each district as per 27.35. If they change it in one spot, they forget to change it in the other spot and then they come up with conflicting regulations. She said it was something that she wants to start looking at that they are the same in every district, and General Provisions, she didn’t know if she wanted to change it yet because they are probably going to have enough text changes that maybe it will be incorporated with the changes with the Master Plan but it will take time for her to compare all of these to make sure that the General Provisions say the same things.

Planning & Zoning Director Girling asked why should a developer say they wanted to put in a doggie daycare, let me look through (GB) is it allowed, let me look through (RB) is it allowed? Why not have an alphabetical listing of all of their uses with a chart of where they are allowed? All of this keeps bring their ordinance down to not be so cumbersome. Planner Arroyo said that they need their Clear Zoning. Planning & Zoning Director Girling said that they have to get through some of these inconsistencies first. Chairman Reynolds said to Planner Arroyo’s point that is like a format change. He knew that there would be little stuff that they go through and they talk about as a whole. When they look at (OP) that is one example of the complexity that is not really the best practice as they know today. He said he was all for simplifying and just saying here is a standard requirement and here are the additional requirements beyond that, explicit to that district, but not pushing it away, it is saying our format doesn’t work so let’s get the new format. Stuff will always have to be updated but let’s get the format that their effort is within that new. Planning & Zoning Director Girling said that looking at other community ordinances she struggles with it. Chairman Reynolds said whether it is Clear Zoning or anywhere else it is the fact that they know they are really complex in conveying our ruleset. Even if it is simplified and someone overhauls this it’s whatever it is it is going to have live links. He said he is not doing codes via codebooks anymore he is doing it via web browsers with sections and searching keywords. He thought that either way that would be addressed. Planning & Zoning Girling said that they need to get to something way beyond where they are. Planner Arroyo suggested trying to fix inconsistencies, keep the format the way it is until they make a huge format change. He said if there are problems with consistencies from district to district, if something got amended the wrong way or should be worded differently, he thought that made sense versus moving it. He thought moving it would be something they would do as part of an overall format change.

Planning & Zoning Director Girling said she knew when they did Schedule of Regulations for those of that were here, they talked about completely getting rid of Schedule of Regulations because the regulations were in each district. The Chair at the time had said, in the industry, the Schedule of Regulations is a section and they would be lost without it. The vote was, even though it was being redundant that it was to stay. She agreed with Planner Arroyo to start that comparison find where they don’t match, work through those and see how far they are then to see what they do, whether they add a notation or revamping the whole thing. She said it became more apparent when they got a new Planner, he would point out things because he is looking at it from a naked eye.
Planning & Zoning Director Girling said that on page #9-8, she was pointing out the lighting regulations within (OP), the say thing, they have a General Lighting Provision later on. They have loading and unloading, the same regulations are under General Provision.

Planning & Zoning Director Girling said page #27-28, again, just a general analysis. She said she looks at this and if she was a developer, they have General Landscape where they have a mixture of evergreen and deciduous trees, (1) tree for every 3,000-sq. ft., and then down somewhere else there is a (1) tree per 30 lineal feet. She questioned if it was an addition to this or does this count towards this? She said there are so many buckets that, again, it is what do they want to say, it is almost like scratching it all taking the best of all of it, bullet pointing it, and making it so that they don’t read it. They look at the plans and they say that they don’t have a clear plan, no wonder they don’t have a clear plan.

Planning & Zoning Director Girling said landscape, trees, tree preservation, and landscape as a whole. Chairman Reynolds said that landscape was clearer to him than trees as, with meeting their intent, to where if he thinks there is an order of magnitude of not having a regulation that meets their goals. Landscaping to him do, trees don’t. That to him is a more confusing section. Whether they bite both off at the same time, depends on how much time they have. Planning & Zoning Director Girling asked Planner Arroyo what were his thoughts? Planner Arroyo thought that they both needed to be addressed. He said that they don’t need to be addressed in the same amendment necessarily but they should both be addressed. Chairman Reynolds agreed that they bounce around but thought that the goal here, even if there is a way to simplify the language, is that if they had a big building and not a whole lot of parking or a lot of parking in a small building there is still those ratio’s, at some point those are going to overlap. He said he creates a chart when he submits a site plan approval to say here are your requirements I meant or exceeded them, or if it is in question, he has checked these boxes. Planning & Zoning Director Girling said that she was used to looking for those criteria versus her just reading the words. She added that if they have someone that is used to preparing the plans that might be as clear as anything, but she had trouble when she tries to read it literally.

Planning & Zoning Director Girling said that the text amendments that they have agreed on, she will make the changes get them ready so they know that is what they are going to do, work on some of the language.

Chairman Reynolds thought that they should consider a dark sky’s ordinance. What he means is that they are addressing light pollution. Maintaining a rural community in some ways and tree character, there are provisions as it started to develop, even from an energy code requirement to say lights are dimming after a certain time. He thought it would be ok to speak to some of those things. Planning & Zoning Director Girling said that the ordinance actually says that, that they should be shut off after 11 pm. Chairman Reynolds said that there is a whole other layer to that now that really develops that definition. He said that there is a balance between life safety, the latest energy codes, and in Michigan are behind the latest. He added that as they walk through a building and they have occupancy sensors that could happen outside too. He thought it was just something that they might consider moving forward as a raise the bar ask for with some of these developments.

Chairman Reynolds said it was a lighting standard in many communities where it comes up. Planning & Zoning Director Girling said as she started to look through that was one of the sections that she didn’t have time for because it talked about the type of tubes, and she knew it was way out of date but she didn’t know what wasn’t. She added that she didn’t know what to propose and didn’t have time to research that, she will put it on her list.
Chairman Reynolds said that this was just a provision to say, and he didn’t remember off the top of his head how and where it applied but was building upon the after 11 pm the lights go out. He thought it would start to occur just from a code standard, energy conservation, but it is used in other communities especially ones that are out of the central core of a region. He said as they get to the north side of it, they don’t want to see a development with a crazy big sign but those lights are still going to exist, there is a way to check that box without having light pollution at night. Planner Arroyo said that they have done a lot of ordinance work in that area. Planning & Zoning Director Girling said that she has within her budget text amendments where the Planner assists. She added that finding (BIZ) not listed are her but when they get into Tree Ordinances and Lighting that is where she is starting to work on the budget for next year. She said maybe there is a list that they are able to come up with of that is more involved, come up with that list, come up with an estimate and then incorporate it within her budget. She had the budget dollars this year but they have been busy working on Master Plan. She thought that they need to utilize that. Chairman Reynolds thought that they needed to talk seriously about format change and what is their priority list.

Chairman Reynolds asked if they could get the application for the Tree City? He wanted to request that from Park & Recreation Director Whatley so they have a background, what is the provision, what is defined as a tree city? He thought they should look at fellow tree cities in their region or looking at some of their neighboring community tree ordinances. He thought that Rochester Hills has a different ballgame than the ballgame they play here. Planning & Zoning Director Girling said when she brought other tree information, she was told they are not other communities. She said she is trying to bring other ones, not to say they are right but just to see. Chairman Reynolds stated that he didn’t want to duplicate another community but thought it would be interesting to look at some of these other levels of asks and how people have addressed them. He added that not everyone takes an approach of it is in the development and they are good, they say, sorry we love our trees and you have to figure it out or contribute to a tree fund. He thought it was not just for a text amendment but rather their bigger discussions of Woodlands, Master Plan, and all of that. He thought it would be helpful to pull a couple if Planner Arroyo has a few good or bad examples. Vice-Chairman Gross said that there is litigation on trees in Canton Township right now that is in the Court of Appeals it could change a lot relative to how communities can regulate tree ordinances. Planning & Zoning Director Girling asked if they should put this in the backseat pending what the outcome of that is? She asked why work on a text when they are going to find out that they end up with something that preamps them? Chairman Reynolds asked what was the background? He asked can they do anything they want or the city has no say? Planning & Zoning Director Girling thought that they had a restriction on cutting the number of trees and somebody challenged it who was a forester to be able to clear-cut. Commissioner Brackon didn’t think that they wanted to wait because if they go to the Supreme Court that could be 4 or 5 more years. Chairman Reynolds said he was looking for what do they want to see. He said he was looking for the consultants to come up, they have heard their thoughts, this is how your Zoning Ordinance needs to change. He stated that the Zoning Ordinance right now doesn’t fit some of these visions they have for their community. He asked do they want to start moving away from clear-cutting a site? Whether there is legal action underway and does it tie into corridors, density, and all of these other conversations that they having. Planning & Zoning Director Girling said that they have sat there and said that each individual district has got more than it needs, they don’t like the tree section, the lighting is out of date, they looked at a fire code reference that was out of date. She questioned if they look at it and, do they dissect it, or do they just say build new? Secretary St. Henry asked has there been instances where the Township has taken advantage of the Tree Fund and has done something with it? Planning & Zoning Director Girling said that they don’t have it. Chairman Reynolds said they speak to it in the ordinance but they don’t have a tree fund established. They have always pushed development to resolve it within its site. He added that the reason that a tree fund comes about a lot of times is, they are raising the bar so high
that if they are going to develop there is some type of contribution towards a fund that supplements elsewhere like buying wetland credits, it is just on a local level. He said he wasn’t aware of all of the legal discussion occurring elsewhere but that might be part of it, when the bar is set so high there has to be another avenue because it is feasibly not possible to develop this site, met the tree ordinance and move forward. Secretary St. Henry asked if they were confident that in the past that the developers have actually addressed the situation within their site, or do they feel that overall, more often than not that they have lived up to what they have agreed to on their site? Chairman Reynolds replied that he didn’t think it was a matter of whether they have been withheld to what their current requirement is. Based on being involved in the Township on a daily basis, having a Planner that brings home the ordinance and reads it for fun, he thought that they have been withheld to the standard of what they have asked them to do. He said moving forward difficult challenging sites, mass grading, and removing a lot of trees is a very real component. He asked do they need to raise the bar? He thought that they have withheld that standard but thought that they should bring the standard up another step because they are now to their last 20%. Planning & Zoning Director Girling said that how she had summarized it if they remember the one meeting, she brought and they said let’s talk about it because if you read it, it conflicts itself it can be read in multiple ways. She added that through the years she did believe that it has been read multiple ways, and the developers were held to the way it was read. She would reach out to the Engineer, to find out what the Planning Commission did for years that she wasn’t here. She said it wasn’t that developers got away with it was the way that the ordinance was read at the time. She said they looked at it, and they all looked at it differently too, which brought up that they need to rewrite this because it is not clear. If they are going to rewrite it let’s write it the way that want.

Secretary St. Henry said this is the perfect time to up the ante and change it. Chairman Reynolds said right now they say they are going to come in and develop the site and if they have the development area, and they say here is the building footprint it all goes away. Secretary St. Henry stated that it is time to up the ante on Tree regulations, let’s do it. He said to clear up the ordinances and the verbiage and let’s hold them to it. Commissioner Walker said that he didn’t think that the past is as important as the future, so what they did in the past was done, now let’s see where they go now.

8. UNFINISHED BUSINESS
PC-2021-07, 5-Year Master Plan Update

Planner Arroyo resumed the conversation from the Workshop meeting on Section 34 of the presentation.

Planner Arroyo said that Section 34 said that this was pretty straightforward. He stated that the quirky area is that NW corner where they have Office Research planned and then it is all currently zoned residential. He assumed that seemed the direction to go.

Planner Arroyo said in Section 35, still the southern portion almost the very corner. He said there were a lot of different things going on. The Master Plan calls for Research/Light Industrial in that dark blue on the left, you could see that it aligned mostly with Light Industrial and Industrial Park, so there is good alignment there. He said in the area in red is where they have all (OP) on zoning on the right side, and then the Master Plan calls for a combination of Industrial/Commercial/Residential mixed-use and then some commercial, and some industrial. He thought that was a miss alignment here in terms of what is really zoned versus what is anticipated. It seemed that the Future Land Use plan is more intensive, in terms of, the expectations for future development. Chairman Reynolds thought that this was one of those that may be the mixed-use goes more to the commercial residential mixed use versus industrial or making sure they define the difference between those. Secretary St. Henry asked on the
presentation, on the Zoning Map the green, what exactly is that? Planner Arroyo replied that it is Office Professional (OP). Secretary St. Henry said that the Zoning Map was probably developed years ago. He thought that the Township wasn't quite sure what was going to happen there but they knew that was the area that there was plenty of room to develop. They have seen over the last 10-years exactly what developers could do with that property, and what they want to do with it. He thought it is really important to be very consistent in what they know as the reality of what is going in south of Silverbell all the way to the highway. He didn’t think it was anyone’s fault what was done in the past because it was 100’s of acres of empty fields, now they see what is really happening and they should address it accordingly. Chairman Reynold thought that there is a difference between what happens on manufacturing facility with a one-bay office versus some of these other buildings where they see it is their headquarters with maybe some industrial in back, that is one aid to that office professional transitions to the north, the other aids itself more to that industrial manufacturing. He said if they look at that intersection right now, they have the dealership, the gas station, south of that where they did that site walk, in that park area, there is a two-story that looks like their headquarters or an office building but it is aided to industrial and office. Planner Arroyo said that the other interesting thing is the research light industrial category in the Master Plan doesn't talk about office, it seemed like it would be a use that they would want them to allow within the research light industrial. Chairman Reynolds thought that a couple of those need to be split or redefined, maybe it is three colors between purple and blue.

Planner Arroyo moved on to Section 36. He said the north end on Silverbell they have the hamlet area, Decker Park, they have the PUD Lavender Ridge. He thought that area was 3.4 dwelling units per acre, and that should have a classification that is reflective of that density. He said that all of them needed to be updated to reflect that. They have the Special Circumstances zoning south of that which is another Consent Judgment that developed and needs to have the density reflected there. He thought there were just a lot of cleanups, here. He said that the single-family, medium-high with a question mark there, on the left side in the middle, is an interesting area, it is close to the hamlet, and there is research light industrial below it. He asked if that could be a little bit denser, given the location? Planning & Zoning Director Girling said that one is not on the Zoning Map as a Consent Judgement, however, there is, and it might not be a Consent Judgement it might be a deed restriction, there is something saying that (SF) must remain as (SF). She said it doesn’t mean that whoever owns it couldn’t come to the Board and ask to amend that between the two parties but there is a document saying that (SF) must remain. It was related to the denser developments around it. She said she would get the document so they know exactly what it says.

Planner Arroyo said that the final thing that he wanted to talk about related to the Master Plan is the goals and objectives. He said that this is just an introduction, they plan on talking about this a lot more at the next meeting. He did provide them with a memo, they provided them the 27 pages of goals, objectives, and strategies, which is the longest he has ever seen in his life. It is very difficult to navigate and grasp. He said they have 11 different goal categories. What they would like to do is to look to simplify. He provided them with a draft vision and then they combined all of their goals into just 4 goals and lumped some of them together. For example, they took the high quality and diverse housing is residential, they took environmental resources and historic preservation, that is pretty much the same, but economic development includes commercial, office, and industrial areas. Community facilities include community recreation, and then instead of saying transportation thoroughfares, they are going to use the term complete streets because that encompasses all forms of transportation. They did bullet items to bring all of those in so instead of going through 11 or 12 different items they have 4 with some subsections. He thought it helped to focus a little more on what their real goals are by using more general categories. As an example, for the community facilities, they actually redrafted it in a way that they would suggest that it is more descriptive of what that particular goal would be
and what they wanted to do is use that same approach with some of the other ones and then come back with a new set of goals and objectives and taking the ones that are still viable that are in the Master Plan and adding some new ones in that they think makes sense based on some of the discussions they had. He asked if there was anything else that they want to offer before they do that in terms of comments so that they can give them additional guidance before they bring something back to them at the next meeting.

Vice-Chairman Gross liked the simplification of the goals and objectives. He had one comment on the vision statement. He asked what they thought about continuing the slogan “we are living as a vacation” as part of the vision statement. He thought that was an excepted slogan. Secretary St. Henry asked if there was a better way to say that? He said it has been around for 30-years.

Trustee Urbanowski asked what is “avoid patterns of leap-frog development”? Planner Arroyo said that was from the current Master Plan reworked a little bit. The concept is they don’t have development jumping over vacant areas to go to other areas where the facilities, like water and sewer is not in place and they are starting to jumpstart areas that maybe it is not the right time. He said that their community is a little bit more mature now so maybe that is not as much of fear but it really is trying to see development in a manner, that is consistent with the public facilities that services that are in place to service it is what he thought was the intent of that. Chairman Reynolds thought that there was a way to make that grown-up. He added that there are terms professionally like the urban-transect which is the transition from super dense to super rule in that the point is it is transitional. He thought there were some terms to put in there, the goal is that they are not going to have Kohl’s go in at Indianwood and Baldwin, they are not going to jump it and then start it, they are going to build and right-size it, and when they say this happened, let’s make sure this is a nice cross-section between super dense, maybe some multi-family to rule, versus the Meijer is up against a 30-acre farm lot.

Chairman Reynolds liked streamlining their goals, he thought that made a lot of sense. He thought that the environmental and historic resources to him want to speak towards or be molded to start talking about, and even could become number one is their natural features. They talk about resources but what about the waterways, trees, the grade, that makes them unique and ultimately kind of sprung like, they became a vacation community because they had lakes, not because it was in the middle of nowhere and someone decided to put an amusement park in there. He said his other comment was, he was wondering from a bigger vision standpoint, they had mentioned complete streets, for him he knew that they were selecting four 15-minute neighborhoods. He had a comment to say, providing community amenities, something along the lines of they are looking at all forms of transportation within a region so that if they have development, that it is maybe just a bigger statement away from the 15-minute neighborhood statement like supported by multiple forms of transportation. Just the thought that it doesn’t have to be if they are not in a 15-minute neighborhood they could still get places, they are not just going to look at those four hubs but really everywhere where they have an intersection of zoning that they are looking to provide that. If it is residential, they may need that corner store but if there is heavy commercial then it supports the Meijer, they are trying to create a well-rounded grouping of uses, it is compatible uses and available via not just vehicle but rather walking, biking, they know that is a big part of it, they are a trail community.

Planning & Zoning Director Girling asked Planner Arroyo when he looked at a community, when someone does a major overhaul of the Master Plan, does it justify just saying here is our old, there were 25-30 pages of goals, do they literally just throw them out? Planner Arroyo replied no, he thought that they want to look at what is there that is worth carrying forward. He thought that they needed to add new things, update, and they need to refresh. He thought by reorganizing it will also help them look at them differently. He said hopefully, next month, they
will have something to look at that maybe will help them look at these different. Right now, when he tries to look at those 27 pages, his head wants to explode because he can’t grasp any of it. Planning & Zoning Director Girling questioned if there was homework, they should all know them but they should all look at those 27 pages and if there is something that they understand, or not.

Secretary St. Henry said that they struggle with the 27 pages. He asked what does the average citizen think of that? They have no idea what our vision is or their objectives, or how they plan to proceed moving forward, so, in the first 10-pages of the Master Plan if they lose them there it is over. He said he was going to challenge Planner Arroyo and this group that they take that 27 page’s and boil it down to 5 really tight pages so it is easier to read. He said that there are too many goals, and objectives. If they have too many goals then they don’t have any goals. He said let’s be very aggressive and let’s narrow that down so they can pull any average citizen out of their community that doesn’t know much about what they do, they read it and they understand where they are taking this community to in the next five-years. Planner Arroyo said also from an organizational perspective, he would like to take items that are more action items and move them into the implementation section as things to do rather than trying to lump them in with goals and objectives, he thought that also burdens the current section.

Trustee Urbanowski said that when she was looking through this, she was looking at it from the perspective of when she worked at the Chamber, she took the strategic plan and would once a year go through, 3 or 4 years, and say what percent, she went through all the goals and said they have done this, they haven’t done this. That is how she was trying to read this, not that she was asking them to do that. She was curious, if they are an average citizen, and asking did they do this, did they do these things? Secretary St. Henry said so you are saying are they measurable? Planner Arroyo replied that in the implementation chapter there will be a spreadsheet of action items. It will have who is the lead agency or entity, what is the top priority timeline and then they will be able to start checking things off. Then they can go back to that every year and do it, so it will help them do that. Chairman Reynolds said there is a lot of ways to check that box, and they don’t necessarily know how they are going to check that box in 4-years but they know right now that is their short-term or long-term goal. Planning & Zoning Director Girling said all of those should be looked at when they are looking at zoning changes. She added that there was too much thrown into all of that. Chairman Reynolds said what applies and what doesn’t. Planning & Zoning Director Girling said she had a vision that it is just a single sheet for them or a memory jogger that they have in front of them, to carry no matter what the size is to carry the Master Plan around, yes, they should reference online but something as a memory jogger as they are looking at all of these cases, they got the goals right there of what they are trying to do. Secretary St. Henry thought it should be very clear when looking at a PUD or a rezone proposal, and they go through all those criteria as it relates to the Master Plan, is this a benefit to the community. He said it should be clear as day with a cheat sheet that this idea will meet this criterion, and will make some of their decisions and the whole process a little smoother and easier. Trustee Urbanowski said that they also adopted stuff from the Parks and Rec Master Plan do they necessarily have to? Chairman Reynolds said this doesn’t have to be a catch-all. Their goals don’t have to speak to every little thing they need to do. Again, it is the reminder that is their 10-year plan it is not guiding them to what they are going to do tomorrow but that goal should be in that bigger mindset. As the ordinance change and they get this developer that wants to buy up half of Keatington and buy all of the houses, what if, they don’t know. At least in that sense, they have, hey it is their vision, it still fits. He added new or old when someone comes in and says can I do this, is it maintaining what they want?

9. PUBLIC COMMENTS
None.
10. COMMUNICATIONS
None.

11. PLANNERS REPORTS/EDUCATION
None.

12. COMMITTEE REPORTS
None.

13. FUTURE PUBLIC HEARINGS
A. 9-1-2021, at 7:05 p.m., PC-2021-63, Meijer Inc. #680, Special Land Use request for 24-hour
operation, located at 1107 S. Lapeer Road, parcel #09-14-226-008 and unaddressed parcel
#09-14-226-001 (surrounded by parcel 09-14-226-008).

14. CHAIRMAN’S COMMENTS
None.

15. COMMISSIONERS’ COMMENTS
Secretary St. Henry said that a couple of years ago they made the decision to move forward
with the Pomeroy development at Scripps and Lapeer Rd. He recently had an opportunity to
tour the facility and it was very enlightening, after touring that facility and seeing the people in
there and actually recognizing some of the people in there from growing up here it is exactly
what this community needed in terms of a place for their older citizens to retire to, to live in, stay
in our community, it is a beautiful community.

16. ADJOURNMENT
Moved by Vice-Chairman Gross, seconded by Trustee Urbanowski to adjourn the meeting at
8:43 p.m. Motion carried.

Respectfully submitted,

Debra Walton
PC/ZBA Recording Secretary
Charter Township of Orion

Planning Commission Approve Date
The Charter Township of Orion Planning Commission held a workshop meeting in-person at the Orion Center, 1335 Joslyn Road on Wednesday August 18, 2021 at 6 pm.

**PLANNING COMMISSION MEMBERS PRESENT:**
- Don Walker, PC Rep to ZBA
- Scott Reynolds, Chairman
- Kim Urbanowski, BOT Rep to PC
- Don Gross, Vice-Chairman
- Joe St. Henry, Secretary
- Jessica Gingell, Commissioner
- Derek Brackon, Commissioner

**PLANNING COMMISSION MEMBERS ABSENT:**
None.

1. **OPEN MEETING**
Chairman Reynolds opened the workshop meeting at 6:00 pm.

2. **ROLL CALL**
As noted

**CONSULTANTS PRESENT:**
- Rodney Arroyo, (Township Planner) of Giffels Webster
- Mark Landis (Township Engineer) of Orchard, Hiltz, and McCliment, Inc.
- Tammy Girling, Township Planning & Zoning Director

**OTHERS PRESENT:**
Donni Steele

3. **AGENDA REVIEW AND APPROVAL**
Moved by Vice-Chairman Gross, seconded by Trustee Urbanowski, to approve the agenda as presented.

4. **NEW BUSINESS/UNFINISHED BUSINESS**
A. PC-2021-07, 5 Year Master Plan Update

Planner Arroyo said that they are dealing with mostly 10 sections that they will be covering.

Planner Arroyo reminded them of the residential land use classification of the differences between the future land use and the zoning.

Planner Arroyo started by showing a presentation of Section 25. He said on the eastern border of the Township up against Oakland Township and one section up from the southern border of the Township which is known as Section 25. He stated that on the border which would be directly east within Oakland Township they are planning for 1 – 1.25 dwelling units per acre but they are also allowing up to 3 units per acre for duplexes. He thought it is always good to have an idea of what their neighbors are doing next door. He noted that in the Master Plan they have a private recreation area which is transformed into something different and is now residential, the zoning is Special Circumstances, so that was a Consent Judgement that is about 1.6 dwelling units per acre. He showed them the yellow area on the Future Land Use which is the single-family medium-high density. Then they have the area along Silverbell Rd. and this is where they are into their Hamlet area for the southeast quadrant of the Township. He added that this was currently planned for single-family low-density. The plan would be that they would
come back to them with that actual Hamlet with more information of what that is going to look like. The idea is that most of this land will likely end up in that new Hamlet designation. He asked if whether or not it seemed appropriate to take the private recreation off of there? He asked what they wanted to designate it as do they just want to just call it out for what it is which is something consistent with the 1.6 dwelling units per acre? It is developed that way it seems like why not call it out that way unless there is a reason they don’t want to.

Secretary St. Henry asked why wouldn’t they classify it that way? Planner Arroyo replied that sometimes communities get upset about Consent Judgements and they don’t want to necessarily recognize the density in their plan because they are not planning on anything like that anywhere else. He thought that most will just accept the fact that that is what the density is and put that on their plan. Vice-Chairman Gross said that since it has already been developed it only makes sense to say what it is.

Chairman Reynolds thought it was important to recognize what has happened and then dig a little deeper into some of those and say, do they want that moving forward? And then is there something else apart of that recognizing what is happening in Oakland Township if they do allow a greater density or something that is not low-density Suburban Farm (SF) like the area along Silverbell. He asked if there were some of those feature credits like they were talking about.

Chairman Reynolds said that one other piece would be is that he was fairly certain from a zoning map, in the (SF) low-density zoning they have some businesses spread in there, they have Goddard School and a couple of others and he thought that was important to kind of consider looking at this map, there already are some of those features that they are looking at in the Hamlet idea too.

Planner Arroyo said that pretty much all of those would be consistent with the Hamlet, the Hamlet would be a mixed-use district, so those would all probably fit in pretty well there.

Chairman Reynolds thought that where that comment stems from Suburban Farm (SF) along Silverbell Rd. with medium-density and then the other more-dense acreage that is the golf course; he asked how do they transition transitional zoning?

Planner Arroyo said moving on to Section 26 of the presentation, which is west one section over. He said in this area they have a couple of different things going on. They have the single-family high-density which is that area that has got the #1 after it, that is developed under multiple-family zoning that is the Orion Woods sub. The density there is a multiple-family designated density from a zoning perspective but the Master Plan is calling it out as single-family high-density. The equivalent would be if they are trying to match how it is developed and zoned, that would be multiple-family low-density, that would be the appropriate designation for that piece.

Chairman Reynolds asked if they wanted to go on a case-by-case basis? Do they feel it is appropriate to acknowledge what has occurred? Trustee Urbanowski thought so, she added it is what is if that is what it is, they can’t change the fact of what is there. Planning & Zoning Director Girling said that they had done that in the last Master Plan. They took a look at what had occurred since the last Mater Plan and trued up based on what had occurred. Secretary St. Henry asked if they just missed this one then? Planning & Zoning Director Girling replied that this was not one that was developed during that time. She thought that they looked at ones that had developed over the 5-years and didn’t necessarily look at any that had been there for years that the Master Plan didn’t match as it was developed.
Chairman Reynolds said going back to the same comment, let’s look at it realistically and address where there needs to be, what are the patterns of development, and do they want to continue to see that? Even just seeing it change the change between the two tells them a lot of what has happened in the last 5-10 years.

Planner Arroyo said that one area that was interesting was the rec area to the west because clearly that is zoned (IP) it is next to an area planned for industrial, commercial, residential mixed-use. It obviously has a use that suggests that it could be something different in the future once that use goes away, the land-fill use. He knew that Vice-Chairman Gross suggested maybe that could be an area that they might think about as a solar farm. Vice-Chairman Gross said that is the area where the land-fill is taking place. He thought that they should begin identifying what they might want to see happen there in the future, it may be a number of years before that is totally occupied. He added that one of the things that have surfaced recently is the idea of creating energy or solar farms in landfill areas. It is a non-intrusive use, it is a very energy-efficient use and it is a use that they think they will have to confront themselves with in the future, in terms of, energy conservation. He said if there is some way that they could identify the future use of the land-fill and set some kind of an energy conservation area, he thought it might be a feather in their caps saying they are looking to the future because that is what the Future Land Use plan is, and begin to create within the ordinance some ideas for solar facilities, wind-farms, or something that is innovative.

Commissioner Brackon asked what the status of that land-fill and its viability? Vice-Chairman Gross said he didn’t know. He thought that it had a lot of years left in it, and they keep adding to it, in terms of making it bigger, it just keeps getting taller and taller.

Chairman Reynolds said that it just got reevaluated within the last couple of years, he thought that they got a least another 8-years. Secretary St. Henry thought at least another 10-years. Engineer Landis knew that they are actively filling because they have an open soil-erosion permit, so they are inspecting it all the time. He added that he has not heard of any close-out date. Chairman Reynolds knew that it got evaluated on a regular basis. He knew that technologies and things are going to change rapidly, what is relevant right now, who knows they might be represented in holograms here in another three or four years. He felt that the innovative thought of what do they want to see from the basic principles for planning, is it low-density, something that supports nature, technology, he thought that those were great things to implement there. He added that he didn’t know it was a solar farm or not, he liked the idea, he liked a lot of other innovated thoughts of just they want to maintain the open-space and not have it add to any density to where somewhere along the way says, hey I can build houses cheaply on an old land-fill, that is not their goal. Planner Arroyo said that recreation uses are also potential, like sledding hills. Secretary St. Henry said in 2011 when they expanded the land-fill by 50-acres, that added 30-years to the life of the landfill.

Planning Arroyo said the west side of Lapeer Rd., where they have the (OP) Office Professional zoning in place, it is Master Planned for industrial/commercial/residential. He asked if that should be more diverse in its offerings of land use. From a Master Plan perspective, seemed to him it was still solid but ultimately the zoning, it might be something that has implementation items to look at whether or not that (OP) zoning still offers the best opportunities for that property. Chairman Reynolds said they are talking Waldon Rd., and looking at some of these developments and some of the character of these thoroughfares, they have looked at and addressed Baldwin corridor and M24, the Lapeer Overlay District, and to him, maybe it is not an overlay but how do they want to address some of these secondary corridors that they know are going to exist? Do they want to maintain, protect, roll them back, he thought that some of those to him he almost envisions driving down that street with Google Street View to see what works? They have a couple of those sections through there where they have the housing and then it
transitions to the recreation and back to a little more density and maybe that is where it guides their decision there.

Planner Arroyo said that on the east side they have NC and then they have multiple-family medium planned. Obviously, they have a PUD, Hills of Woodbridge, that is where that multi-family medium is. There is some commercial that is occurring with the auto dealer, so it is not really reflective in the zoning because the zoning is kind of morphed a little bit with the PUD. He asked if they had any comments on that side? Do they feel like the Master Plan is pretty solid there? Vice-Chairman Gross thought that the industrial may be oriented more towards the area south of Silverbell as opposed to going north of Silverbell. If the purple is indicating industrial maybe they should look at it as an office designation as opposed to an industrial designation since they have approved residential directly across the street from it. They do have the commercial on the corner with the Milosch’s dealership, and that could be the termination of the commercial and then go into more professional orientation.

Chairman Reynolds said that he doesn’t mind the mixed-use comment, he thought that the industrial throws a curveball to what that could be. He sees it being a commercial corridor as it is kind of developed but it is more of the manufacturing headquarters that refines what they mean by industrial/commercial/residential mixed-use. He added that maybe it isn’t so much as light industrial use but rather that office research component. He said that as he has reviewed all of this in the packet it gets him thinking that they have their objectives and goals and they talk about the 15-minute neighborhoods. One of his things is how are they promoting where they know residential is those common amenities people are looking for. He added that as they talk about transitional zoning, also talking about promoting amenities to regions, is there enough gas, are there grocery stores? Do they not what to see, there is a Home Depot not far from this, do they want to be more here when there is residential across the street in Hills of Woodbridge? Do they want it to be a light footprint to aid the future recreational use?

Planner Arroyo said to keep in mind they also have the Peninsula Agriculture growing facility there as well right behind the dealership. That is already one industrial type use but it is lighter, obviously.

Planning & Zoning Director Girling said that recently they approved the rezone right in this area to (IP).

Planner Arroyo said in Section 27 in the northeast corner that (R-2) zoning is higher density than what is planned. It is planned for single-family medium but really the zoning is more in line with the medium high-density designation, so that might be another change to make. Secretary St. Henry asked where exactly is this? Planner Arroyo replied at Silverbell is at the bottom, and Giddings Rd. is going through the middle. Chairman Reynolds said so the connector is Silverbell West between Giddings and Joslyn Rd. It is essentially the railroad tracks as it gets close to the other PUD that they have been looking at. Planner Arroyo said that they still have their (IP) area which is their landfill area creeping in on the east side.

Planner Arroyo said that they also have a mistake if they look at the zoning map where the railyard is (RFY) on the Master Plan it is the parcel north of that that is designated as being utility-owned and the (RFY) piece that is zoned is called single-family medium and thought was an error in the Master Plan that needs to be corrected unless there is something that he doesn’t know. Chairman Reynolds said he was fairly certain that Planner Arroyo was correct with that comment, the Zoning Map is accurate, the Future Land Use map is inaccurate. Planner Arroyo said that the areal photograph seems to suggest that the zoning map is accurate as well. Planning & Zoning Director Girling said that there is a piece that is zoned (RFY) that is not owned by the railroad. She thought that was the piece that perhaps on the Future Land Use
they didn’t leave as being related to utilities because it was privately owned. She said she can look back and compare it to old ones. Chairman Reynolds said even the little snip-it of (LI), to him there is a couple of these were to make a decision or discuss it via just these two maps is not in a vacuum but thought topography and woodlands to him influence some of how he sees a couple of these oddball areas developing it is going to have to be a specialty development the PUD and things. He felt that would maybe guide it and do they go as far as these kinds of areas as they did with Brown Rd. and identify them as just a tricky development spot. Do they identify similar to (IP) research farm and just throw some ideas out there of how they want to see a couple of those spaces maintained? He thought that it was a very tricky area between utilities, railroad crossings, wetlands, it is not going to be a, yeah, I wish this could be here, it is going to take that innovated thought to say what really could it be, a secondary kind of vision that they might have for the difficult parcels and maybe it’s just to maintain some of those corridor features.

Planner Arroyo said that their plan here is to go through these like this, they will do it again next month, and then likely the following month, they will bring them back one big map and then start nailing it down a little bit more. Chairman Reynolds said that walking that site on foot, the PUD that is on Joslyn Rd. that is not far off from this discussion, that to him, what do they do with it?

Secretary St. Henry said he was very leery about making significant changes to areas of the Township like that on a zoning map when those are very difficult pieces of property. Whether it is true or not the perceptions are that they are clearing out greenspace. He didn’t think that the Township would go in that direction. He added that they are catching grief on the PUD at Joslyn and Silverbell, how it is clustered, and how the wetlands are not going to be impacted. Before they start making changes, he really wanted to make sure that is the direction that the people that make these decisions, the Planning Commission, the Board of Trustees, is that really where they want to go with this. He thought that pieces of property that are challenging should more often than not be left alone on a zoning map in Orion Township. He said if there is a developer who comes in and wants to go through the gamut of a PUD or a Consent Judgement, so be it, but they should not encourage that type of development.

Chairman Reynolds said they are talking about Future Land Use, so it is vision. Someone would still have to go in buy it, rezone it, create a development that supports it. He thought that they are talking similar things in a sense of, they know they are tricky, and he didn’t know that every one of those tricky sites is “undevelopable” but is it promoted to be something other than a straight fold medium-high density. When they talked about other housing types that might not meet their straightforward density but it could maintain their bigger vision of what they want to do in the Township from a standpoint of maintaining green space. Maybe it is a highly clustered residential development with lots of green space so that dwelling unit per acre is super high and a part of it but as they look at the bigger parcel, or look at it in combination with the utility-owned area that creates a plausible development but supports what they want to see. He wants to get ahead of some of these discussions versus being reactive to them. How do they provide some tools to say they want this vision down this corridor and they don’t want to wipe out all of those trees so, in some of these areas, they are open to the thought of 15-dwelling units per acres up to five acres versus 20-acres? They can apply that density bonus to a small spot.

Vice-Chairman Gross said that maybe as a transgression from that, rather than calling the single-family medium, or medium-high density, or low density, maybe the Master Plan should just reflect it as residential, and then they have a zoning map which indicates what that current zoning is and if it is residential then they will deal with it as the project comes in. Planner Arroyo said that he would suggest that they have some kind of guidance for density just because he thought it is harder if someone comes in to challenge them for a really high-density in one location and they say no, and then they try to use their plan it could be difficult. He added that
one of the things that they would like to do is to have a separate density plan which actually identifies densities, and those could be presented as a range of densities not suggesting that they are going to get a precise density on every parcel but rather within this area it would likely range from here to here depending upon the uniqueness of the individual properties. That could be one way of addressing that as well, and that builds in a little flexibility.

Chairman Reynolds said similar to like an Overlay, they are just identifying regions that are the tricky spots. He thought on the basis of defending what they have as a Township would be beneficial to say, “they get it, it is a tricky parcel”, they are not going to look at it in a sense of it is a 20-acre parcel that was difficult to develop but they will allow them to do (R-1) density. Saying that they understood that it was a tricky parcel and they are going to allow them to do denser than (R-1) but leaving the rest untouched because they did evaluate that it is in a low lying area, it is topography that they want to maintain. What are the features that they want to see and maintain? How do they raise the bar with some of these developments to say, trees are important, don’t mass-grade a site if they don’t mass-grade a site they will give them more density credit? Planning & Zoning Director Girling said if they have the current zoning that a developer is not going to come in and develop it under that zoning, they are just not. She added that the Future Land Use supports what the zoning is then really the only way they are going to stand a chance is a PUD, and with a PUD they have the natural feature preservation, the density bonuses, the clustering, so, by leaving the Future Land Use equal to a very low-density, really, they conceptually are getting that, and if not then they are denying the PUD.

Secretary St. Henry said he wants to get away from PUDs he doesn’t want to encourage PUDs because they are a nightmare especially with residential. Planner Arroyo said another option would be to build in a more aggressive clustering option within the ordinance so they don’t have to have a PUD to do that. He added that they would follow certain criteria that would allow them to leave a majority of the site, the most important natural features preserved, in exchange for that they are essentially transferring that density to another portion of the site and they are allowed to build it out, they could build that into the ordinance and not have to go through a PUD to get that. Chairman Reynolds said that there are other surrounding communities that have a special project, or special use. It is essentially providing the overlay district to a zoning and giving that criterion to say that there is some flexibility. He thought that PUDs are bad when they are used as a tool to leap-frog their vision and their zoning, that is not the point of a PUD, the PUD is let’s take a challenging site that needs creative thinking, so really ground that as a tool and why they what it, versus just PUD to PUD. So, when they identify these sites, and he didn’t know if that was just a map to say, here are some of the challenges of our Township. On a small level, they have done Master Plans from a downtown vision. He didn’t know if they have ever seen that from a big township vision area but some of these are tricky whether it be just because of natural feature challenges or transitional zoning. Like the (BIZ) district, what did they want to see? It kind of morphed a little bit but at the end of the day it changed that corridor, whether they love it or not, it sparked something. So, do they do that in a couple of these difficult pockets? He didn’t know what scale was the right scale to address that? To him, they are digging in and doing the homework right now to say, “they thought about that, they understand that it is (SF) and it doesn’t just work”. At least they said that but they want that for the sense of the developable part of that area or that parcel.

Planning & Zoning Director Girling said that she knew that the ordinance has the open space section which is required under the Zoning Enabling Act but she has never seen that used. She asked how that comes into play? Can he explain really what that is? She knew it was required. Planner Arroyo replied that it requires within a certain density range that they allow for the preservation of either 50% or 20% depending on if they have water and sewer. He found that it doesn’t get used a lot just because maybe it is not aggressive enough in terms of what it allows to happen. He thought maybe some forget that it was there too, maybe it is a combination. He
suggested that they look at doing something that is a little more aggressive than what the statute calls out as a minimum if they are looking to really make this happen. If they really have an area where preservation of these features is so important then they really have to provide an incentive for the better developable parts of that larger parcel to have more density. When they look at it as a whole the density is more of what they would plan for, that is the whole idea of the Master Plan, they are looking at the larger areas and saying this is the overall density of what they are looking for. If one parcel happens to be allowed to have a very intense development but then the parcel that is part of it but next to it is then almost no development then they spread it out and they are still meeting the Master Plan but they are allowing for the flexibility to get development and then also preserve natural features. He thought that could be a win, win if it is done the right way. People have to accept that they may see a project that looks really dense from the road and say that looks really out of character but look what is around it see all those woods they are never going to get developed and that is what they are getting for that type of pattern. He thought it was an interesting trade-off but they have to be ready to accept that.

Planner Arroyo moved on to Section 28 (Silverbell and Waldon east of Joslyn) slide. He said they still have the (RFY) that is miss-aligned so they want to make sure that they take care of that. He thought that the other areas were more straightforward in terms of trying to get them in alignment with the development that has occurred in the area, and thought that was pretty straightforward. They got the single-family medium area that is dashed is developed at a higher-density so, it is really at a medium-high. To him, it seemed like most of these reflect what is really happening there and then make the correction with the real freight yard and bring that down, and the map will look different but it will be more reflective of reality.

Chairman Reynolds thought that they should look at what is there and if they really think that there is an opportunity to change or guide then let’s start manipulating those a little bit more.

Planner Arroyo moved on to Section 29 (Baldwin Rd & W end of BIz) slide. He said this one is a little busy. They have some office and professional uses in that neighborhood commercial area which he thought was fine. They have two residential parcels there on the NW corner that are designated for general office, and he thought that was fine too, that can just be an expansion. Then they have single-family development in the NW corner that is planned for low-density but it is zoned medium-high. He thought that was probably one that if they already have that zoning in place and it is close to the Baldwin Rd. corridor and seemed like an area that makes sense to have a high-density anyway, as this is one of their 15-minute neighborhood areas. He felt that the Master Plan needs to catch up with the zoning here because the zoning is reflecting a high density. They have the Orion Village Apartments that are not reflected in the Future Land Use map they are shown as single-family medium-low. Then they go a couple of others that need to be corrected as well. He sees these, in this section, for the most part, it is the Future Land Use plan trying to catch up with the zoning designations, which are generally higher-density.

Planner Arroyo moved on to Section 30 (Waldon/Maybee/Gregory) slide. He stated that they are all the way to the western border now. If they recall this is the area where Independence Township is planning one-dwelling unit per acre along their common border. They have the northern half north of Maybee Rd. at the 2.5-acre lot designation, they talked about that before about the viability of that, and he didn’t think that they needed to go into that in detail. He added that the rest there is decent alignment here with the single-family medium-low will ultimately result in a change for in zoning for (SE) they could see some pressure on that one as well. He said this is a very low-density area and it is in a location that is fairly close to some density. Even in Independence Township, it is denser than what they are planning. If they go to the east and west, they get more density.
Secretary St. Henry asked what Independence Township is planner there? Planner Arroyo replied that their plan calls mostly for one-acre lots, one dwelling unit per acre, and they are at 2.5 acres.

Chairman Reynolds said that this is one of those areas of him that he would like to look at in the bigger picture sense. How are they addressing that transition of zoning and density east to west, and south to north? He was open to it being an (SF) or going back to a more realistic 1-acre lot size. To him it was one of those do they say on the Future Land Use map it is one-acre now and it aligns with current development but do they want to maintain those corridors? Do they want to maintain certain natural features or elements, he didn’t think that was a bad thing to set that expectation and raise the bar? If they are going to increase the density in some of those. Planner Arroyo said that this could be one of those areas where the zoning ordinance gets adjusted to recognize the importance of the corridors and pull development away from the road frontage a little bit. That could be done through some type of clustering provision where they try to preserve that view that they get driving down the road, which he felt is what everyone appreciates and values, and still allow some development to occur. Maybe that is how it happens, they can develop, they are going to give them some more density than what has been provided in the past but in exchange, they are going to pull their development away from the road by “X” number of feet, and then they are not going to grade that area they are going to preserve that character and then they are still going to have some of that. It is going to depend, sometimes a lot of what is in that corridor view that they really love is actually in the right-of-way. They may find that that is going to go away if the road ever has to be improved or utility work has to be done and they don’t save it. Sometimes it goes deep and even if the road right-of-way gets impacted, they may still be able to preserve a lot of that on the private property, it just depends.

Chairman Reynolds asked if there have been density credits in the sense of maintaining natural grade? He knew that there were other communities that have a lot harsher tree ordinances, and usually, that is a financial contribution or a heaver one-to-one replacement even without it being a legacy tree or development area. He was curious to just have that conversation if they are going to allude to future changes. He asked if they consider, if they are going to flatten this whole parcel or all these parcels out, they are looking at it one way if they work with the existing, they will throw the dog a bone and they will work with them, they will give them a little bit more to work from. Trustee Urbanowski said that is what they said before.

Secretary St. Henry said he definitely thought that they should better align themselves with the density and zoning in the general area, it just seems to make sense. He loved the idea of developments building off the road, so whether they live there or just driving thru there they still have the character of the area. He added that the easement issues, legit, something that they have to look at being expanded in the future. He thought that if they make that a requirement for a developer that they build off the road, he thought was a great idea. They are artificially building that space. He thought that in some areas be a requirement if there is a way to do that. If a developer really wants to build on a piece of property, they have to do certain things. If they put that out there as they are making a good faith effort to maintain the character of the different parts of the community, he hoped they could pull it off.

Planner Arroyo showed them a slide of Sections 31 & 32. He noted that they had already looked at this but they did receive a request from a private landowner for consideration of something. It is the area that has the read around it, and on the Future Land Use, that area is being requested for multiple-family. They are asking for them to consider that as part of the Future Land Use plan. He didn’t think that they had to make a decision on it but wanted to put it on there and he wanted them to be thinking about how that fits into the big picture in this area. They are suggesting that it would be a transitional zoning from the (GB) General Business,
Baldwin Commons area, into something, and then would lead to single-family as they go to the west. Secretary St. Henry said essentially across the street or close by because they already have multi-family housing. Chairman Reynolds said that is going to be behind Kohls and all of that. He asked if there was multi-family down there? Secretary St. Henry said that there is further south on Baldwin, and then on the east side before Brown Rd. in that general area they already have multi-family housing. Chairman Reynolds thought it was just reinforcing their set of rules that they are applying to these transitions. Same comment going back to the corridors, do they want it to fade off rapidly? Multi-family is a great tool between (GB) heavy density commercial use, and even an (SF). Secretary St. Henry said that they just approved something like that between Home Depot and Bald Mt. Park, on a smaller scale. Chairman Reynolds said he was open to it, he thought when they look at the harsh transition right now, there are some of those where there needs to be some of those tasteful transitions. Secretary St. Henry said that they need to keep in mind that this is an area that is very sensitive because there are a lot of people that have owned big chunks of property for a long time and they are wrestling with change. Chairman Reynolds thought that is when they start to say the heavy density is along Baldwin corridor and beyond that immediate transition that character gets maintained. They have critically looked at those issues and said here is our solution, and on a case by case, if there are a few of them where it is like alright, we will accept it to be the next parcel or line over, however, that naturally develops but the goal of that density is because it is a primary corridor. Beyond that, there is not the supporting factor on Morgan Rd. as they continue westward to say there needs to be commercial or multi-family beyond that transition point. Secretary St. Henry said the traffic circles are there for a reason, and if they live there, they have to have a feeling that something eventually is going to go on that corridor.

Planner Arroyo showed the slide of Section 33, on the east end of the (BIZ) at Joslyn. He thought that the (BIZ). There is the (R-1) zoned piece on the right side toward the middle that is actually planned for single-family medium that needs to get adjusted to medium-high based upon the development pattern there. He said the rest of it there are little pieces where there are some potential tweaks but didn’t think that there was anything major necessarily that pops out on this one. Planning & Zoning Director Girling said that the office research on the Future Land Use Map that southern part of that parcel, and the parcel to the west, was rezoned to (BIZ) and within that (BIZ) they have a conditional approval of site plan for the mixed-use residential with commercial at the bottom. The office research might be something they need to look at. Planner Arroyo went to the next slide. So, the Pearl of Orion has clipped off part of that office research area and they will need to make some adjustments on that for sure. Chairman Reynolds said this to him is one of those corridors where it is like Joslyn Rd. Is that what they want it to be? Does it want to fade off as fast as it does? If (BIZ) carries up a couple of those corridors, Joslyn is different then how it transitions to Baldwin. This idea of what Pearl of Orion is not a bad approach to that step-down in (BIZ) zoning. He added that the backside of (BIZ) is a different idea for what they want to maintain and how they want to transition back to their typical residences. They recognize from essentially Judah south, but there is that opportunity where they are kind of in an in-between area. Secretary St. Henry said that it logically and made sense that Judah south that developments like this happen in transitional areas and in mixed-uses. He added that all along they said that this portion of the Township is the ideal area for this, that is why the (BIZ) district came about. He said he gets apprehensive when they look at areas and other parts of the Township where if they are not careful, they allow too much wiggle room and opportunities for developers to take advantage of the situation. He added that everything going on in the (BIZ) area is what they envisioned, and knew there would be transition areas, and thought that they did a good job there. He didn’t want to see development that doesn’t make sense, and they lose their leverage in other parts of the Township.

Vice-Chairman Gross said that he likes this approach looking at it section by section as opposed to the shotgun approach that they have done in the past where they say here is the
Township and what do you think. He thought that they were getting more details of what they might expect and how to approach it.

5. **ADJOURNMENT**  
Moved by Chairman Reynolds, seconded by Vice-Chairman Gross, to adjourn the meeting at 6:57 p.m. **Motion carried.**

Respectfully submitted,

Debra Walton  
PC/ZBA Recording Secretary  
Charter Township of Orion  
Planning Commission Approval Date
TO: The Charter Township of Orion Planning Commission

FROM: Tammy Girling, Planning & Zoning Director

DATE: August 26, 2021

RE: PC-2021-63, Meijer 24-Hour Operation, Special Land Use

As requested, I am providing suggested motions for the abovementioned project. Please feel free to modify the language. The verbiage below could substantially change based upon the Planning Commissions’ findings of facts for the project. Any additional findings of facts should be added to the motion below.

**Special Land Use (Ord. No. 78, Section 30.02)**

**Motion 1:** I move that the Planning Commission **approve/deny** PC-2021-63, Meijer #680 Special Land Use request for 24-hour operation, located at 1107 S. Lapeer Road, parcel number 09-14-226-008 and unaddressed parcel number 09-14-226-001 (surrounded by parcel 09-14-226-008) for plans date stamped received August 4, 2021.

This **approval/denial** is based on the following finding of facts:

a. Compatibility with Adjacent Uses (Insert any findings of facts),
b. Compatibility with Master Plan (Insert findings of facts),
c. Adequate Public Services (Insert findings of facts),
d. Impact on Traffic (Insert findings of fact),
e. Detrimental Effects (Insert findings of facts),
f. Enhancement of Surrounding Environment (Insert findings of facts),
g. Isolation of Existing Land Use (Insert findings of facts).

**If Approved:**

This approval is subject to the following conditions (insert any additional conditions).
August 18, 2021

Orion Township Planning Commission
2525 Joslyn Road
Lake Orion, MI, 48360

Special Land Use Review
Meijer #680 – 24 Hour Operation

Case Number: PC-2021-63
Address: 1107 S. Lapeer Road
Parcel ID: 09-14-226-001 &-008
Area: 7.55 AC

Applicant: Meijer, Ashley Mack
Plan Date: 08/04/2021 (application)
Zoning: General Business (GB)
Reviewer: Rod Arroyo
Matt Wojciechowski

Dear Planning Commission Members:

We have completed a review of the special land use application referenced above. The Zoning Ordinance standards for granting special land use approval for extended hour uses are provided on the following page for your consideration. The site plan for this site was reviewed and approved by the planning commission April 21, 2021 and the required variances were approved by the ZBA on April 26, 2021.

Request
The applicant is seeking special land use approval to operate the approved large scale retail establishment 24 Hours a day. The site is currently permitted to operate large scale retail establishment 18 hours a day (6:00 AM – Midnight).

Summary of Findings
The application submitted is in substantial compliance with the ordinance standards that apply to large scale retail establishments seeking special land use approval for extended use hours.
Extended Hour Uses (14.02.A)

Extended hour uses, defined as retail establishment operating regularly scheduled business hours 18 or more hours per day, are subject to the following regulations:

<table>
<thead>
<tr>
<th>Article XIV – General Business (GB)</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>14.01 – Use Matrix</td>
<td></td>
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<tr>
<td>Large scale retail establishments</td>
<td>Site Plan and SLU approved on April 21, 2021</td>
</tr>
<tr>
<td>14.02 A. Extended Hour Uses (footnotes to use matrix)</td>
<td></td>
</tr>
<tr>
<td>1. Setback. Associated parking lots, maneuvering lanes, drive-thru lanes (if applicable) shall be set back no less than fifty (50) feet from the lot line of single-family or multi-family zoned and/or used parcels</td>
<td>Variance Granted on April 26, 2021 By ZBA</td>
</tr>
<tr>
<td>2. Buffering. All parcel perimeters which abut a single family zoned and/or used parcel shall have no less than six (6) foot continuous buffer</td>
<td>The site does not abut single family residential; standard does not apply</td>
</tr>
<tr>
<td>3. Noise. Any noise associated with an extended hour use shall not exceed sixty (60) decibels when measured at the property line. The noise shall also not be intermittent in nature, high frequency, or that which causes vibration.</td>
<td>Outside customer interface areas are located away from multifamily property lines</td>
</tr>
<tr>
<td>4. Lighting. Any operation or activity which produces glare shall not cause illumination in excess of 0.3 foot-candles when measured along the lot line of a single family zoned and/or used parcel</td>
<td>The site does not abut single family residential; standard does not apply</td>
</tr>
</tbody>
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30.02 – Special Land Use Procedures and Standards

1. Planning Commission Determination. The Planning Commission shall make the final determination on the application for special land use approval. Such determination shall be based on the requirements and standards of this Ordinance. In making the final determination, the Planning Commission shall consider the reports and recommendations from the Enforcement Officer, Water and Sewer Department, Township Planner, Township Engineer, Township Fire Chief, the Road Commission for Oakland County, the Oakland County Health Department, the Oakland County Drain Commission, appropriate utility companies, and the Michigan Department of Transportation, where applicable.

2. Standards for Granting Special Land Use Approval. The Planning Commission shall approve special land uses upon determination that the proposed use will comply with all applicable requirements of the Ordinance, applicable standards for specific uses, and the following general standards. The applicant has addressed items a. through g. in detail in their SLU application letter dated August 05, 2021.

   a. Compatibility with Adjacent Uses. The proposed special land use shall be designed, constructed, operated and maintained so as to be compatible with uses of adjacent land. The site design of the proposed special land use shall minimize the impact of site activity on surrounding properties. In determining whether this requirement has been met, consideration shall be given to:

   www.GiffelsWebster.com
i. The location and screening of vehicular circulation and parking areas in relation to surrounding development.

ii. The location and screening of outdoor storage, outdoor activity or work areas, and mechanical equipment, in relation to surrounding development.

iii. The hours of operation of the proposed use. Approval of a special land use may be conditioned upon operation within specified hours considered appropriate to ensure minimal impact on surrounding uses.

iv. The bulk, placement, and materials of construction of the proposed use in relation to surrounding uses.

b. **Compatibility with Master Plan.** The proposed special land use shall be compatible with and in accordance with the general principles and objectives of the Orion Township Master Plan and shall promote the intent and purpose of this Ordinance.

c. **Public Services.** The proposed special land use shall be located so as to be adequately served by essential public facilities and services, such as highways, streets, police and fire protection, drainage systems, water and sewage facilities, and schools.

d. **Impact of Traffic.** The location of the proposed special land use within the zoning district shall minimize the impact of the traffic generated by the proposed use on surrounding uses. In determining whether this requirement has been met, consideration shall be given to:

   i. Proximity and access to major thoroughfares.
   ii. Estimated traffic generated by the proposed use.
   iii. Proximity and relation to intersections.
   iv. Adequacy of sight distances.
   v. Location of and access to off-street parking.
   vi. Required vehicular turning movements.
   vii. Provision for pedestrian traffic.

e. **Detrimental Effects.** The proposed special land use shall not involve any activities, processes, materials, equipment, or conditions of operation, and shall not be so located or designed, as to be detrimental to public health, safety, and welfare. In determining whether this requirement has been met, consideration shall be given to the production of traffic, noise, vibration, smoke, fumes, odors, dust, glare, and light.

f. **Enhancement of Surrounding Environment.** The proposed special land use shall provide the maximum feasible enhancement of the surrounding environment and shall not unreasonably interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value. In determining whether this requirement has been met, consideration shall be given to:
i. The provision of landscaping and other site amenities. Provision of additional landscaping over and above the requirements of this Ordinance may be required as a condition of approval of a special land use.

ii. The bulk, placement, and materials of construction of proposed structures in relation to surrounding uses.

g. **Isolation of Existing Land Use.** The location of the proposed special land use shall not result in a small residential area being substantially surrounded by non-residential development, and further, the location of the proposed special land use shall not result in a small non-residential area being substantially surrounded by incompatible uses.

Staff will be available to discuss this review at the next Planning Commission meeting.

Respectfully,

**Giffels Webster**

Rodney L. Arroyo, AICP
Partner

Matt Wojciechowski
Associate Planner
Charter Township of Orion Planning Commission
Special Land Use Approval Application

30.02, A. Intent: Special land use procedures and standards are instituted to provide consistent and uniform guidelines for the Planning Commission to follow in arriving at any special land use decision over which it has jurisdiction. Special land uses are uses that may be permitted in a district, but only if certain specified conditions are met, and only after review and approval by the Planning Commission. The review procedures which are conditions for approval are intended to provide protection for adjacent uses and ensure full compliance with the standards contained within Zoning Ordinance 78 and other applicable local ordinances and State and Federal laws.

Project Name: Meijer # 680 - 24 hour operation

Name of Development/Business if applicable: ____________________________

Applicant

Name: Meijer, Inc. Attn: Ashley Mack
Address: 2350 Three Mile Road NW City: Grand Rapids State: MI Zip: 49544
Phone: 616.249.6427 Cell: 616.240.5982 Fax: 616.791.3016
Email: Ashley.Mack@meijer.com

Property Owner(s)

Name: The Boutrous Companies, Thomas Boutrous
Address: 596 N. Lapeer Road City: Lake Orion State: MI Zip: 48362
Phone: 248.814.9910 Cell: 248.505.6372 Fax: 248.814.9916
Email: tboutrous@boutroucos.com

* If the name on the deed does not match the name of the property owner on this application, documentation showing the individual is the same as the company name must be provided.

Plan Preparer Firm/Person

Name: Fishbeck, Jason Vander Kodde, PE
Address: 39500 Mackenzie Drive, Suite 100 City: Novi State: MI Zip: 48377
Phone: 616.464.3938 Cell: 616.648.9165 Fax: __________________________
Email: jtvanderkodde@fishbeck.com

Project Contact Person

Name: Meijer, Ashley Mack
Address: 2350 Three Mile Road NW City: Grand Rapids State: MI Zip: 48362
Phone: 616.249.6427 Cell: 616.240.5982 Fax: 616.791.3016
Email: Ashley.Mack@meijer.com
Sidwell Number(s): 09-14-226-008 and 09-14-226-001

Location or Address of Property: 1107 S Lapeer Road, Lake Orion, MI 48360

Side of Street: East Nearest Intersection: S Lapper Road (M-24) and Clarkston Road

Acreage: 7.55 ac Current Use of Property: General Business - Vacant KMart

Is the complete legal description printed on the site plan? [ ] Yes [ ] No (if no please attach to the application)

Subject Property Zoning: General Business Adjacent Zoning: N, S, E, W.

Give a detailed description of the proposed use, if applicable please indicate the number and size of the buildings or units being proposed:

Meijer #680 - 90,000 sq ft grocery store, request for 24 hour operation

Pursuant to Zoning Ordinance 78, Section 30.01 C. a copy of this application and two copies of the site plan must be submitted to the each of the following agencies: Please provide the Township with a copy of each transmittal and proof of delivery:

AT&T
54 Mill St.
Pontiac, MI 48342

Oakland County Water Resources Commission
wrccommission@oakgov.com
(electronic submittal only)

Consumers Power Company
530 W. Willow Rd.
Lansing, MI 48906

Oakland County Health Department
1200 N. Telegraph Rd.
Pontiac, MI 48341

DTE Energy
37849 Interchange Dr.
Farmington Hills, MI 48335

Road Commission of Oakland County (If applicable)
2420 Pontiac Lake Rd.
Waterford, MI 48328

Michigan Department of Transportation (If applicable)
800 Vanguard Dr.
Pontiac, MI 48341
The proposed special land use shall be designed, constructed, operated, and maintained so as to be compatible with uses of adjacent land. The site design of the proposed special land use shall minimize the impact of site activity on surrounding properties. In determining whether this requirement has been met please describe the consideration given to the following: Location and screening of vehicular circulation and parking areas in relation to surrounding development. See attached

Location and screening of outdoor storage, outdoor activity or work areas and mechanical equipment, in relation to surrounding development. See attached

The hours of operation of the proposed use. See attached

The bulk, placement and materials of construction of the proposed use in relation to surrounding uses. See attached

Describe how the proposed special land use is compatible with and in accordance with the general principles and objectives of the Orion Township Master Plan and how it promotes the intent and purpose of Zoning Ordinance 78. See attached

Describe how the proposed special land use is located so as to be adequately served by essential public facilities and services, such as highways, streets, police and fire protection, drainage systems, water and sewage facilities, and schools. See attached
The location of the proposed special land use within the zoning district shall minimize the impact of the traffic generated by the proposed use on surrounding uses. Describe the consideration given to the following:

Proximity and access to major thoroughfares  See attached

Estimated traffic generated by the proposed use  See attached

Proximity and relation to intersections  See attached

Adequacy of sight distances  See attached

Location of and access to off-street parking  See attached

Required vehicular turning movements  See attached

Provision for pedestrian traffic  See attached

The proposed special land use shall not involve any activities, processes, materials, equipment, or conditions of operation, and shall not be so located or designed, as to be detrimental to public health, safety, and welfare. Describe the consideration given to the production of traffic, noise, vibration, smoke, fumes, odors, dust, glare, and light  See attached

The proposed special land use shall provide the maximum feasible enhancement of the surrounding environment and shall not unreasonably interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value. Describe how consideration was given to:

Landscaping & other amenities  See attached

The bulk placement and materials of construction of proposed structures in relation to surrounding uses  See attached
Explain how the location of the proposed special land use does not result in a small residential area being substantially surrounded by non-residential development, and further, the location of the proposed special land use does not result in a small non-residential area being substantially surrounded by incompatible uses:

See attached

Pursuant to Zoning Ordinance 78, Section 30.02 D a sign indicating the requested special land use shall be installed on the parcels(s) no less than 15 days prior to the scheduled public meeting. Please check one:

☐ I have reviewed Section 30.02 D and will install the sign(s) as required.
☐ I would like to lease signage from the Township and for it to be installed as required (please complete attached Sign Request Form).

I/We, the undersigned, do hereby submit this application for Special Land Use, pursuant to the provisions of the Charter Township of Orion Zoning Ordinance; No. 78, Section 30.02 and applicable ordinance requirements. In support of this request the above facts are provided. I hereby certify that the information provided is accurate and the application that has been provided is complete.

Signature of Applicant: ___________________________________________ Date: August 4th, 2021

Print Name: Ashley Mack

I, the property owner, hereby give permission to the applicant listed above to act as my agent in submitting applications, correspondence and to represent me at all meetings. I also grant permission to the Planning Commission members to visit the property, without prior notification, as is deemed necessary.

Signature of Owner: ____________________________ Date: 8/5/2021

Print Name: ____________________________

Version 5 2 17
Isolation of Existing Land Use

Explain how the location of the proposed special land use does not result in a small residential area being substantially surrounded by non-residential development, and further, the location of the proposed special land use does not result in a small non-residential area being substantially surrounded by incompatible uses:

See attached

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Signature of Owner: ________________________________ Date: ________________________________

Print Name: ________________________________

Version 3/2/17
Charter Township of Orion
Planning & Zoning Department
2525 Joslyn Rd., Lake Orion MI 48360
P: (248) 391-0304 ext. 5002; Fax (248) 391-1454

Project Name: Meijer - ORI

PC#: Parcel#(s) 09-14-226-008 and 09-14-226-001

Please select an option below:

X Permission to Post on Web Site
By signing below as applicant and on behalf of my consultants, we agree to allow the plans for the above named project, in which approval is being sought by the Planning Commission and/or Township Board, to be posted on the Township website.

__________________________
Signature of Applicant
Ashley Mack

__________________________
Printed Name of Applicant

8/4/21
Date
Compatibility of Adjacent Uses

The proposed special land use shall be designed, constructed, operated, and maintained so as to be compatible with uses of adjacent land. The site design of the proposed special land use shall minimize the impact of site activity on surrounding properties. In determining whether this requirement has been met please describe the consideration given to the following:

Location and screening of vehicular circulation and parking areas in relation to surrounding development.

The location and screening of the proposed vehicle circulation and parking area will be compatible with the surrounding existing and proposed development as follows:

- North: Planet Fitness is already a 24-hour business and utilizes the Meijer site for access. The existing circulation routes to Planet Fitness from Lapeer Road (M-24) will continue to be accessible to both Meijer and the existing retail plaza businesses via a shared use agreement. Similarly, the proposed Meijer parking lot and circulation routes will have access to East Clarkston Road via a shared use agreement in front of the buildings. Finally, the Meijer receiving area will also have access to East Clarkston Road behind the buildings via a shared use agreement.

- South: Existing Oxford Bank and Burger King circulation routes to and from Lapeer Road (M-24) (specifically the signalized SB crossover) will continue to be accessible via historic cross-connection points along Meijer’s south property line and remain unimpacted by 24-hour operations.

- East: Proposed Ponds of Orion Multi-family development will be protected from extensive impact by placing the building between the customer traffic areas and the shared property line. Additionally, The Ponds of Orion will be constructing a 6-foot tall concrete screening fence as an additional barrier to any 24-hour vehicle headlights or sounds. The Meijer receiving area is placed as far north as possible to minimize the Meijer delivery traffic adjacent to the Ponds of Orion. The only vehicle circulation expected around the building is a very low use fire lane on the east and a few employee parking spaces on the south.

Location and screening of outdoor storage, outdoor activity or work areas and mechanical equipment, in relation to surrounding development.

The location and screening of the proposed outdoor storage, outdoor activity, work areas and mechanical equipment will be compatible with the surrounding existing and proposed development as follows:

- Outdoor Storage: Will consist of cart corrals in the parking lot to temporarily store shopping carts after customers use them until they can be brought inside by staff. The corrals are located in the main parking field away from adjacent uses and intended to prevent stray carts from occurring. The trash compactor is inside the store and discharges an enclosed unit near the truck docks, so no 24-hour impacts are anticipated from Outdoor storage.

- Outdoor Activity: There are three outdoor activity Customer points and one outdoor activity Meijer receiving point for review as follows:
  - Customer Front Entry – This entry is located in the middle of the site to focus customer foot and vehicle traffic onsite and minimize any potential of 24-hour impact to neighbors. It is closest to the Planet Fitness entry, which also has 24-hour operation.
  - Customer Pharmacy Drive-Through – This window is located on the west side of the building on the south side of the structure. This location is immediately adjacent to the Oxford Bank Drive-Through service area and therefore highly compatible as they are the same use.
  - Customer On-line Sales Pick-up – This area is located on the north side of the store in the middle of the building. This location will provide separation from the main Meijer entrance and provide compatibility with the Planet Fitness to the north by keeping the activity screened from their parking and entry area during 24-hour operation.
Meijer Receiving Point: Is placed on the north face of the building on the east end to eliminate truck traffic along the east and south sides of the building. This location provides the maximum 24-hour protection to the future Ponds of Orion.

- Work Areas: There are no outdoor work areas for this Meijer store. Any outside sales displays will be permitted independently as allowed by ordinance and will not have 24-hour impact.
- Mechanical Equipment: Except for typical utility service pedestals and meters, the mechanical equipment to serve the building is proposed to be roof mounted and screened by parapet walls. The mechanical equipment will already be operating 24 hours to maintain the store climate controls.

The hours of operation of the proposed use.

The store will initially be open from 6 a.m. to Midnight seven days a week. However, Meijer would like to request 24-hour operations be allowed at our discretion. The extended hours will provide greater flexibility and convenience to shop for those customers that are third shift, healthcare workers and childcare providers. In addition, we need to preserve the right to be open 24 hours to be in alignment with our brand and most stores across the chain as well as the competition.

Meijer would also like the parking lot lighting and truck receiving lighting to be “ON” 24 hours as well from a security and safety perspective. Meijer will have team members, maintenance technicians, and vendors will be staffing/serving the store 24 hours a day. The drive isles, parked vehicles and building main entrance and service entrances need to remain well-lit for safety and security purposes.

The bulk, replacement, and materials of construction of the proposed use in relation to surrounding uses.

The Meijer store bulk, replacement and materials of construction will be compatible with the surrounding commercial uses. The rendering and elevations depict front façade following the ordinance intent with glass, texture, canopies, varying roof heights and attractive color palette. The 24-hour operation will have no impact on the building construction material bulk, replacement and materials as it will remain compliant with the previously approved SLU.

Compatibility with Master Plan

Describe how the proposed special land use is compatible with and in accordance with the general principles and objectives of the Orion Township Master Plan and how it promotes the intent and purpose of Zoning Ordinance 78.

The proposed special land use is closely compatible with the Orion Township Master Plan (OTMP) as the future land use map (Map 17) depicts this site as “General Commercial”. Page 6-6 of the OTMP states that “General Commercial is planned along the Baldwin and Lapeer Road (M-24) corridors and is intended for commercial uses that supply a larger and more diversified number of goods than those in the Neighborhood Commercial classification. The intended character of these areas is comparable to those permitted within the General Business (GB) zoning districts which includes a wide range of commercial uses such as large-format retail, supermarkets, drugstores, discount stores, department stores along with facilities such as automobile dealers, other vehicle related services, and commercial recreation.” The proposed 24-hour operation clearly accomplishes this objective as it is specifically identified as an intended use without respect to late night/early morning closure.

The proposed special land use promotes the intent and purpose of the Zoning Ordinance 78 as the Preamble to the section 14.00 (General Business) states that “The GB District is intended to provide locations for individual businesses or a collection of businesses that provide a commodity or service on a regional basis. The zoning district is characterized by higher traffic generation and greater degrees of sight visibility and requires a site design which will not impede the flow of traffic or traffic safety. The GB District is intended to have the necessary restrictions to limit businesses’ impact upon the community. This includes safe and efficient traffic flow, adequate parking and attractive landscaping. The GB District is further intended to have direct access onto an existing or proposed thoroughfare, but only where optimum egress and regress can be provided.” The proposed Meijer store 24 hour operations clearly accomplishes this purpose and intent as it will minimize the businesses impact upon the community be placing it adjacent to the state trunk line highway, adjacent to two other 24 hour businesses (Planet Fitness and Speedway) and generally away from the residential districts, and away from existing residential homes.
Public Services

Describe how the proposed special land use is located so as to be adequately served by essential public facilities and services, such as highways, streets, police and fire protection, drainage systems, water and sewage facilities, and schools.

The proposed special land use is located so as to be adequately served by essential existing public facilities and services as follows:

- Highways and Streets – The proposed 24-hour operation special land use intends to continue use of the existing state highway M-24 and existing county road East Clarkston Road. These roadways and access points are currently open 24 hours a day.
- Police and Fire Protection – The proposed 24-hour operation special land use will maintain police and fire protection as they are currently provided 24 hours a day.
- Drainage Systems – The proposed drainage system operates 24 hours a day and will be unimpacted by 24-hour Meijer operations.
- Water and Sewage Facilities – The proposed watermain and sanitary sewerage systems operate 24 hours a day and will be unimpacted by 24-hour Meijer operations.
- And Schools – Meijer 24-hour operations may support the schools with any teachers or students needing last minute snacks or similar supplies for the next day’s activities.

Impact on Traffic

The location of the proposed special land use within the zoning district shall minimize the impact of the traffic generated by the proposed use on surrounding uses. Describe the consideration given to the following:

Proximity and access to major thoroughfares:

The proposed 24-hour operation special land use intends to continue use of the existing state highway M-24 and existing county road East Clarkston Road. These roadways and access points are currently open 24 hours a day.

Estimated traffic generated by the proposed use:

Any 24-hour traffic generated by the proposed use will be well within the capacity of the existing roadways, and will not create an adverse impact on the road network.

Proximity and relation to intersections:

The proposed SLU is approximately 300 feet (1/16th mile) away from East Clarkston Road and Lapeer Road (M-24). It has its own signalized crossover entrance in the middle of the site. This proximity is shared with our neighbors Planet Fitness and Speedway who both operate 24 hours successfully.

Adequacy of sight distances

Site distance is adequate for 24-hour northbound (NB) Lapeer Road (M-24) and the required 15-by-15-foot clear vision triangles are depicted on the site plan.

Location of and access to off-street parking

The SLU proposes safe and convenient off-street parking in front of the building adjacent to the existing retail plaza parking lot. The SLU proposes a larger green buffer adjacent to the Oxford Bank drive-through service. The SLU proposes a limited number of employee parking spaces (16) on the south side of the building and no (zero) parking spaces on the east side of the building to minimize any 24 hour impact on the multi-family residential area.
Required vehicular turning movements.

*The SLU provides adequate drive isle widths and turning radius for the onsite traffic (customers and deliveries) to safely maneuver vehicles for all 24 hours according to ordinance standards. No off-site impacts are anticipated.*

Provision for pedestrian traffic

*The SLU provides a direct 24-hour pedestrian connection to the Lapeer Road (M-24) bike path for both the Meijer site and the existing retail plaza site. This was strategically designed to promote pedestrian safety and access to the entire commercial area in compliance with the Zoning Ordinance. This SLU will have a positive impact for 24 hour pedestrians using the plaza.*

**Detrimental Effects**

The proposed special land use shall not involve any activities, processes, materials, equipment, or conditions of operation, and shall not be so located or designed, as to be detrimental to public health, safety, and welfare. Describe the consideration given to the production of traffic, noise, vibration, smoke, fumes, odors, dust, glare, and light.

*The SLU was designed to minimize the production and impact of any adverse 24 hour impacts to customers and neighbors as follows:*

- Traffic – Reuse all existing access points with negligible increase (3%).
- Noise – Outside customer interface areas (pharmacy drive-through and on-line order pick-up) are located away from multifamily property lines and adjacent to similar uses (bank drive through and 24-hour Planet Fitness).
- Vibration – Not expected.
- Smoke – Not expected.
- Fumes – Not expected.
- Odors – All building heating and cooling air exchange units are placed on top of the building and already operate 24 hours a day 7 days a week.
- Dust – Not expected
- Glare – There are no 24-hour windows placed on the south or east sides of the building near the multifamily area. The primary 24-hour entrance and customer vehicle areas are designed along M-24 and existing parking lots.

**Enhancement of Surrounding Environment**

The proposed special land use shall provide the maximum feasible enhancement of the surrounding environment and shall not unreasonably interfere with or discourage the appropriate development and use of adjacent land buildings or unreasonably affect their value. Describe how consideration was given to:

Landscaping and other amenities.

*The SLU maximizes the enhancement of the appropriate development and use of adjacent land and buildings by considering the following:*

- North: The SLU proposes a 24-hour pedestrian sidewalk adjacent to the existing retail plaza with the benches and amenities in accordance with the Zoning Ordinance. This will improve their connection to the Lapeer Road (M-24) bike path while still providing vehicle access to the signalized south bound crossover.
- West: The SLU proposes to place a large greenbelt adjacent to the north side of the Oxford Bank drive-through service. This will improve the 24-hour aesthetics of that area considerably and provide a more pleasant experience for their customers adjacent to our parking area.
- South and East: The SLU proposes to protect the ability of the Ponds of Orion to develop their site as previously proposed, engineered and approved. The 24-hour operations avoid using the south and east sides of the proposed building in order to minimize any impact on the future development.

The bulk placement and materials of construction of proposed structures in relation to surrounding uses
The SLU maximizes the enhancement of the appropriate development and use of adjacent land and buildings by considering the following:

- North: The SLU proposes to allow adjacent 24-hour businesses continued cross-access easements for vehicle access to the signalized south bound crossover. This placement will assure that they can continue to operate in the same 24-hour fashion as they are today.

- West: The SLU proposes to place the building behind the Oxford Bank site. The proposed bulk placement of the Meijer building offers the bank continued unimpeded visibility along the Lapper Road corridor during normal banking business hours.

- South and East: The SLU proposes to protect the ability of the Ponds of Orion to develop their site as previously proposed, engineered and approved. The 24-hour operations avoid using the south and east sides of the proposed Meijer building in order to minimize any impact on the future development.

Isolation of Existing Land Use

Explain how the location of the proposed special land use does not result in a small residential area being substantially surrounded by non-residential development, and further, the location of the proposed special land use does not result in a small non-residential area being substantially surrounded by incompatible uses:

*Not surrounding a small residential area: The location of the 24-hour SLU will not result in a small residential area being surrounded by non-residential development because it is replacing an existing non-residential development at the same location.*

*Not incompatible with small non-residential area: The location of the 24-hour SLU will not result in a small non-residential area being substantially surrounded by non-compatible uses because it is replacing an existing non-residential development at the same location. The existing non-residential uses (retail plaza, Oxford Bank, Burger King) will continue to experience the same synergies that they had with Kmart.*
Future Land Use Plan
Sections 13 thru 24
September 01, 2021

2022
ORION TOWNSHIP MASTER PLAN

ORION TOWNSHIP
Planning & Zoning

Giffels Webster
# Existing Residential Land Use Classification

<table>
<thead>
<tr>
<th>Classification</th>
<th>Density</th>
<th>District</th>
<th>Minimum Lot Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>SF Low (Rural Res.)</td>
<td>1 unit/2.5 ac</td>
<td>SF Suburban Farms</td>
<td>2.5 ac</td>
</tr>
<tr>
<td></td>
<td>0.1 to 0.5 du/ac</td>
<td></td>
<td></td>
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<tr>
<td>SF Medium Low (septic)</td>
<td>1 unit/1.5 ac</td>
<td>SE Suburban Estates</td>
<td>1.5 ac</td>
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<td></td>
<td>0.5 to 1 du/ac</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SF Medium (utilities)</td>
<td>1.2 du/ac</td>
<td>SR Suburban Ranch</td>
<td>30,000 sf</td>
</tr>
<tr>
<td></td>
<td>1 to 3 du/ac</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SF Medium High (includes MHP w/o expansion)</td>
<td>3 to 5 du/ac</td>
<td>R-1</td>
<td>14,000 sf</td>
</tr>
<tr>
<td></td>
<td>8,000 to 14,000 sf</td>
<td>R-2</td>
<td>10,800 sf</td>
</tr>
<tr>
<td></td>
<td>lot sizes</td>
<td>R-3</td>
<td>8,400 sf</td>
</tr>
<tr>
<td>MF Low (along Lapeer Rd)</td>
<td>5 to 7 du/ac</td>
<td>RM-1, MF</td>
<td>20.1 rooms/acre</td>
</tr>
<tr>
<td>MF Medium (SW Twp)</td>
<td>7 to 9 du/ac</td>
<td>RM-2, MF</td>
<td>22.5 rooms/acre</td>
</tr>
</tbody>
</table>
Section 13 (E end of Silverbell Rd)

Planner Comments:
- School facilities developed under R-1 zoning
- SF low density area is zoned Suburban Estates (SE) – change to SF medium low to match current zoning

PC Discussion:
- Other?
Section 14 (E end of Silverbell Rd)

**PLanner Comments:**
- SF Medium Low Density does not support R-2
- OP, REC, RLI and RB not supported by General Commercial FLU designation

**PC Discussion:**
- Should General Commercial be changed to accommodate more zoning designations?
- Other?
Section 15 (E end of Silverbell Rd)

**Planner Comments:**
- R-1 and R-2 zoning is not consistent with the planned SF Medium on the FLUP.
- Approved SC districts could be called out on the FLUP for tracking purposes.

**PC Discussion:**
- How should SF Medium Density parcels be reclassified?
- Other?
Section 16 (E end of Silverbell Rd)

Planer Comments:
- LI (Light Industrial) zoning is not consistent with the planned SF Medium on the FLUP.
- SF Medium density does not support R-2 zoning

PC Discussion:
- How should LI parcels be classified?
- Change SF medium to SF Medium High?
- Other?
Section 17 (E end of Silverbell Rd)

Planner Comments:
- RM-1 zoning not supported by SF Medium High FLU
- The northwest corner is part of the Friendship Woods hamlet area.

PC Discussion:
- How should SF Low Density parcels be reclassified?
- Add Hamlet discussion to future land use plan for this location?
- Other?
Section 18 (E end of Silverbell Rd)

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**Planner Comments:**
- (1) R-1 parcels along Baldwin not supported by SF Medium Low FLU
- Areas fronting on or with primary access to Baldwin Rd (dashed oval) is part of the Decker Hamlet area
- (2) Approved SC districts could be called out on the FLUP for tracking purposes
- Northeast corner is part of Friendship Woods hamlet area.

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**PC Discussion:**
- How should SF Low Density parcels be reclassified?
- Should SF Medium High be expanded along Baldwin?
- Other?
Section 19 (E end of Silverbell Rd)

Planner Comments:
- (1) Approved SC districts could be called out on the FLUP for tracking purposes
- SF Low density does not support R-3

PC Discussion:
- How should SF Low Density parcels be reclassified?
- Other?
Section 20 (E end of Silverbell Rd)

Planner Comments:
- R-1 zoning is not supported by SF low density FLU designation – change to SF Medium High Density to align with R-1 zoning/development
- Northern portion of R-1 pocket is currently a place of worship

PC Discussion:
- How should SF Low Density parcels be reclassified?
- Other?
Section 21 (E end of Silverbell Rd)

Planner Comments:
- Township property is zoned office and professional with Institutional FLU
- Land designated as REC is being developed with new township facilities

PC Discussion:
- Should new township hall location be changed to Institutional on FLU map?
- Other?
Section 22 (E end of Silverbell Rd)

Planner Comments:
- Single family homes (zoned R-1) re located within REC area

PC Discussion:
- Other?
Section 23 (E end of Silverbell Rd)

Planner Comments:
- Approved PUD could be called out on the FLUP for tracking purposes
- Parcels zoned OP are have split FLU designation General Office area could be aligned with zoning
- Parcels Zoned GB have General Commercial designation and are not supported by FLU (General Office)
- RM-1 zoning not reflect in FLU. Change to MF Low Density

PC Discussion:
- Other?
Section 24 (E end of Silverbell Rd)

Planner Comments:
- R-1 zoning is not consistent with the planned SF Medium on the FLUP.

PC Discussion:
- How should SF Low Density parcels be reclassified?
- Other?
Vision

Orion Township, where Living is a Vacation, seeks to guide growth in a rational manner, striving to avoid patterns of “leapfrog” development. Innovative and flexible approaches for growth management and development regulations will be used, with the desired outcome of preventing overcrowding, protecting critical open space and natural resources, preserving a balance of housing options, preserving community character, minimizing traffic congestion, fostering creativity in design, and establishing vibrant places for community interaction, commerce, and recreation.

Goals

1. High-Quality and Diverse Housing (Residential Areas)

Orion Township will provide and support high-quality housing for residents of all ages through new residential developments and ongoing maintenance and upkeep of existing neighborhoods. A variety of new, high-quality housing types at various densities will be accommodated to welcome younger residents and families as well as allow older residents to age in the community. The quality of life for residents will be enhanced by protecting the natural features and rural suburban atmosphere of the Township while encouraging the development of neighborhood parks and open spaces.

- Support healthy communities by improving connectivity and access to green space in new and existing neighborhoods.
- Ensure adequate housing styles and densities are available to provide options for first time homebuyers or those looking to downsize and “age in community.”
- Develop programs to maintain and enhance existing neighborhood character, especially within older neighborhoods
- Encourage land use in accordance with the existing character and Township Future Land Use Plan.
- Promote adaptability through the use of innovative planning and zoning techniques that will result in a full range of housing types.
- Insert goal related to accessory dwelling units?

2. Natural and Historic Resources (Environmental Resources and Historic Preservation)

Orion Township will preserve and maintain natural resources and open spaces through growth management techniques that encourage development in specific areas of the community while preserving and protecting natural features of the community. Future development will incorporate innovative storm water management, low-impact design features, and site and landscape design that protect natural resources, preserve high-quality open spaces, minimize stormwater runoff, and reflect the natural character of the Township. The Township will maintain and preserve structures or significant historical and architectural value which are key elements in the unique identity and community character of the Township.

- Protect and enhance the township’s woodlands, wetlands, water features, habitats, and open space by enforcing the regulations that preserve natural features and the functions that they provide to the community.
- Improve storm water management using best management practices; establish appropriate standards for the community in coordination with the Oakland County Water Resources Commissioner.
- Adopt and enforce policies that minimize pollution and preserve the lakes and watershed areas of the township.
• Promote and communicate sustainability concepts and incentivize residents and businesses to implement relevant strategies.
• Encourage energy-efficient and environmentally sustainable development through raising awareness and creating standards that support best practices.
• Provide resources and guidelines for the development and application of solar, wind, and other alternative energies.
• Preserve the inherent architectural character of individual historical architecture resources throughout the Township.
• Promote sustainable practices that craft solutions to today’s challenges that are cognizant of and sensitive to impacts on future generations.
• Require street tree planting as part of all residential and non-residential development in order to foster environmental benefits, enhance property values, and act in support of the Township’s recognition in the Tree City USA program.

3. Economic Development (Economic Development, Commercial, Office and Industrial areas)
Orion Township will support a strong local workforce by maintaining and promoting the proper distribution of commercial, office, industrial and research development in a manner that results in desired economically sustainable developments, land use relationships, high-quality design, and an increase in the community’s tax base. The Township will promote and encourage the concept of 15-minute neighborhoods in desired areas that foster walkable, mixed-use places supported by both non-motorized and motorized transportation infrastructure choices.

• Achieve a balanced variety of neighborhood-, community-, and regionally-oriented facilities that will meet the shopping and service needs of the community and nearby metropolitan area populations without unnecessary duplication.
• Promote the physical clustering of commercial establishments by encouraging mixed use, shared parking facilities, non-motorized access, consolidated driveways, pleasant pedestrian spaces, and contextual extensions of utilities.
• Regulate the physical clustering of industrial businesses in planned industrial parks, such as those withing the southern half of the Township along the Brown Road and Lapeer Road corridors, rather than in stand-alone development, thereby providing for minimal extensions and impacts on utilities and nearby residential uses.
• Support residents of all ages in the local workforce by serving as an information clearinghouse on local and regional training, education, and business needs.
• Expand the Township’s economy and tax base by supporting existing local businesses, encouraging entrepreneurship, and attracting new businesses
• Implement incentive programs available through Oakland County and the State of Michigan regarding emerging employment sectors.
• Continue participation in the Michigan Economic Development Corporation’s Redevelopment Ready Communities Program.
• Continue and refine the practice of identifying and improving key corridors and districts for growth and economic development.
• Promote the redevelopment of obsolete sites so that they can once again make meaningful contributions to the Township.

4. Community Facilities (Community, Recreation, Transportation and Thoroughfares and Complete Streets)
Orion Township will support and foster motorized and non-motorized transportation facilities, community recreation facilities, and other supportive community facilities and services desired by residents and businesses in a financially responsible manner that reflects the township’s role and position in the region. These systems will minimize the impact on the Township’s natural features and open space while supporting a high quality of life for residents of all ages, as well as targeted land use recommendations. The township will, when desirable, partner with neighboring communities, other public agencies, and the private sector to maintain, link, and expand infrastructure in an effective, efficient, and economical manner.

- Facilitate multi-modal connections that provide access to residential areas, economic destinations and parks & recreation facilities throughout the township in a safe, efficient and effective manner.
- Ensure civic spaces, utilities and other infrastructure are well-maintained while providing sustainable strategies for growth in a practical manner.
- Provide community support to ensure Orion Township police, fire and first responders can continue to operate efficiently in a manner that best serves all residents within the community.
- Pursue new facilities that enhance the quality of life for township residents and businesses, including a new township hall, improved parks, and non-motorized facilities that connect these assets with residential and non-residential areas.
- Actively promote and, where appropriate, require the installation of non-motorized facilities in accordance with the Township’s Safety Path Plan and establishment of the core 15-minute neighborhoods.
- Delivery outstanding parks and recreation facilities and programs.
- Encourage Township staff to promote ways in which all Township-owned facilities can conserve energy and serve as a model for energy efficiency in the Township.

5. **Community Character and Aesthetics**

Orion Township’s tagline, Where Living is a Vacation, encompasses a wide variety of community qualities and features that make the Township unique and cherished by those that live here. In addition to the goals and objectives noted above, the Township will continue to support retaining community character elements and aesthetic qualities that are consistent with the vision of the Township and promotion of health, safety, and general welfare.

- Enforce Township regulations that reduce glare and preserve the dark sky.
- Promote the preservation of natural vegetation along rural corridors of the Township through creative zoning regulations and coordination with the Road Commission for Oakland County.
- Seek out preservation of important viewsheds that permit Township residents to view lakes, streams and other natural resources.
- Require high quality finishing materials and furnishings in high-profile districts and corridors, consistent with recommendations and policies in this Master Plan.
- Support the advancement of the four identified 15-minute neighborhoods and develop regulations that support hamlet and village style development.
- Encourage the incorporation of design elements into new development that reflect the historic character of the Township.
- Continue to update and enforce sign regulations to ensure that signage in the Township is an aesthetic asset that effects communication and quality appearance over blight, clutter and oversaturation of messaging.
FOR IMMEDIATE RELEASE

CONTACT: Aaron Whatley
248-391-0304 ext. 3501
awhatley@oriontownship.org

Arbor Day Foundation Names Orion Township Tree City USA

Orion Township, MI (April 26, 2021) – Orion Township was named a Tree City USA by the Arbor Day Foundation in honor of its commitment to effective urban forest management.

The Tree City USA program is sponsored by the Arbor Day Foundation in partnership with the U.S. Forest Service and the National Association of State Foresters.

Orion Township achieved Tree City USA recognition by meeting the program’s four requirements: a tree board or department, a tree-care ordinance, an annual community forestry budget of at least $2 per capita and an Arbor Day observance and proclamation.

“Everyone benefits when elected officials, volunteers and committed citizens in communities like Orion Township make smart investments in urban forests,” said Matt Harris, chief executive of the Arbor Day Foundation. “Trees bring shade to our homes and beauty to our neighborhoods, along with numerous economic, social and environmental benefits.”

Trees are assets to a community when properly planted and maintained. They help to improve the visual appeal of a neighborhood, increase property values, reduce home cooling costs, remove air pollutants, and provide wildlife habitat, among many other benefits.

“Orion Township is committed to being a Tree City USA, with more than 4200 acres of canopy and a community forestry budget of $5 per capita.” said Chris Barnett, Orion Township Supervisor. “We all know the value trees have to our air quality, but they also provide increased property values for our residents, energy savings, and most importantly, a mental health escape. So come out and enjoy our many parks and paths in Orion Township, Where Living is a Vacation, and now a Tree City USA community!”

More information on the program is available at arborday.org/TreeCityUSA.

ABOUT THE ARBOR DAY FOUNDATION: The Arbor Day Foundation is a million-member nonprofit conservation and education organization with the mission to inspire people to plant, nurture, and celebrate trees. More information is available at arborday.org.

###
Tree City USA Standards

To qualify as a Tree City USA community, you must meet four standards established by the Arbor Day Foundation and the National Association of State Foresters. These standards were established to ensure that every qualifying community* would have a viable tree management program and that no community would be excluded because of size.

Four Standards for Tree City USA Recognition

Standard 1

A Tree Board or Department

Someone must be legally responsible for the care of all trees on city- or town-owned property. By delegating tree care decisions to a professional forester, arborist, city department, citizen-led tree board or some combination, city leaders determine who will perform necessary tree work. The public will also know who is accountable for decisions that impact community trees. Often, both professional staff and an advisory tree board are established, which is a good goal for most communities.

The formation of a tree board often stems from a group of citizens. In some cases a mayor or city officials have started the process. Either way, the benefits are immense. Involving residents and business owners creates wide awareness of what trees do for the community and provides broad support for better tree care.

Standard 2

A Tree Care Ordinance

A public tree care ordinance forms the foundation of a city’s tree care program. It provides an opportunity to set good policy and back it with the force of law when necessary.

A key section of a qualifying ordinance is one that establishes the tree board or forestry department—or both—and gives one of them the responsibility for public tree care (as reflected in Standard 1). It should also assign the task of crafting and implementing a plan of work or for documenting annual tree care activities.
Qualifying ordinances will also provide clear guidance for planting, maintaining and/or removing trees from streets, parks and other public spaces as well as activities that are required or prohibited. Beyond that, the ordinance should be flexible enough to fit the needs and circumstances of the particular community.

For tips and a checklist of important items to consider in writing or improving a tree ordinance, see Tree City USA Bulletin #9.

Standard 3

A Community Forestry Program With an Annual Budget of at Least $2 Per Capita

City trees provide many benefits—clean air, clean water, shade and beauty to name a few—but they also require an investment to remain healthy and sustainable. By providing support at or above the $2 per capita minimum, a community demonstrates its commitment to grow and tend these valuable public assets. Budgets and expenditures require planning and accountability, which are fundamental to the long-term health of the tree canopy and the Tree City USA program.

To meet this standard each year, the community must document at least $2 per capita toward the planting, care and removal of city trees—and the planning efforts to make those things happen. At first this may seem like an impossible barrier to some communities. However, a little investigation usually reveals that more than this amount is already being spent on tree care. If not, this may signal serious neglect that will cost far more in the long run. In such a case, working toward Tree City USA recognition can be used to reexamine the community's budget priorities and redirect funds to properly care for its tree resources before it is too late.

Standard 4

An Arbor Day Observance and Proclamation

An effective program for community trees would not be complete without an annual Arbor Day ceremony. Citizens join together to celebrate the benefits of community trees and the work accomplished to plant and maintain them. By passing and reciting an official Arbor Day proclamation, public officials demonstrate their support for the community tree program and complete the requirements for becoming a Tree City USA!

This is the least challenging—and probably most enjoyable—standard to meet. An Arbor Day celebration can be simple and brief or an all-day or all-week observation. It can include a tree planting event, tree care activities or an award ceremony that honors leading tree planters. For children, Arbor Day may be their only exposure to the green world or a springboard to discussions about the complex issue of environmental quality.
The benefits of Arbor Day go far beyond the shade and beauty of new trees for the next generation. Arbor Day is a golden opportunity for publicity and to educate homeowners about proper tree care. Utility companies can join in to promote planting small trees beneath power lines or being careful when digging. Fire prevention messaging can also be worked into the event, as can conservation education about soil erosion or the need to protect wildlife habitat.

Tree City USA is an Arbor Day Foundation program in cooperation with:
Tree City USA:
Growing Strong Communities

Arbor Day Foundation
Introduction

- Value
- Program
- Benefits
- Standards
VALUE
VALUE

Trees...
- Infrastructure
- Health
- Legacy
- Wise Investment

Worth Our Time.
Worth Our Resources.
VALUE

Humans instinctively prefer natural settings

- Increases employee productivity
- Reduces symptoms of ADHD
- Decreases crime
- Eases stress and anxiety
VALUE

- Increased property value
- Treed streets = more frequent and longer shopping
- Shoppers spend more for goods and parking
VALUE

100 = 1,000
VALUE

100 mature trees catch
200,000 gallons of rainwater/year

Arbor Day Foundation
TREE CITY USA
100 Trees Over 40 Years:

**Benefits** = $161,000
- Energy
- Air Quality
- Runoff
- Real Estate

**Costs** = $89,000
- Planting/Pruning
- Removal/Disposal
- Irrigation
- Sidewalk Repair
- Litter
- Legal/Administration

Pay Off: $72,000
PROGRAM

Tree City USA Provides Community Forestry Program:

- Direction
- Technical assistance
- Public attention
- National recognition
PROGRAM

Longevity – Launched in 1976

Impact – Over 135 million people live in/near a Tree City

Network – Support from over 3,400 recognized communities
BENEFITS
BENEFITS

Framework for Action

- Provides direction
- Systematic management of tree resources
BENEFITS

Education

- Assistance through the application process
- Online resources
- Technical advice
BENEFITS

Public Image

- Quality of life
- Influence
- Desirability
Citizen Pride

- Willingness to volunteer
- Public tree care
- More pride
- Pride in community
- Better care of personal trees
BENEFITS

Publicity

- Presentation of the Tree City USA award
- Arbor Day celebration
- Public education
STANDARDS
STANDARDS

1. Tree Board or Department
2. Tree Care Ordinance
3. Community Forestry Program With Annual Budget of at Least $2 Per Capita
4. Arbor Day Observance and Proclamation
1. Tree Board or Department

- May be a professional forester/arborist, an entire forestry department or a tree board
- Group of volunteer citizens charged by ordinance with developing and administering a tree management program
- Legally responsible for the management of the community’s trees
2. Tree Care Ordinance

- Establishes a tree board and gives it responsibilities
- Guidance for planting, maintaining and removing trees on public property
- Provides an opportunity to set good policy that is legally enforceable
3. Community Forestry Program With Annual Budget of at Least $2 Per Capita

- Percentage of city workers’ salaries spent on tree care
- Tree planting/watering/fertilizing
- Equipment rental/purchase/maintenance
- Arbor Day expenses
- Tree care conferences, workshops, memberships
- Value of volunteer labor
STANDARDS

4. Arbor Day Observance and Proclamation

Opportunity to inform and engage the broader community through:

- Tree Planting
- Awards Ceremony
- Education

TREE CITY USA Arbor Day Foundation
STANDARDS

Steps to become a Tree City USA

• Meet the Four Standards

• Complete and upload application documents each year by December 31 - No Fee!

• Apply at arborday.org/TreeCityUSA
Summary

- Value
- Program
- Benefits
- Standards
Purpose through Process

Trees...
Worth Our Time. Worth Our Resources.

“A town is saved, not more by the righteous men in it than by the woods...that surround it.”

-Henry David Thoreau
Thank You

Learn more at
arborday.org/treecityusa
INFORMATIONAL ONLY

TO: Charter Township of Orion Planning Commission
FROM: Tammy Girling, Planning & Zoning Director
DATE: August 23, 2021
RE: PC-2021-53, Administrative Review T-Mobile Equipment Upgrades

Plans were submitted by Crown Castle for an administrative review of a site plan replacing equipment onto an existing tower which did not increase its height. The cell tower is located at 1150 S. Lapeer Road. The applicant also provided a structural analysis proving that the tower could withstand the weight of the additional equipment.

The applicant was able to meet the criteria for administrative review per Ordinance No. 78, Section 27.07. It appeared that all ordinance requirements had been addressed and their site plan was administratively approved.

If you have any questions regarding this matter, please contact my office at (248) 391-0304 x 5000.
INFORMATIONAL ONLY

TO: Charter Township of Orion Planning Commission
FROM: Tammy Girling, Planning & Zoning Director
DATE: August 23, 2021
RE: PC-2021-57, Administrative Review Dish Wireless Collocation, Equipment Change

Plans were submitted by Haley Law Firm, PLC for an administrative review of a site plan replacing equipment onto an existing tower which did not increase its height. The cell tower is located at 2940 Indianwood Road. The applicant also provided a structural analysis proving that the tower could withstand the weight of the additional equipment.

The applicant was able to meet the criteria for administrative review per Ordinance No.78, Section 27.07. It appeared that all ordinance requirements had been addressed and their site plan was administratively approved.

If you have any questions regarding this matter, please contact my office at (248) 391-0304 x 5000.
INFORMATIONAL ONLY

TO: Charter Township of Orion Planning Commission
FROM: Tammy Girling, Planning & Zoning Director
DATE: August 23, 2021
RE: PC-2021-61, Administrative Review Dish Wireless Collocation, New Equipment

Plans were submitted by Haley Law Firm, PLC for an administrative review of a site plan replacing equipment onto an existing tower which did not increase its height. The cell tower is located at 235 Brown Road. The applicant also provided a structural analysis proving that the tower could withstand the weight of the additional equipment.

The applicant was able to meet the criteria for administrative review per Ordinance No.78, Section 27.07. It appeared that all ordinance requirements had been addressed and their site plan was administratively approved.

If you have any questions regarding this matter, please contact my office at (248) 391-0304 x 5000.
INFORMATIONAL ONLY

TO: Charter Township of Orion Planning Commission
FROM: Tammy Girling, Planning & Zoning Director
DATE: August 23, 2021
RE: PC-2021-64, Administrative Review Cell Tower Equipment Modification

Plans were submitted by SMJ International for an administrative review of a site plan replacing equipment onto an existing tower which did not increase its height. The cell tower is located at 1152 S. Lapeer Road. The applicant also provided a mount analysis report proving that the tower could withstand the weight of the additional equipment.

The applicant was able to meet the criteria for administrative review per Ordinance No.78, Section 27.07. It appeared that all ordinance requirements had been addressed and their site plan was administratively approved.

If you have any questions regarding this matter, please contact my office at (248) 391-0304 x 5000.