

# ***Charter Township of Oscoda***

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## **Planning Commission** **AGENDA**

May 2, 2022 6PM  
Robert J. Parks Public Library  
6010 Skeel Ave  
Oscoda, MI 48750

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- 1) **Call to Order**
  - 2) **Pledge of Allegiance**
  - 3) **Welcome Guests**
  - 4) **Member Roll Call**
  - 5) **Approval of Work Session and Planning Commission Minutes –**
    - i. Planning Commission Regular Meeting Minutes April 4, 2022
  - 6) **Agenda – Additions, Corrections, & Approval**
  - 7) **Public Comment – (Non-Scheduled Agenda Items)**
  - 8) **Old Business- N/A**
  - 9) **New Business –**
    - i. Site Plan Review- Case #101-2022
    - ii. First read- Floodplain Ordinance 2011-246, Amendments
    - iii. First read- Accessory Dwelling Unit (ADU) Ordinance
    - iv. First read- Micro Housing Ordinance
    - v. Annual By-Laws Review
    - vi. Master Plan Sub-Committee Request for Cedar Lake Rd Infrastructure Feasibility Study
  - 10) **Public Hearings – N/A**
  - 11) **Report of the Zoning Board of Appeals Representative**
  - 12) **Report of the Township Board Representative**
  - 13) **Report of the Planning Commission Sub-Committees**
  - 14) **Report of the Economic Improvement Committee**
  - 15) **Comments of Planning Commission members**
  - 16) **Report of the Zoning Administrator**
  - 17) **Adjournment**

# ***Charter Township of Oscoda***

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## **Planning Commission**

### **Meeting Minutes**

**April 4, 2022 6PM**

Robert J. Parks Public Library  
6010 Skeel Ave  
Oscoda, MI 48750

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#### **1) CALL TO ORDER**

Ed Davis, Chair, called the meeting to order at 6:00 PM.

#### **2) Pledge of Allegiance**

#### **3) WELCOME GUEST – Mr. Davis welcomed guests to the meeting**

#### **4) ROLL CALL**

**Present** – Mr. Schenk, Mr. Palmer, Mr. Schulz, Mr. Linderman, Mr. Tasior, Ms. Hopcroft, Mr. Davis

**Absent** – N/A

**Quorum** –Mr. Davis determined a quorum present.

#### **5) APPROVAL of Meeting Minutes-**

- i. Regular Planning Commission Meeting March 7, 2022 Minutes- Mr. Linderman made a motion to approve the minutes with corrections. Supported by Mr. Schulz. Roll call vote. All in favor.

#### **6) AGENDA – Mr. Schenk made a motion to approve the agenda with an addition (Add Tammy Kline under New Business #3) for the April 4, 2022 meeting. Supported by Mr. Linderman. Roll call vote. All in favor.**

#### **7) PUBLIC COMMENT – N/A**

#### **8) OLD BUSINESS – N/A**

#### **9) NEW BUSINESS –**

- i. John Iacoangeli (Beckett & Raeder) to discuss Accessory Dwelling Unit Ordinance Proposal
  - a) Mr. Davis pointed out that this Ordinance is pursuant to several goals in our Master Plan, including aligning zoning to accommodate the recommended housing mix.
  - b) John looked over and reviewed the questions on the survey regarding ADU's. Economy Efficient Dwellings were also discussed through this survey.
  - c) Members of the commission provided feedback on what they would like or not like to see in the ADU Ordinance and where they should be allowed.
  - d) John will get back with the commission on an ADU and Economy Efficient Dwelling Ordinance.

- ii. John Iacoangeli (Beckett & Raeder) to discuss Wurtsmith District Rezoning to Form Based Code Proposal
  - a) John brought a map of the Wurtsmith District to go over the area that is to be rezoned with the commission.
  - b) Planning Commission members discussed what the boundaries would be for the rezone. The boundary was extended out a little bit more than what John initially thought it would be. The boundary will extend to Arrow Rd where it is currently WB-3 and Industrial.
  - c) John will be working with the Ordinance Revision Sub-Committee through the process, and during certain points of the process, will be brought to the full Planning Commission.
  - d) The boundaries of the rezoning were established.
- iii. Ms. Kline
  - a) Ms. Kline wanted to extend an invitation to a luncheon to be held in the Fire Barn.

## 10) PUBLIC HEARING –

- i. **Amendment to Ordinance 2021-270, Commercial Marihuana Facilities**
  - a) Mr. Palmer made a motion to open the Public Hearing on amendments for Ordinance 2021-270. Supported by Mr. Tasior. Roll call vote. All in favor.
  - b) Ms. Vallette stated that she did not receive correspondence and has no further analysis, but all requested corrections were made.
  - c) Mr. Tasior made a motion to close the Public Hearing and go into deliberations. Supported by Mr. Schulz. Roll call vote. All in favor.
  - d) Mr. Linderman made a motion to close deliberations. Supported by Mr. Schenk. Roll call vote. All in favor.
  - e) Mr. Tasior made a motion to approve the amendment to Ordinance 2021-270, Commercial Marihuana Facilities, to include the Corridor Business District. Supported by Mr. Palmer. Roll call vote. All in favor.
- ii. **Amendments to Chapter 20, Parks and Recreation**
  - a) Mr. Palmer made a motion to pen the Public Hearing on amendments to Chapter 20, Parks and Recreation. Supported by Mr. Linderman. Roll call vote. All in favor.
  - b) Mr. Tasior made a motion to close the Public Hearing and move into deliberations. Supported by Mr. Schulz. Roll call vote. All in favor.
  - c) Ms. Vallette stated that she did not receive correspondence and has no further analysis, but all requested corrections were made.
  - d) Ms. Hopcroft went through the edits she found necessary. The Planning Commission agrees with all her edits. Ms. Vallette will make all necessary corrections before it goes to the Board of Trustees.
  - e) Ms. Hopcroft made a motion to close deliberations and approve Chapter 20, Parks and Recreation, as amended. Supported by Mr. Schulz. Roll call vote. All in favor.
- iii. **Amendments to Section 4.20, F- Forestry District**
  - a) Mr. Linderman made a motion to open the Public Hearing on amendments to Section 4.20 F-Forestry District. Supported by Mr. Tasior. Roll call vote. All in favor.
  - b) Ms. Vallette stated that she did not receive correspondence and has no further analysis.

- c) Mr. Palmer made a motion to close the Public Hearing and move into deliberations. Supported by Mr. Linderman. Roll call vote. All in favor.
- d) Ms. Hopcroft made a motion to close deliberations and approve amendments to Section 4.20, F-Forestry. Supported by Mr. Schenk. Roll call vote. All in favor.

**iv. Amendment to Section 4.15, WB-3 Wurtsmith Business District**

- a) Mr. Palmer made a motion to open the Public Hearing on amendments to Section 4.15 WB-3 Wurtsmith Business District. Supported by Mr. Tasior. Roll call vote. All in favor.
- b) Ms. Vallette stated that she did not receive correspondence and has no further analysis.
- c) Mr. Tasior made a motion to close the Public Hearing and move into deliberations. Supported by Mr. Schulz. Roll call vote. All in favor.
- d) Ms. Hopcroft made a motion to approve close deliberations and approve the amendments to Section 4.15, WB-3 Wurtsmith Business District. Supported by Mr. Linderman. Roll call vote. All in favor.

**v. Amendment to Section 6.2.6, Accessory Structures on Vacant Lots**

- a) Mr. Linderman made a motion to open the Public Hearing on amendments to Section 6.2.6 Accessory Structures on Vacant Lots. Supported by Mr. Schenk. Roll call vote. All in favor.
- b) Ms. Vallette stated that she did not receive correspondence and has no further analysis.
- c) Mr. Palmer made a motion to close the Public Hearing and move into deliberations. Supported by Mr. Schulz. Roll call vote. All in favor.
- d) Ms. Hopcroft made a motion to close deliberations and approve the amendment as submitted to Section 6.2.6, Accessory Structures on Vacant Lots. Supported by Mr. Schenk. Roll call vote. All in favor.

**vi. New Planned Unit Development Ordinance**

- a) Mr. Linderman made a motion to open the Public Hearing on the Planned Unit Development Ordinance. Supported by Mr. Schulz. Roll call vote. All in favor.
- b) Ms. Vallette stated that she did not receive correspondence and has no further analysis.
- c) Mr. Schulz made a motion to close the Public Hearing and move into deliberations. Supported by Mr. Schenk. Roll call vote. All in favor.
- d) Ms. Hopcroft went over some corrections. All the commission members agreed with her edits.
- e) Mr. Tasior made a motion to close the Public Hearing and approve the new Planned Unit Development Ordinance with all corrections noted. Supported by Mr. Schulz. Roll call vote. All in favor.

**11) REPORT OF THE ZONING BOARD OF APPEALS REPRESENTATIVE –** Mr. Schulz stated that there was no update.

**12) REPORT OF THE TOWNSHIP BOARD REPRESENTATIVE-**

- i. The board approved to seek grant funding through CVBG.
- ii. Local residents have been putting in LOI's to build housing. Two LOI's for PKL Homes were approved.
- iii. MAMA update. A letter will be sent to ask for their business plan.

**13) REPORT OF THE ECONOMIC IMPROVEMENT COMMITTEE –**

- i. Mr. Tasior stated that there were a few small details to submit for RRC.

- ii. Ms. Hopcroft stated that the call to artists expires April 9. There are a lot of entries and plenty of art to be displayed through the year. The request for funding did not get approved to restore the mural on a downtown business.

**14) REPORT OF THE PLANNING COMMISSION SUB-COMMITTEES –**

- i. Mr. Tasior stated that there was another sub-committee meeting 4/12 and to expect more revisions to come to the PC.
- ii. Ms. Hopcroft stated that the Hazard Mitigation meetings have started again for Iosco County. Ms. Vallette and Ms. Kline will be attending those meetings, representing the township and helping to identify hazards.
- iii. Ms. Hopcroft stated that the Non-Motorized Plan will possibly be updated by Rick Freeman from Rowe.

**15) COMMENTS OF PLANNING COMMISSION MEMBERS –** Mr. Palmer talked about the recent \$8.6 Million awarded that will help with water main extensions due to PFA's contamination.

**16) REPORT OF THE ZONING DIRECTOR –** Ms. Vallette stated that she has issued some land use permits over the last few weeks, including a new residence on Bachman Dr. Ms. Vallette talked about working with Todd on the last few items that needed to be submitted to Pablo for RRC

**Declaring no further business, Mr. Davis adjourned the meeting at 8:15 PM.**

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Ed Davis - Chair

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Date

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Nichole Vallette – Planning & Zoning Director

**CHARTER TOWNSHIP OF  
OSCODA**

**Zoning Department**

## **Memo**

**To:** Planning Commission Members

**From:** Nichole Vallette, Planning & Zoning Director

**Date:** May 2, 2022

**Re:** Case #101-2022

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**Nature of Case #101-2022:**

Case #101-2022, Bryan Hutchinson, has submitted a Site Plan Application for a proposed new business, selling sheds and portable storage units. The parcel is vacant, and the applicant proposes setting up a portable office along with sheds on site for sale. The parcel number is 064-V10-013-005-00.

**Existing Property Conditions:**

The parcel is in the State Street Business and Neighborhood District (SSBN), zoned Commercial Mixed-Use (CMU) and the property is 144'x132' or 0.436 acre. CMU allows for General Retail as a Permitted Use.

**Communications Received:**

No mailing is required for a Site Plan.

**Planning & Zoning Director Recommendations/Comments:**

All of the items required for a site plan review are not included. This could be a preliminary site plan review if the Planning Commission decides that they need additional information. From my understanding, the Office and Sheds for sale are all Pre-Fab and would be dropped off on site.

The list of the following, Section 7.3 Site Plan Review and SSBN Zoning District, must be met for Site Plan Approval.

Oscoda Charter Township  
110 S. State Street Oscoda, MI 48750

Case# 101-2022

\$80 - PD credit card  
4/30/22 NV  
Ref # 34623255

APPLICATION FOR: (circle one)  
SPECIAL LAND USE PERMIT  
SITE PLAN REVIEW  
ADMINISTRATIVE REVIEW

Property owner Information:

Name: ELLIS ZIMMERMAN

Address: 7389 SR-13 N. SHELTON, OH

Phone: 419-545-4151

Applicant Information:

Name: BRYAN HUTCHINSON

Address: 8856 WHEATON PL N. RIDGEVILLE OH

Phone: 330-571-3285

Property Information:

Address: 200 N. STATE ST

Zoning District: TBD

Parcel#: 064-V10-013-005-00

Phone: \_\_\_\_\_

Parcel Size: .2271

Engineer - Architect - Surveyor -  
other consultant

Name: N/A

Address: N/A

Phone: N/A

E-Mail: N/A

Site Plan/Operational Information Submitted (2 complete copies; max. scale 1"=50', 1"=100' over 3 acres)

Project Title and Brief Description:

SELLING SHEDS AND PORTABLE STORAGE UNITS.

Project Completion Schedule/Phasing:

As soon as possible

Please Note: The applicant or their official representative should be present at the Planning Commission's Public Hearing/Meeting to present the application and answer any questions Commission Members may have.

Applicant's Signature: I am the owner of the property included in this application or am officially acting on the owner's behalf. I hereby attest that the information on this application form, the site plan and other attachment(s) is, to the best of my knowledge, true and accurate. I hereby grant permission to the Township Staff and/or any appropriate Township Official to access this property to review the accuracy of the information submitted.

  
Applicant Signature

4.20.22  
Date

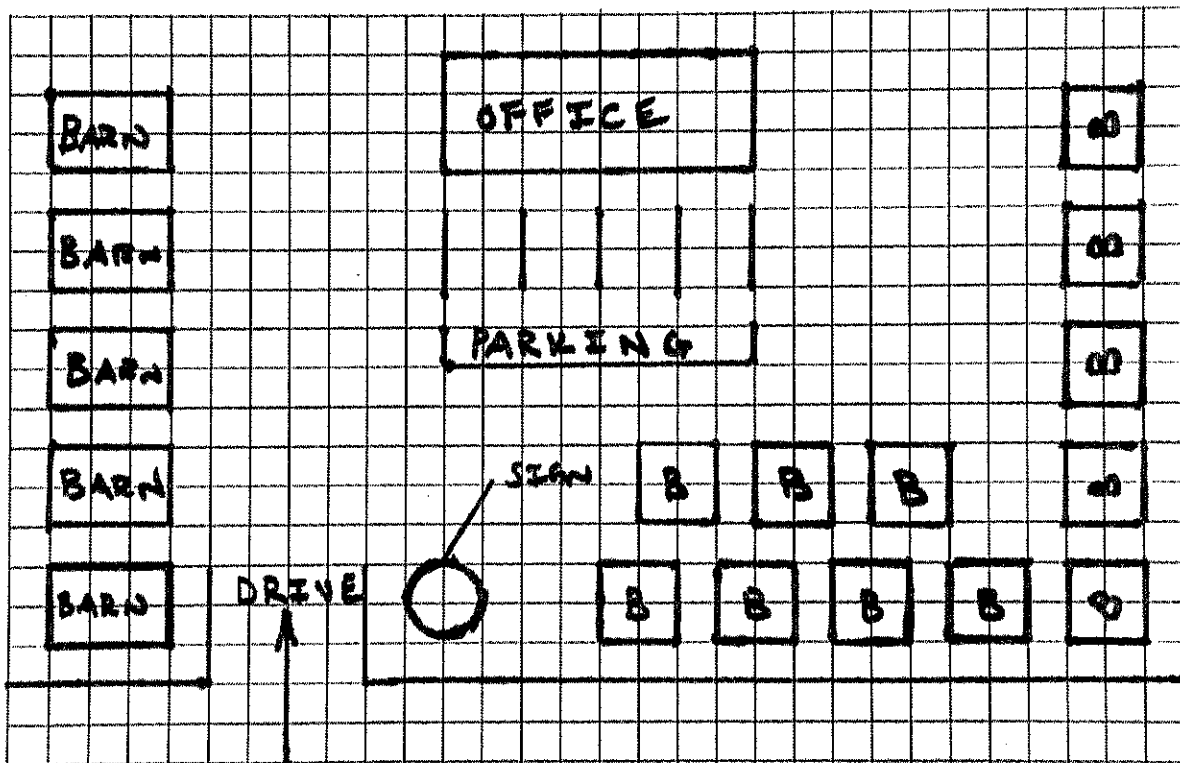
Oscoda Township Land Use Permit  
**SITE PLAN DRAWING**

Page 03 of 03

As part of a Land Use Permit application, an accurate site plan must be submitted, including:


- Property dimensions, including total width and depth, and a "North" arrow.
- All structures currently located on the property with their size(s) indicated.
- The exact distance(s) between all structures on the property.
- All roads or easements adjoining, abutting or traversing the property.
- An accurate depiction of the driveway access to the property and parking areas.
- The proposed placement of any new structure, addition or other improvement on the property, showing the dimensions of the improvements and the distances between them and other structures and the lot lines.

**Note:** It is preferred that the site plan information be included on, or with, a copy of a *property survey*. However, if a survey is not available, the applicant may use the grid area below, or a similar format, to provide the required drawing information.



**APPLICANT CERTIFICATION**

"I certify the above or attached drawing accurately reflects the subject property as surveyed including property lines and the height, size, and setback locations of existing and proposed structures and improvements."

  
\_\_\_\_\_  
Signature (Applicant)

4/25/22  
\_\_\_\_\_  
(Date)



## Section 4.13

### Charter Township of Oscoda

### State Street Business and Neighborhood District (SSBN)

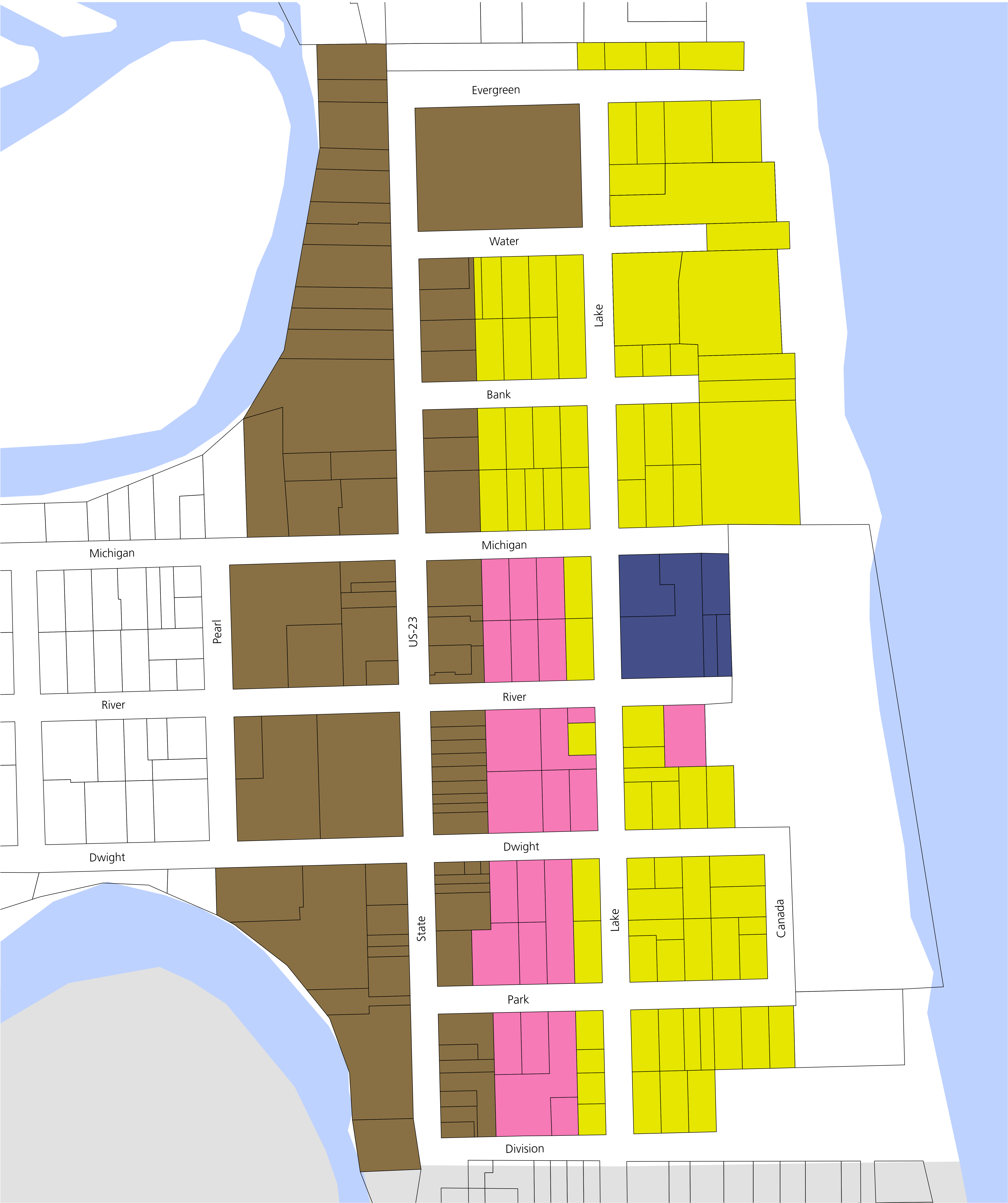
#### Section 4.13.1 Intent

The State Street Business and Neighborhood District dates back to late the 1800's when the southeast corner of Oscoda Township was platted as a traditional village business and residential neighborhood. The 1895 Sanborn-Perris Map Company map for this area graphically delineated a well-defined grid pattern of streets fronted with narrow building lots with structures built adjacent to the public right-of-way.

The State Street Business and Neighborhood District zoning is a departure from traditional zoning in that it focuses less on the use of a parcel and more on how to integrate private and public spaces. The State Street Business and Neighborhood District (SSBN) zoning intends to merge public infrastructure standards with private development regulations to create a viable business district that is equally shared between cars and pedestrians. Key elements include better land use balance, expanding the uses permitted by right, expediting the review process, bringing buildings closer to the street to facilitate walkability, and increasing density of residential dwelling units.

The context of the SSBN District is to create a high density commercial and mixed-use district along State Street (US-23), focused on pedestrians, both resident and tourist. The scope of development envisioned for the SSBN will necessitate the continuation of on-street parking on streets perpendicular to State Street (US-23) and along Lake Street. Off-street parking, although needed, is not as critical as the building mass. The mass and density of buildings is the highest along the State Street (US-23) corridor and subsequently reduces in scale from west to east.

The SSBN also extends along Lake Street and the side streets that connect with State Street (US-23) between Division and Evergreen Streets. The rationale for inclusion in the SSBN is to integrate the adjacent residential neighborhoods with the commercial district and create a walkable connection between the commercial district and Lake Huron.



OSCODA TOWNSHIP

# Street Frontage Regulating Plan

Data Sources: State of Michigan Geographic Data Library

- C-T: Commercial-Traditional
- C-MU: Commercial-Mixed Use
- C-L: Commercial Lodging
- SF-SL: Single Family-Small Lot

## Section 4.13.2

### REGULATED USES, GENERAL STANDARDS, SPECIAL USE PERMIT STANDARDS, and SPLICING

#### 4.13.2.1

##### Purpose

The purpose of the State Street Business and Neighborhood District (SSBN) is to create a memorable, walkable, vibrant, and economically viable business district which accommodates residents and tourists, and pedestrians and vehicles. The SSBN specifically addresses one of the goals in the Oscoda Township Strategic Plan: Create an environment where residents, development, and businesses can be successful.

The text and diagrams for the State Street Business District (SSBN) address the location and extent of land uses that implement the vision articulated by the community through several public sessions focused on strategic planning and downtown revitalization.

#### 4.13.2.2

##### Regulated Uses

Regulated uses are identified for each zone either as a Permitted Use (P) or a use requiring a Special Land Use Permit (SUP). All SUP uses must address the General Standards listed below. If the SUP has additional standards over and above the General Standards, the special provision column references that specific section of the Zoning Ordinance. Otherwise, SUP uses must meet the General Standards below. All uses will require the submission of a site plan pursuant to Article X, and Section 10.5 of the Zoning Ordinance.

#### 4.13.2.3

##### General Standards for Special Land Use Permits

The Planning Commission shall review each application for the purpose of determining that each proposed use meets the following standards, and in addition, shall find adequate evidence that each use on the proposed location will:

- a. Be designed, constructed, operated, and maintained so as to ensure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity.
- b. Protect the natural environment and conserve natural resources and energy to ensure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner.
- c. Be designed to protect natural resources, the health, safety, and welfare and the social and economic wellbeing of those who will use the land use or activity under consideration, residents, and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.

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

e. Be necessary to meet the intent and purpose of the zoning ordinance, be related to the standards established in the ordinance for the land use or activity under consideration and be necessary to ensure compliance with those standards.

f. Meet the standards of other governmental agencies where applicable, and that the approval of these agencies has been obtained or is assured. The applicant shall have the plan reviewed and approved by the Oscoda Township Fire Department prior to the review by the Planning Commission.

g. Meets the intent to establish interconnected, walkable and a mixed-use neighborhood.

#### 4.13.2.4

##### Splicing

The State Street Business District (SSBD) focuses attention on the development and form of public and private properties and spaces within the area designated on the Regulating Plan referenced in Section 4.13.1. Requirements regarding site development standards such as parking, lighting, and encroachments included in this Ordinance will take precedence over the requirements in the Oscoda Township Zoning Ordinance.

The State Street Business and Neighborhood District (SSBN) will replace Section 4.13 Central Business District of the Oscoda Township Zoning Ordinance.

All other provisions of the Oscoda Township Zoning Ordinance remain intact and valid.

#### 4.13.2.5

##### Properties Currently Developed and Occupied

- a. Occupied and vacant buildings that exist at the time of ordinance adoption do not need to comply with this Section until such time they are renovated.
- b. Occupied or vacant buildings that exist at the time of ordinance adoption that undergo renovation, exceeding 100% of the taxable valuation in the year of the renovation, shall comply with all provisions of the ordinance except Section 4.13.5.2.
- c. Buildings that are demolished and newly constructed shall comply with all provisions of this Section.

## Section 4.13.3

### REGULATING PLAN CATEGORIES



<b>C-T (Commercial-Traditional)</b>	
Intent	To provide for a traditional commercial development that respects the historic development pattern noted on the 1895 Sanborn-Perris Map Co. maps for the district.
Distinguishing Characteristics	Variety of 1 story commercial buildings for retail and professional offices. Buildings would be constructed with durable and traditional building materials close to the right-of-way with parking in the rear of the building or adjacent public parking lots. Residential uses are prohibited on the first floor adjacent to any public right-of-way. Residential uses may be allowed on the first floor in the rear of the structure. Use of dryvit/EIFS is prohibited.
General Character	Predominantly attached and detached buildings with wide sidewalks and pedestrian scale lighting.
Desired Form	Commercial / Storefronts
Building Placement	Shallow to medium front built adjacent to the public sidewalk.
Frontage Types	Universally accessible; recessed doorways; covered entries
Typical Building Heights	1 to 1 1/2 story





## CMU (Commercial - Mixed Use)

Intent	To provide for a flexible mixture of retail, office, commercial, residential and institutional uses within walkable and connected neighborhoods. The objective is to create an environment where residents can live, work and shop for day-to-day amenities in the same area.
Distinguishing Characteristics	Retail, workplace and civic activities mixed with attached housing types such as lofts and apartments all developed at a community scale. Commercial and office uses are allowed on the first floor and upper stories of the structure. Residential uses are prohibited on the first floor adjacent to any public right-of-way. Residential uses may be allowed on the first floor in the rear of the structure. Buildings would be constructed with durable and traditional building materials close to the right-of-way with parking in the rear of the building or adjacent public parking lots. Use of dryvit/EIFS can be used only on upper stories and shall not exceed 30% of the exterior surface.
General Character	Predominantly attached buildings, landscaping within the public right of way, substantial pedestrian activity.
Desired Form	Mixed Use
Building Placement	Small or no setbacks, buildings oriented to street with placement and character defining a street wall
Frontage Types	Commercial uses front onto thoroughfare.
Typical Building Heights	1 to 4 stories on the west and east side of State Street (US-23).



C-L (Commercial - Lodging)	
Intent	To provide for lodging and dining accommodations which complement the scale of surrounding properties and take advantage of adjacent natural and recreational amenities.
Distinguishing Characteristics	Typically, a single, multi-story structure with ample outdoor amenities such as large porches, decks, plazas, and seating areas.
General Character	Predominantly single building using durable building materials such as brick, limestone, scored CMU's, wood, and fiber-cement siding. Use of dryvit/EIFS can be used only on upper stories and shall not exceed 30% of the exterior surface.
Desired Form	Single Building
Building Placement	Small or no setbacks. Placement on the property to encourage views of Lake Huron and adjacent open spaces.
Frontage Types	Not Applicable. Site specific.
Typical Building Heights	3 to 4 stories



SF-SL (Single Family-Small Lot)	
Intent	To provide for lodging and dining accommodations which complement the scale of surrounding properties and take advantage of adjacent natural and recreational amenities.
Distinguishing Characteristics	Typically, a single, multi-story structure with ample outdoor amenities such as large porches, decks, plazas, and seating areas.
General Character	Predominantly single building using durable building materials such as brick, limestone, scored CMU's, wood, and fiber-cement siding. Use of dryvit/EIFS is prohibited.
Desired Form	Single structure designed and occupied as a single-family residence, duplex, or triplex. Detached or attached townhouses.
Building Placement	Small or no setbacks. Placement on the property to encourage views of Lake Huron and adjacent open spaces.
Frontage Types	Residential uses with front porches, fences, naturalistic tree plantings, and garages in the rear yards.
Typical Building Heights	1 to 2 stories

## Section 4.13.4

### LAND USE TABLE

#### 4.13.4.1

##### Regulated Uses

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

Land Use Table				
Type	CT	CMU	C-L	SF-SL
<i>Public and Private</i>				
Outdoor Public Owned Parks and Recreation Facilities	P	SUP		P
Public and Private Schools				
Public Uses: Critical, Supporting and Essential	P	P	P	P
Churches with and without Assembly Halls				P
<i>Transportation / Utilities</i>				
Parking (Public or Private)	P	P	P	P
Wireless Telecommunication Facilities (not in R.O.W.)				
Public Transit Stop or Station	P	P	P	
<i>Office</i>				
Professional Offices	P	P		
Medical / Dental Offices	P	P		
Medical Urgent Care Facilities	P			
Veterinary Clinic	P			
<i>Commercial</i>				
Mixed Use with Residential above the 1st floor	P	P	P	
Bar / Tavern	P	P	SUP	
Child Care Facilities	P	P		
Drug Stores	P	P		
General Retail; except with the following features	P	P		
a. Alcoholic beverages	SUP	SUP		
b. Floor area over 10,000 sq.ft.	SUP	P		
c. On-site production of items sold in or out of store locations	SUP	P		
d. Operating hours between 10pm and 7am	SUP	SUP		
e. Outdoor sales and storage of cars, boats, trucks and RV's				



Type	CT	CMU	C-L	SF-SL
<i>Commercial</i>				
Fraternal Clubs and Organizations	P	P		
Funeral Homes				
Restaurant, cafe and coffee shop except with the following features	P	P	P	P
a. Drive-thru facilities				
b. Drive-In facilities				
Microbrewery, Small Winery and Distillery	P	P		
Movie & Performance Theaters	P	P		
Convenience market less than 3,500 sq.ft	P	P		
Personal Services (Salons)	P	P		
Farmers Market	P	P		
Banks and Financial; except with the following features	P	P		
a. Drive-thru facilities	P			
Shopping Centers				
Grocery Stores; except with the following features	P	P		
a. Floor area over 10,000 sq.ft	SUP	SUP		
b. Gasoline Service Station				
Gasoline Service Station				
Automotive Supply & Parts	P			
Automotive Service				
<i>Lodging</i>				
Hotel; except with the following features		P	P	
a. Greater than 120 rooms	SUP	SUP	SUP	
b. Conference and convention facilities	SUP	SUP	P	
<i>Residential</i>				
Single Family				P
Single Family Attached Townhome				P
Upper Story Residential Unit	P	P	SUP	
Live / Work Units	P	P		P
Duplex (Side-by-Side)				P
Home Occupation 1-Person		P		P
Home Occupation 2 or more		P		
Tourist Homes				P
Short-Term Rentals		P		P

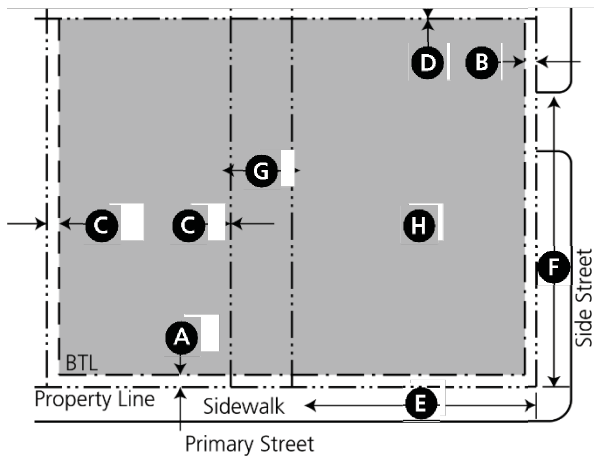
Section 4.13.5

LOT and BUILDING PLACEMENT

4.13.5.1

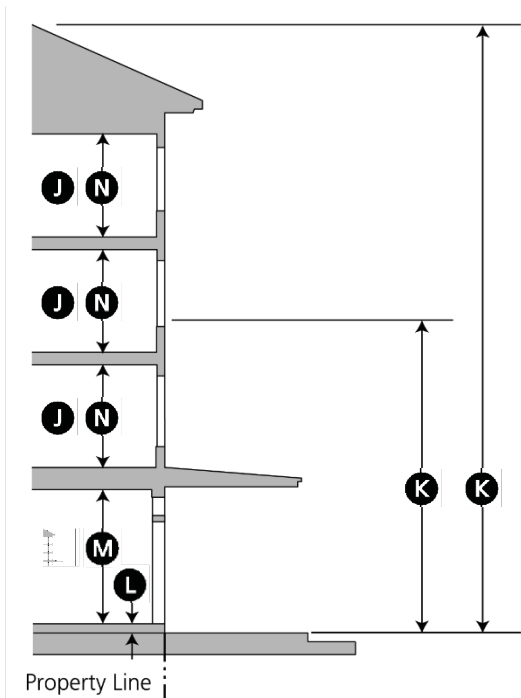
Terminology

LOT AND BUILDING TERMINOLOGY	
Build-toLine(BTL) <b>A</b>	
A line parallel to the property line where the facade of the building is required to be located.	
Setback <b>D</b>	
The distance by which a building must be separated from the property line or ROW, typically defined, and regulated as a minimum.	
Primary Street built to BTL <b>E</b>	
The percent of the building facade which must occupy the width of the lot adjacent to the Primary Street.	
Side Street, Corner Lot built to BTL <b>F</b>	
The percent of the building which must occupy the side lot line when the building is on a corner lot.	
Maximum Lot Width <b>G</b>	
The largest allowed distance between lot corners along the front ROW.	
Minimum Lot Width <b>G</b>	
The smallest allowed distance between lot corners along the front ROW.	
Lot Depth	
The minimum depth of lot expressed in feet.	
Lot Coverage <b>H</b>	
The percent of the lot covered by buildings and accessory structures.	



Key			
---	Property Line	---	Setback Line
---	Build-to Line (BTL)	■	Building Area

Impervious Coverage	
The percent of the lot covered by impervious surfaces including roofs, patios, driveways, and other hard surfaces which result in water runoff.	
Upper Story <b>J</b>	
Building level above first floor.	
Minimum Building Height <b>K</b>	
The shortest allowed vertical distance between the sidewalk and the top point of reference for a building facade along the front ROW.	
Maximum Building Height <b>K</b>	
The largest allowed vertical distance between the sidewalk and the top point of reference for a building.	
Ground Floor Finished Level Height <b>L</b>	
The vertical distance allowed between the sidewalk and the top of the finished floor on the ground level, regulated as a minimum. Threshold is subject to ADA compliance.	
Minimum Ground-Floor Ceiling Height <b>M</b>	
The smallest allowed vertical distance between the finished floor and ceiling on the ground floor of a building.	
Minimum Upper-Floor Ceiling Height <b>N</b>	
The smallest allowed vertical distance between the finished floor and ceiling on the upper story floor of a building.	



#### 4.13.5.2

#### Building Placement, and Density

Building Placement		CT	CMU	C-L	SF SL
Built-to Line (BTL) Distance from Property Line					
Front	A	10'-12'	12'-15'	20'	20'
Side Street, corner lot	B	5'	5'	20'	10'
Setbacks					
Side	C	NA	10'	10'	5'
Rear	D	NA	NA	25'	15'
Building front facade as a % of Lot Width (Min.)	E	100%	80%	NA	NA
Side Street Facade as a % of Lot Depth (Min.)	F	50%	50%	NA	NA
Building Form					
Lot Width (minimum)	G	NA	NA	NA	50'
Lot Width (maximum)	G	100'	NA	NA	100'
Lot Depth (maximum)	H	NA	NA	NA	125'
Lot Coverage		NA	NA	70%	35%
Height					
Building Maximum (Stories/Height)	K	1 / 25'	4 / 55'	4 / 55'	2 / 35'
Story Height difference between adjacent buildings		NA	1	NA	NA
Ground Floor Finish Level above site grade	L	6"	6"	6"	6"
First Floor ceiling height	M	15'	15'	15'	NA
Upper Floor(s) ceiling height (not including span)	N	NA	10'	10'	NA
Garage					
Attached Garage		Attached garages allowed on side or behind dwelling			
Detached Garage		Detached garage allowed behind dwelling			
Impervious Coverage - Buildings and Pavements					
Impervious Coverage		100%	100%	85%	40%
Walkway Width					
Width of walkway (includes ROW and Private)		8'-10'	10'-12'	8'	4'
		Walkways may be wider when outdoor dining and seating areas are provided.			
Density					

Maximum Dwelling Units per acre	10	30	NA	4
Parking				
On-Street allowed to count toward guest parking	Yes	No	Yes	Yes

## Notes

1. All floors must have a primary ground-floor entrance that faces the primary side of the street
2. Residential uses with a primary ground-floor entrance must face the primary side of the street.
3. Any section along the BTL not defined by a building must be defined by a 3'6" high masonry screen wall setback back 5'0" from the BTL unless it is an existing parking lot and in that instance the screening wall can be located adjacent to the sidewalk. The area between the BTL and the setback shall be landscaped, if practical.
4. Buildable Density is determined by the sum of square footage or acreage used for building(s) and the amount of required parking or Effective Parking located within the maximum lot coverage area.
5. Rear-facing buildings, loading docks, overhead doors, and other service entries are prohibited on street-facing facades.
6. Air compressors, mechanical pumps, exterior water heaters, utility and telephone company transformers, meters or boxes, garbage cans / dumpsters, storage tanks, and similar equipment shall not be stored or located within any area adjacent to a street right-of-way.
7. Roof mounted equipment shall be placed behind and away from any required building line and be screened from view from the street.

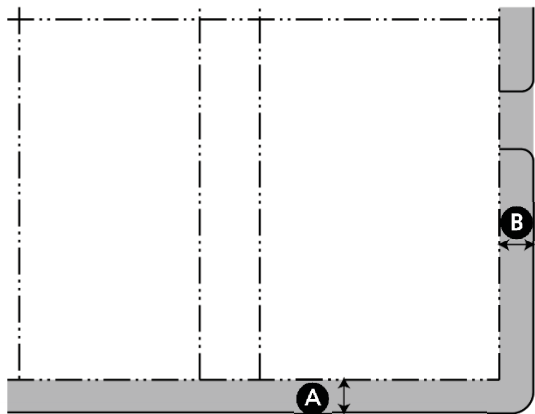
### 4.13.5.3

#### Land Use by Floor

Land Use		CT	CMU	C-L	SF SL
<b>Ground Floor</b>	<b>I</b>				
a. Residential Uses		Rear Only	Rear Only	Yes	Yes
b. Public and Institutional Uses		Yes	Yes	No	No
c. Transportation / Utilities		No	Yes	No	No
d. Office		Yes	Yes	No	No
e. Commercial		Yes	Yes	Yes	No
f. Lodging		No	Yes	Yes	No
<b>Upper Floor(s)</b>					
a. Residential Uses	<b>J</b>	No	Yes	Yes	Yes
b. Public and Institutional Uses		No	Yes	No	No
c. Transportation / Utilities		No	No	No	No
d. Office		No	Yes	No	No
e. Commercial		No	Yes	No	No
f. Lodging		No	Yes	Yes	No

Section 4.13.6

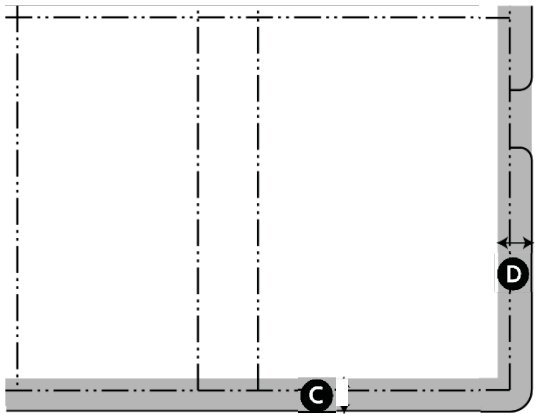
SPECIAL PROVISIONS



Key

Property Line

Encroachment Area

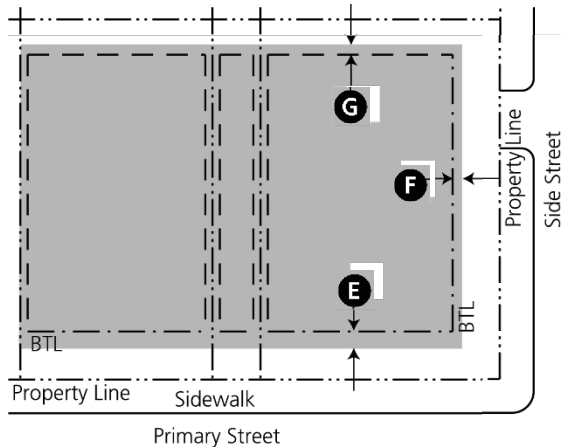


Key

Property Line

Encroachment Area

4.13.6.1 Encroachments		
Type 1: Not Located in Right-of-Way		
Front	0'	A
Side Street	0'	B
Type 2: Located in Right-of-Way		
Front	5'	C
Side Street	5'	D
4.13.6.2 Canopies and Awnings		
Canopies and awnings can be required and may encroach over the BTL.		
Front	5'	E
Side	5'	F
Rear	5'	G



Key

Property Line

Setback Line

Build-to Line (BTL)

Awning Area

4.13.6.3 Site Lighting		
Streetlights shall be a general type specified by the Township.		
Wall pack lighting shall only be used on the rear or side of the building to illuminate exits and loading facilities.		
Front facade illumination lighting may be used but will require the approval of the Planning Commission.		
Parking lot lighting pole height (including luminaire) shall not exceed the height of the building or 22 feet whichever is less.		
C-L and SF-SL: No lighting level measured at the BTL shall exceed	1.0	fc
CT and CMU Zone: No lighting level measured at the BTL shall exceed	2.0	fc
4.13.6.4 Signs		
Signs shall conform to Article 3 where a freestanding sign shall not exceed 6 feet in height.		

4.13.6.5 Water Quality and Storm Water			
All projects shall incorporate low impact development (LID) water quality technologies. Low impact development water quality technologies shall include, but are not limited to, rain gardens, rooftop gardens, vegetated swales, cisterns, permeable pavers, porous pavement, and filtered stormwater structures.			

#### 4.13.6.6 Facade Components and Materials (All Buildings Except 1st Floor Residential)

##### Windows and Transparency

A minimum of 75% of the ground floor story front facade between 2 feet and 8 feet above the sidewalk must be comprised of transparent, non-reflective windows into the nonresidential space.

A minimum of 30% of the upper story facade measured floor to floor shall have transparent, non-reflective, vertically oriented windows.

##### Facade Ornamentation

All visible elevations shall include decorative features such as cornices, pilasters, and friezes. Building recesses and protrusions will be required on larger buildings to break long uninterrupted building walls.

##### Facade Massing

Front façades 60 feet wide or wider shall incorporate wall offsets of at least two feet in depth (projections or recesses) a minimum of every 40 feet. Each required offset shall have a minimum width of 20 feet.

##### Roofs / Rooftops

When flat roofs are used, parapet walls with three-dimensional cornice treatments shall be used to conceal the roof

Asymmetric or dynamic roof forms allude to motion, provide variety and flexibility in nonresidential building design, and allow for unique buildings. Asymmetric or dynamic roof forms shall be permitted on nonresidential buildings as an alternative to Flat Roofs.

All roof-based mechanical equipment, as well as vents, pipes, antennas, satellite dishes, and other roof penetrations (with the exception of chimneys), shall be located on the rear elevations or screened with a parapet wall having a three-dimensional cornice treatment so as to have a minimal visual impact as seen from public street, existing single family uses, and land zoned for residential and agricultural uses.

Outdoor rooftop dining and lounges are allowed in the CT (Commercial-Traditional), and CMU (Commercial-Mixed Use) and C-L (Commercial-Lodging) categories subject to meeting applicable building and fire codes.

#### Customer Entrances

Each side of a building facing a public street shall include at least one customer entrance, except that no building shall be required to provide entrances on more than two sides of the structure that face public streets.

Buildings shall have clearly defined, highly visible customer entrances that include no less than three of the following design features:

- a) Canopies/porticos above the entrance;
- b) Roof overhangs above the entrance;
- c) Entry recesses/projections;
- d) Arcades that are physically integrated with the entrance;
- e) Raised corniced parapets above the entrance;
- f) Gabled roof forms or arches above the entrance;
- g) Outdoor plaza adjacent to the entrance having seating and a minimum depth of 20 feet;
- h) Display windows that are directly adjacent to the entrance; or
- i) Architectural details, such as tile work and moldings, that is integrated into the building structure and design and is above and/or directly adjacent to the entrance.

#### Building Materials

Use of durable and traditional building materials shall be used.

Materials such as exterior insulation finish system (EIFS), fluted concrete masonry units, concrete panels, panel brick, and scored concrete masonry unit block are not considered durable and traditional building materials.

#### 4.13.6.7 Off-Street Parking

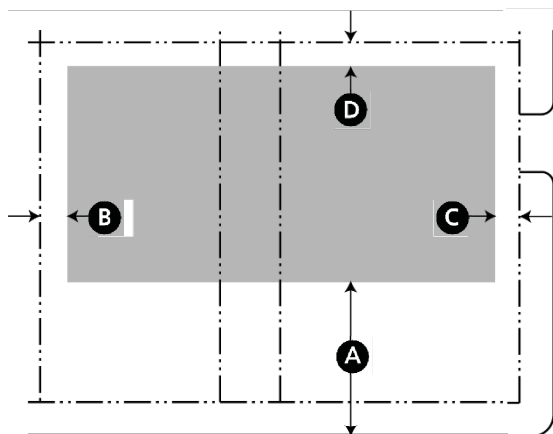
Off-street parking shall be required. However, there are some properties within the SSBN District, due to their limited width and square footage are exempt from providing on-site off-street parking.

Those properties exempt from the off-street parking requirements are noted on the graphic entitled, “**Off-Street Parking Exemption Area**.” Properties located within the dotted block are those properties exempt from the off-street parking requirements. In the event a property owner elects to provide off-street parking on their property they will be required to follow the provisions outlined in this section.

#### 4.13.6.8 Parking Setbacks

##### Location (Distance from Property Line)

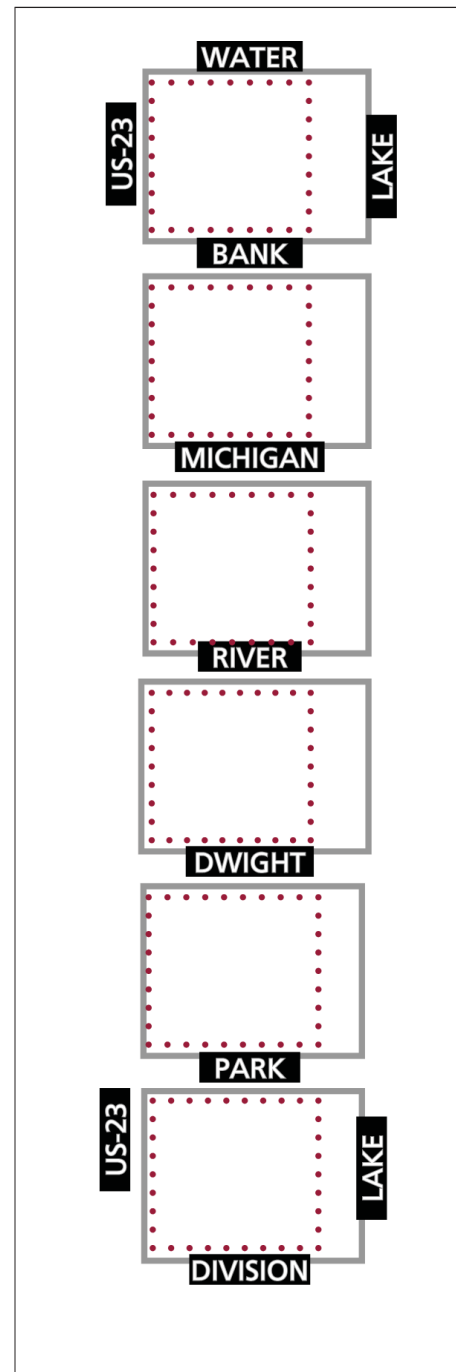
Front Setback (parking to be located behind the building)		
Front Setback (when adjacent to the building)		
- the setback would be measured from the		
front facade of the building	10'	<b>A</b>
Adjacent to a common Property Line	10'	<b>B</b>
Side Street Setback		
- when a masonry screen wall is installed	5'	<b>C</b>
- landscape only	10'	<b>C</b>
Rear Setback	5'	<b>D</b>
note: where a parking lot abuts an interior and/or common property line the property owner shall provide a cross access easement for the purpose of connecting adjacent parking lots.		



##### Key

— Property Line      ■ Parking Area

#### Off-Street Parking Exemption Area Graphic





#### 4.13.6.9 Shared Parking

Parking Calculations: The Shared parking Factor for two Functions, when divided into the sum of the two amounts as listed on the Required Parking table below produces the Effective Parking needed. For example, residential parking is calculated at 12 spaces and retail parking is calculated at 32. Summed they equal 44. Using the Shared Parking Table this amount is divided by 1.2 to derive an Effective Parking amount of 36.6 or 37 parking spaces.

	<i>Function</i>			
Function	<i>Residential</i>	<i>Lodging</i>	<i>Office</i>	<i>Retail</i>
Residential	1.0	1.1	1.4	1.2
Lodging	1.1	1.0	1.7	1.3
Office	1.4	1.7	1.0	1.2
Retail	1.2	1.3	1.2	1.0

#### 4.13.6.10 Required Parking (Minimum and Maximum)

Residential (per dwelling unit)		
Single Family	2.0	
Duplex	2.0	
Multiple Family	1.5	
Live / Work Unit	2.0	
Residential above 1st Floor in Mixed Use buildings (C and CF Zones)	1.5	
Lodging (per bedroom / hotel room)		
Bed & Breakfast	1.2	
Inn	1.2	
Hotel / Motel	1.0	
Office (per 1,000 usable square feet)		
Individual enclosed offices	2.0	
Open office concept	3.0	
Retail (per 1,000 usable square feet)		
CT Zone Retail	2.0	
CMU Zone Retail	2.0	

Civic / Assembly - Determined by Section 6.7.2.D

#### Parking Notes

Parking shall conform to Section 6.7, except the provisions in 6.72 which refer to Parking Space Requirements.

Parking may be shared using the shared parking method outlined in Shared Parking

#### 4.13.6.11 Site Amenities

Bicycle parking and loops/racks must be provided on site based on a ratio of 1 bicycle stall per 10 vehicular parking spaces. For those properties within the Off-Street Parking Exemption Area, the number of required bicycle parking stalls will be based on the number of parking spaces that would have been required if the property wasn't exempt based on Section 4.13.6.10. Parking stalls and loops can be located in a designated parking space in the right-of-way is allowed by the Township, in lieu of on-site.

Benches may be required at the discretion of the Planning Commission

## Section 7.3: Site Plan Review

- 7.3.1 Intent and Purpose
- 7.3.2 General Requirements
- 7.3.3 Standards for Site Plan Approval
- 7.3.4 Site Plan Application Requirements
- 7.3.5 Application Submission Procedures
- 7.3.6 Approval, Conditions, and Denial
- 7.3.7 Record of Actions
- 7.3.8 Expiration, Revocation, and Reapplication
- 7.3.9 Amendments and Modifications
- 7.3.10 Fees and Performance Guarantees

### Section 7.3.1 INTENT AND PURPOSE

This Article governs the processes and standards for all uses and structures for which site plan approval is required under other provisions of this ordinance. Site plans for permitted uses and special uses shall be approved by the Planning Commission. Site plans for planned unit developments shall receive a recommendation from the Planning Commission and a final decision by the Township Board.

### Section 7.3.2 GENERAL REQUIREMENTS

#### 1. Site Plan Required

Site plans are required for the following uses:

- A. Any development that would, if approved, provide for the establishment of more than one (1) principal use on a parcel, such as, a single family site condominium or similar project where a single parcel is developed to include two (2) or more sites for detached single family dwellings, excluding accessory dwelling units.
- B. Development of any commercial use and residential use with 2 or more dwelling units.
- C. The development or construction of any accessory uses or structures, except for uses or structures that are accessory to a residential use.
- D. Any use or construction for which submission of a site plan is required by any provision of this Ordinance.
- E. Establishment, expansion, or enlargement of any regulated use unless expressly exempted in this Article.

#### 2. Site Plan Not Required

Site plan approval is not required for the following activities, however, payment of any or all applicable bonds is required for issuance of a land use permit.

- A. Construction, moving, relocating or structurally altering a principal residential structure including any customarily incidental accessory structures.
- B. Excavating, filling, or otherwise removing soil, provided that such activity is normally and customarily incidental to single family uses described in this subsection for which site plan approval is not required.
- C. A change in the ownership of land or a structure.

D. A change in the use of a structure to a use allowed by right in the zoning district in which it is located, provided that no modification to the site is proposed or required by the standards of this Ordinance and that the site maintains full and continuing compliance with these regulations.

E. Permitted home occupations.

### Section 7.3.3 STANDARDS FOR SITE PLAN APPROVAL

The following criteria shall be used as a basis upon which site plans will be reviewed and approved:

1. Adequacy of Information: The site plan shall include all required information in sufficiently complete and understandable form to provide an accurate description of the proposed uses and structures.
2. Site Design Characteristics: All elements of the site shall be harmoniously and efficiently designed in relation to the topography, size, and type of land, and the character of the adjacent properties and the proposed use. The site shall be developed so as not to impede the reasonable and orderly development or improvement of surrounding properties for uses permitted on such property.
3. Site Appearance: Landscaping, earth berms, fencing, signs, walls, structures and other site features shall be designed and located on the site so that the proposed development is maintaining a community ambiance and harmonious with nearby existing or future developments.
4. Compliance with District Requirements: The site plan shall comply with the district requirements for minimum floor space, height of building, lot size, open space, density and all other requirements set forth in Section 4.28 of the Zoning Ordinance, unless otherwise provided in these regulations.
5. Privacy: The site design shall provide reasonable visual and sound privacy. Fences, walls, barriers, and landscaping shall be used, as appropriate, for the protection and enhancement of property and the safety and privacy of occupants and uses.
6. Emergency Vehicle Access: All buildings or groups of buildings shall be so arranged as to permit convenient and direct emergency vehicle access.
7. Circulation: Every structure or dwelling unit shall be provided with adequate means of ingress and egress via public streets and walkways. The site plan shall provide a pedestrian circulation system that is insulated as completely as is reasonably possible from the vehicular circulation system. The arrangement of public and common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets or pedestrian ways in the vicinity of the site. The width of streets and drives shall be appropriate for the volume of traffic they will carry.
8. Parking: The parking provided for an intended use shall meet the standards of Section 6.7 of this Ordinance.
9. Drainage: Appropriate measures shall be taken to ensure that the removal or drainage of surface water will not adversely affect adjoining properties or the capacity of the public drainage system. Provisions shall be made for a feasible storm drainage system, the construction of storm water collection, storage and transportation facilities, and the prevention of erosion. Surface water on all paved areas shall be collected at intervals so that it will not obstruct vehicular or pedestrian traffic and will not create nuisance ponding in paved areas. Final grades may be required to conform to existing and future grades of adjacent properties. Grading and drainage plans shall be subject to review by the Township Engineer.

10. Soil Erosion and Sedimentation: The proposed development shall include measures to prevent soil erosion and sedimentation during and upon completion of construction, in accordance with current Iosco County soil erosion control standards.
11. Exterior Lighting: Exterior lighting shall be designed so that it is deflected away from adjoining properties, visual glare is minimized, and so that it does not impede vision of drivers along adjacent streets.
12. Public Services: Adequate services and utilities, including water, sewage disposal, sanitary sewer, and storm water control services, shall be available or provided, and shall be designed with sufficient capacity and durability to properly serve the development.
13. Screening: Off-street parking, loading and unloading areas, outside refuse storage areas, and other storage areas that are visible from adjacent homes or from public roads, shall be screened by walls or landscaping of adequate height. All walls must be solid and constructed of masonry and shall be subject to the approval of the code official and cannot be located in required setbacks without written authorization from the code official.
14. Danger from Fire and Hazards: The level of vulnerability to injury or loss from incidents involving fire and hazardous materials or processes shall not exceed the capability of the Township to respond to such incidents so as to prevent injury and loss of life and property. In making such an evaluation, the Township shall consider the location, type, characteristics, quantities, and use of materials or processes in relation to the personnel, training, equipment and materials, and emergency response plans and capabilities of the Township. Sites that include significant storage of flammable or hazardous materials or waste, fuels, salt, or chemicals shall be designed to prevent spills and discharges of polluting materials to the surface of the ground, groundwater, and public sewer system.
15. Health and Safety Concerns: Any use in any zoning district shall comply with applicable federal, state, county, and local health and pollution laws and regulations with respect to noise; dust, smoke and other air pollutants; vibration; glare and heat; fire and explosive hazards; gases; electromagnetic radiation; radioactive materials; and, toxic and hazardous materials.
16. Phases: All development phases shall be designed in logical sequence to ensure that each phase will independently function in a safe, convenient and efficient manner without being dependent upon subsequent improvements in a later phase or on other sites.

#### Section 7.3.4 SITE PLAN APPLICATION REQUIREMENTS

An application for site plan review shall be submitted on a form provided by the Township with the required items presented in the table below. Required items shall be demonstrated on the site plan drawings, written narrative/submitted documentation, or both as indicated in the table.

SITE PLAN APPLICATION REQUIREMENTS			
Item	Description	Site Plan	Narrative
1.	The date, north arrow, and scale. Scale shall be as follows: < 3 acres: One (1) inch = fifty (50) feet > 3 acres: One (1) inch = one hundred (100) feet	√	
2.	The boundary lines of the property, to include all dimensions, gross and net acreage, and legal description.	√	
3.	The location and width of all abutting rights-of-way.	√	
4.	The existing zoning district in which the site is located and the zoning of adjacent parcels. In the case of a request for a zoning change, the classification of the proposed new district must be shown.	√	
5.	The location of all existing and proposed structures and uses on the site, including proposed drives, walkways, signs, exterior lighting, parking (showing the dimensions of a typical parking area), loading and unloading areas, common use areas and recreational areas and facilities.	√	
6.	The location and identification of all existing structures within a two hundred (200) foot radius of the site.	√	
7.	Natural features that will be retained, removed, and/or modified including vegetation, hillsides, drainage, streams, wetlands, shorelands, and wildlife habitat.	√	
8.	A landscaping plan with all existing and proposed landscaping, walls and/or fences.	√	
9.	A grading plan showing the topography of the existing and finished site, including ground floor elevations, shown by contours or spot elevations. Contours shall be shown at height intervals of two (2) feet or less.	√	
10.	Location, type and size of all above and below grade utilities.	√	
11.	Type, direction, and intensity of outside lighting shown on a photometric plan in compliance with exterior lighting standards.	√	
12.	Location of any cross access management easements, if required.	√	
13.	Location of pedestrian and non-motorized facilities, if required.	√	
14.	An indication of how the proposed use conforms to existing and potential development patterns and any adverse effects.	√	√
15.	The number of units proposed, by type, including a typical floor plan for each unit, dimensions, and area in square feet.	√	
16.	Elevations for all building facades.	√	
17.	Phasing of the project, including ultimate development proposals.	√	√
18.	Sealed/stamped drawings from a licensed architect, engineer, or landscape architect.	√	

SITE PLAN APPLICATION REQUIREMENTS			
Item	Description	Site Plan	Narrative
19.	The location and description of the environmental characteristics of the site prior to development such as topography, soils, vegetative cover, mature specimen trees, drainage, streams, wetlands, shorelands, or any other unusual environmental features.	√	√
20.	A stormwater management plan showing all existing above and below grade drainage facilities, and proposed plans incorporating low impact development water quality technologies and other best management practices.	√	√
21.	Plans to control soil erosion and sedimentation, including during construction.	√	√
22.	The name and address of the property owner.	√	√
23.	Name(s) and address(es) of person(s) responsible for preparation of site plan drawings and supporting documentation.	√	√
24.	The method to be used to control any increase in effluent discharge to the air or any increase in noise level emanating from the site.		√
25.	Consideration of any nuisance that would be created within the site or external to the site whether by reason of dust, noise, fumes, vibration, smoke or lights.		√
26.	Descriptions of all existing and proposed structures referenced in item 5.		√
27.	The description of the areas to be changed shall include their effect on the site and adjacent properties. An aerial photo may be used to delineate areas of change.		√
28.	General description of deed restrictions and/or cross access management easements, if any or required.		√
29.	The method to be used to serve the development with water.		√
30.	The method to be used for sewage treatment.		√
31.	The number of people to be housed, employed, visitors or patrons, anticipated vehicular and pedestrian traffic counts, and hours of operation.		√
32.	Site photos from the road		√

- A. Upon recommendation by the Zoning Director, the Planning Commission may waive any of the above required items based upon a finding that it is not applicable.
- B. The Planning Commission, Zoning Director, or other party authorized by the Township may request any additional information it deems necessary in the review of a submitted site plan. This additional information shall be requested through the Zoning Director.
- C. Evidence the plan has been submitted for review to all affected jurisdictions, including but not limited to Iosco County Road Commission, District Health Department No.2, Oscoda Township Volunteer Fire Department, Michigan Department of Transportation (MDOT), and Michigan Department of Environment, Great Lakes, and Energy (EGLE), and Michigan Department of Natural Resources (MDNR). If an applicable review is not submitted, statement of a date certain for submission or the reason why their review is

- D. All professionally drawn site plan drawings shall be submitted on three (3) sets of twenty four (24) inch by thirty six (36) inch sheets, ten (10) sets of eleven (11) inch by seventeen (17) inch sets, and in digital PDF format.

### Section 7.3.5 SITE PLAN REVIEW APPLICATION SUBMISSION PROCEDURES

1. Pre-Application Conference

An applicant can request a pre-application conference with the Zoning Director and/or Planner to discuss in general the substantive requirements for the application prior to submittal.

2. Conceptual Review

After a pre-application conference, an applicant may submit an application for conceptual review before the Planning Commission prior to formal submittal of a site plan review application. The purpose is to gather feedback on the proposed land use and potential requirements of the Planning Commission. Feedback provided by the Planning Commission under a conceptual review is non-binding, subject to change, and is not to be construed as a guarantee for approval. A conceptual review does not include a completeness or technical review by the Zoning Director.

3. Completeness Review

All required application materials shall be presented to the Zoning Director's office by the property owner or their designated agent at least twenty-one (21) days prior to the Planning Commission meeting where the site plan will be considered. The Zoning Director shall review the application for completeness in order to determine if the application has been properly submitted and the applicant has corrected all deficiencies. Completeness reviews are solely for the purpose of determining whether the preliminary information required for submission of the application is sufficient to allow further processing and shall not constitute a decision as to whether an application complies with the provisions of this Ordinance.

4. Technical Review

An application determined to be complete will undergo a technical review by the Zoning Director or Township designee to determine compliance with applicable standards. This review may include distributing the plan to other local agencies or departments with jurisdiction for comment on any issues the plans might present and shall result in a report submitted to the Planning Commission with the site plan review application. Once the technical review is complete, the application will be placed on the next regularly scheduled Planning Commission meeting agenda.

### Section 7.3.6 SITE PLAN APPLICATION REVIEW

Site plan review applications shall be reviewed by the Planning Commission or Development Review Committee as determined by the criteria below.

1. Development Review Committee

The Development Review Committee may review and make a decision on a qualifying site plan review application. The Development Review Committee shall consist of the Zoning Director, Planning Commission Chair, a Planning Commissioner and the Economic Improvement Director, and shall perform the duties of the Planning Commission prescribed in this Article when conducting an development review. No part of this subsection shall prohibit the Zoning Director, Development Review Committee or Applicant from requesting the site plan be submitted to the Planning Commission for review and approval. A site plan review application qualifying for development review shall meet all of items A. - D., or item E.



- A. The proposed use is permitted by right in the established zoning district;
  - B. The proposed use will result in less than three thousand (3,000) square feet of new development or construction;
  - C. The proposed use will be located at least five hundred (500) feet from AuSable River and Van Etten Lake.
  - D. The proposed use will generate less than five hundred (500) additional trip ends per day as determined by the proposed land use activity based on the most recent edition of the Trip Generation Manual published by the Institute of Transportation Engineers;
  - E. The proposed use is a shoreline stabilization structure along Lake Huron.
2. **Planning Commission Review**

All other uses requiring a site plan shall be reviewed and decided upon by the Planning Commission.

### **Section 7.3.7 SITE PLAN APPLICATION DETERMINATIONS**

Upon review of a site plan review application, the Planning Commission or Development Review Committee shall make a determination to approve the application, require any conditions it may find necessary, or deny the application.

1. **Approval**

The site plan shall be approved upon determination that it is in compliance with the standards of this Ordinance, other Township planning documents, other applicable ordinances, and state and federal statutes.

2. **Conditional Approval**

The Planning Commission may approve a site plan, subject to any conditions to address necessary modifications, obtain variances, or approvals from other agencies. Conditions imposed shall meet each of the following objectives:

- A. Be designed to protect natural resources, the health, safety, and welfare, as well as the social and economic well-being, of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole;
- B. Be related to the valid exercise of the police power and purposes which are affected by the proposed use or activity;
- C. Be necessary to meet the intent and purpose of the zoning requirements, be related to the standards established in the zoning ordinance for the land use or activity under consideration, and be necessary to ensure compliance with those standards.

3. **Denial**

If the Planning Commission determines that a proposed site plan does not meet the standards of this Ordinance, or otherwise will tend to be injurious to the public health, safety, welfare or orderly development of the Township, it shall deny the application by a written decision which clearly sets forth the reason for such denial.



### Section 7.3.8 RECORD OF ACTIONS

The Township shall keep a record of decisions on all site plans on file in the Clerk's Office. The record shall include the following information:

1. Minutes

All minutes from any meeting where the site plan was considered.

2. Finding of Fact

The decision on a site plan review shall be incorporated in a finding of fact relative to the land use under consideration and shall specify the basis for the decision and any conditions imposed.

3. Final Site Plans

The final site plan shall consist of an electronic pdf version and one (1) full size print set (24" x 36") of the final site plans stamped by a licensed architect, landscape architect, or civil engineer.

A. Approved site plans shall include any required revisions and the date of the revisions. The print set shall be marked "Approved" and signed and dated by the Applicant and Planning Commission Chair.

B. Denied site plans shall be marked "Denied" and signed and dated by Planning Commission Chair.

4. Development Agreement

An approved site plan shall include a site plan development agreement outlining the approved use, any applicable conditions, and procedural process. The development agreement shall be signed by the applicant and Planning Commission Chair.

5. Occupancy

No occupancy or operation of a use and/or structure allowable under an approved site plan review shall be permitted to occur prior to receiving an occupancy permit from the Zoning Director.

### Section 7.3.9 EXPIRATION, REVOCATION AND REAPPLICATION

1. Expiration

A site plan review approved under this Article shall be valid for a period of one (1) year from the date of approval. If the applicant fails to submit an application for a land use permit to the Township for the approved site plan review in that time period, then the site plan review approval shall automatically expire. The applicant may request an extension of the permit by submitting a written request for consideration to the Planning Commission before the expiration date. The Planning Commission may grant one (1) extension for a period of up to one (1) year.

2. Revocation

If a violation of any of the conditions or standards imposed on an approved site plan review is found to exist following inspection, the Zoning Director shall notify the owner of the premises, the applicant of the site plan review, and the Planning Commission that such violation exists and that the site plan review approval will be revoked within fifteen (15) days of such notification. If said violation is not

corrected within fifteen (15) days, the Planning Commission may revoke the permit. Furthermore, such a violation is hereby declared a violation of this Ordinance, subject to all the remedies and penalties provided for within this Ordinance.

**3. Reapplication**

An application that has been denied wholly or in part by the Planning Commission or Development Review Committee may reapply after all bills for the review have been paid in full. Reapplication shall constitute a new application and shall require resubmission of all required materials, payment of all applicable fees, and the establishment of a new escrow account.

**Section 7.3.10 AMENDMENTS AND MODIFICATIONS**

A previously approved site plan may be modified according to the following procedures:

**1. Insignificant Deviations**

The Zoning Director may authorize insignificant deviations in an approved site plan if the resulting use will still meet all applicable standards and requirements of this Ordinance, and any conditions imposed. A deviation is insignificant if the Zoning Director determines it will result in no discernible changes to or impact on neighboring properties, the general public, or those intended to occupy or use the proposed development and will not noticeably change or relocate the proposed improvements to the property.

**2. Minor Amendments**

The Planning Commission may permit minor amendments to an approved site plan if the resulting use will still meet all applicable standards and requirements of this Ordinance, and any conditions imposed unless otherwise requested to be modified, and do not substantially affect the character or intensity of the use, vehicular or pedestrian circulation, drainage patterns, demand for public services, or vulnerability to hazards. The Planning Commission may make a decision on minor amendments upon receipt of an application. Minor amendments are those modifications the Zoning Director determines will have no substantial impact on neighboring properties, the general public, or those intended to occupy or use the proposed development, but exceed the extent to which can be approved as an insignificant deviation.

**3. Major Amendments**

All other requests for amendments to an approved site plan shall be processed in the same manner as a new application. The Planning Commission may impose new conditions on the approval of an amendment request if such conditions are warranted as described in this Article. The holder of the original site plan approval may reject such additional conditions by withdrawing the request for an amendment and proceeding under the existing site plan approval.

**Section 7.3.11 FEES AND PERFORMANCE GUARANTEES**

Fees and performance guarantees associated with the review and approval of a site plan review application shall be consistent with the requirements in Section 10.8.

**ORDINANCE ADDRESSING FLOODPLAIN MANAGEMENT PROVISIONS  
OF THE STATE CONSTRUCTION CODE**

**CHARTER TOWNSHIP OF OSCODA  
COUNTY OF IOSCO  
ORDINANCE NUMBER 2011-246**

An ordinance amending Chapter 16- Floods of the Code of Ordinances of Oscoda Township to affirm an enforcing agency to discharge the responsibility of the Charter Township of Oscoda located in Iosco County, and to designate regulated flood hazard areas under the provisions of the State Construction Code Act, Act No. 230 of the Public Acts of 1972, as amended.

**THE CHARTER TOWNSHIP OF OSCODA ORDAINS:**

Article I of Chapter 16- Floods, of the Code of Ordinances of the Charter Township of Oscoda, is hereby amended to read as follows:

**Article I. In General**

**Section 16-1. Agency Designated.**

Pursuant to the provisions of the state construction code, in accordance with Section 8b(6) of Act 230, of the Public Acts of 1972, as amended, the Building Official of the County of Iosco is hereby designated as the enforcing agency to discharge the responsibility of the Charter Township Of Oscoda under Act 230, of the Public Acts of 1972, as amended, State of Michigan. The County of Iosco assumes responsibility for the administration and enforcement of said Act throughout the corporate limits of the Charter Township of Oscoda.

**Section 16-2. Code Appendix Enforced.**

Pursuant to the provisions of the state construction code, in accordance with Section 8b(6) of Act 230, of the Public Acts of 1972, as amended, Appendix G of the Michigan Building Code shall be enforced by the enforcing agency within the Charter Township of Oscoda.

**Section 16-3. Designation Of Regulated Flood Prone Hazard Areas.**

The Federal Emergency Management Agency (FEMA) Flood Insurance Study (FIS) Entitled "Iosco County, Michigan" (All Jurisdictions) with an effective date of January 6, 2012, and dated June 15, 2022, Flood Insurance Study Number 26069CV000B and the Flood Insurance Rate Map(s) (FIRMS), panel numbers 26069C0120E, 26069C0140E, 26069C0260E, 26069C0270E, 26069C0280E, 26069C0286E and 26069C0287E and dated January 6, 2012 and the Flood Insurance Rate Map(s) (FIRMS) panel number(s) of 26069CIND08, 26069C0120E, 26069C0140F, 26069C0260E, 26069C0270E, 26069C0280F, 26069C0286E, 26069C0287F dated June 15, 2022 are adopted by reference for the purposes of administration of the Michigan Construction Code, and declared to be a part of Section 1612.3 of the Michigan

Building Code, and to provide the content of the "Flood Hazards" section of Table R301.2(1) of the Michigan Residential Code.

#### **Section 4. Repeals.**

All ordinances inconsistent with the provisions of this ordinance are hereby repealed.

#### **Section 5. Publication.**

This ordinance shall be effective after legal publication and in accordance with the provisions of the Act governing same.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

This ordinance duly adopted on \_\_\_\_\_ at a regular meeting of the Oscoda Township Board and will become effective \_\_\_\_\_.

Signed on \_\_\_\_\_ (*Date*) by \_\_\_\_\_ (*Signature*),

Joshua Sutton, Clerk of the Charter Township of Oscoda.

Attested on \_\_\_\_\_ (*Date*) by \_\_\_\_\_ (*Signature*),

Ann Richards, Supervisor of the Charter Township of Oscoda.

OSCODA TOWNSHIP – ZONING ORDINANCE  
ORDINANCE XX OF 2022

An Ordinance to amend the Oscoda Township Zoning Ordinance ~~166~~ 156 pertaining to Accessory Dwelling Units.

Section 1: The following definitions shall be added to Article II: Construction of Language and Definitions, Section 2.2 of Oscoda Township Zoning Ordinance ~~166~~ 165.

**Accessory Dwelling Unit (“ADU”)** A residential living unit on the same parcel on which a single-family dwelling. ~~(is the rest of the sentence is missing?)~~ The ADU provides complete independent living facilities for one or more persons.

**Short-Term Rental (“STR”)** Means the provision of a room, space or dwelling that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than ~~30~~ 31 consecutive days, in exchange for a charge for the occupancy.

Section 2: Accessory Dwelling Units shall be allowed as a Principal Use in the following zoning districts.

Section Number	District	Sub Section	Item
4.4	R-1 Low Density Residential	2.	E. Accessory Dwelling Unit
4.5	WR-1 Wurtsmith Low Density Residential	2	D. Accessory Dwelling Unit
4.6	R-2 Medium Density Residential	2	E. Accessory Dwelling Unit
4.7	WR-2 Wurtsmith Medium Density Residential	2	D. Accessory Dwelling Unit
4.8	R-3 Mixed Residential	2	F. Accessory Dwelling Unit
4.9	WR-3 Wurtsmith Mixed Residential	2	H. Accessory Dwelling Unit
4.10	R-4 High Density Residential	2	L. Accessory Dwelling Unit
4.16	R-T Residential Tourist	2	L. Accessory Dwelling Unit
4.23	AG Agriculture	2	Z. Accessory Dwelling Unit
4.25	NR Natural River District	7	Y. Accessory Dwelling Unit

Section 3: The following Section shall be added to the Oscoda Township Zoning Ordinance ~~166~~ 165.

6.31 Accessory Dwelling Units

Accessory dwelling units (ADU’s) are intended to provide flexible housing options in the Township by allowing homeowners to establish a second dwelling unit on their property. ADU’s are subject to the following standards:

1. ADU’s shall be limited to permitted districts and properties where single-family dwelling units are the principal use.
2. ADU’s shall be subordinate to the single-family dwelling unit.
3. The owner of the property shall live on site, either in the principal dwelling unit or the accessory dwelling unit.
4. ADU’s shall have their own separate entrance, kitchen, sleeping area, and full bathroom facilities.

5. ADU's may be attached to the single-family dwelling unit and may occupy a basement, first floor or second floor of the principal dwelling, or may occupy a separate, detached accessory building in the rear of the principal dwelling unit.
6. All ADU's shall meet applicable building and fire codes.
7. Building materials and designs used on detached ADU's or additions to the principal dwelling for an attached ADU, shall be of similar style as that of the principal dwelling.
8. The minimum size living shall be three hundred (300) square feet.
9. The maximize size shall not exceed nine hundred (900) square feet, or the size of the principal dwelling unit, whichever is less.
10. Manufactured homes or mobile homes shall not be used as an ADU.
11. An ADU shall not be used as a Short-Term Rental.
12. An ADU built on a property which requires a septic sanitary system shall have the property inspected by the District Health Department 2 (DHD2) to ensure that the septic system has the capacity and functionality to accommodate the ADU.
13. An ADU built on property served by public water and/or public sanitary shall be separately metered.
14. An ADU shall conform to the dimensional requirements specified Section 4.28 "Summary Schedules Limiting Height, Bulk, Density and Area by Zoning District."

OSCODA TOWNSHIP – ZONING ORDINANCE  
ORDINANCE XX OF 2022

An Ordinance to amend the Oscoda Township Zoning Ordinance ~~166~~ 165 pertaining to Micro Housing (Tiny Houses).

Section 1: The following definitions shall be added to Article II: Construction of Language and Definitions, Section 2.2 of Oscoda Township Zoning Ordinance ~~166~~ 165.

**Micro Housing** – A residential dwelling unit less than 400 square feet; also referred to as a “Tiny House.”

Section 2: Micro Housing Units shall be allowed as a Special Permit Use in the following zoning districts.

Section Number	District	Sub Section	Item
4.20	F Forest	3.	S. Micro Housing in a Planned Unit Development per Section 5.4.1.3

Section 3: Section 5.4 shall be revised to include the following:

Section 5.4.1 Residential Uses Permitted

3. Planned Unit Development in District F. The following residential uses are permitted: A. Micro Housing subject to the requirements in Section 5.15.

Section 4: Section 5.15 shall be added to Article V

Section 5.15 Micro Housing Planned Unit Development Requirements

The purpose of a Micro Housing PUD is to encourage affordable housing, infill development and sustainable practices. The following requirements shall apply for a Micro Housing planned unit development.

1. The proposed PUD shall comply with the approval process outlined in Article 5; specifically, §5.9, §5.9.1, §5.9.2, §5.10, §5.11, §5.11.1, §5.11.2, §5.11.3, §5.12, §5.13, and §5.14.
2. The minimum lot size for the PUD shall be five (5) acres.
3. A Micro Housing PUD will consist of individual dwelling structure less than 500 square feet.
4. The density will be no more than twenty (20) units per acre.
5. Micro Housing units are not condominiums, multi-family, mobile homes or recreational vehicles. Properties are titled in fee simple.
6. Micro homes must be structurally independent, with no shared foundations or common walls.
7. Small lots may be irregularly shaped, a minimum area of eight hundred (800) square feet, and at least twenty (20) feet wide.
8. There are no yard or setback requirements along alleys, private roads, or between lots within the approved PUD plan.
9. At least fifty percent (50%) open space is required.
10. Design of structures must be approved by the Planning Commission.

11. Appropriate water, waste water and other utilities will be provided as required by the District Health Department 2 (DHD2) and/or Oscoda Township.

Version 1.0 [04.14.2022]



# CHARTER TOWNSHIP OF OSCODA

## Planning Commission

### By-Laws

The following By-Laws hereby adopted by the Oscoda Township Planning Commission to facilitate the performance of its duties as outlined in the Township Planning Act, Public Act 168 of 1959, as amended, Michigan Public Act 33 of 2008 as amended. (Being the Michigan Planning Enabling Act, M.C.L 125.3801, et.seq)

#### Section 1: Officers

- A. **Selection and Tenure:** At the first regular meeting in June of each year, the Planning Commission shall select from its membership a chairperson, vice chairperson and secretary. An elected township official shall not hold office on the Planning Commission. All officers shall serve a term of one year, or until their successors are selected and assume office. All officers shall be eligible for re-election for consecutive terms for the same office.
- B. **Chairperson:** The chairperson shall preside at all meetings, appoint members to committees, assign tasks and perform such other duties as ordered by and deemed necessary by the Township Board.
- C. **Vice Chairperson:** The vice chairperson shall act in the capacity of the chairperson in his/her absence. In the event the office of chairperson becomes vacant, the vice chairperson shall succeed to this office for the unexpired term and the Planning Commission shall elect a successor to the office of vice chairperson for the unexpired term.
- D. **Secretarial Duties:** The Secretary shall execute documents in the name of the Planning Commission, perform the duties listed below and shall perform such other duties as determined by the Planning Commission.
1. **Minutes:** The Secretary and/or <sup>Planning & Zoning Director</sup> ~~Zoning Administrator~~ shall be responsible for a permanent record of the minutes of each meeting and shall have them recorded in suitable permanent records as required by the Township Clerk. The minutes shall contain a clear description of the meeting, including all motions and record of votes, conditions or recommendations made on any action and record of attendance.
  2. **Correspondence:** The Secretary and/or <sup>Planning & Zoning Director</sup> ~~Zoning Administrator~~ shall be responsible for issuing formal written correspondence with other groups or persons as directed by the Planning Commission. All communications, petitions, reports or other written materials received pertaining to the Planning Commission shall be

forwarded to each board member at the earliest opportunity. This includes an annual report of previous year's activities drafted by the Zoning Administrator/Secretary and given to the Planning Commission for review/revision, prior to submission to the Township Board. This report is to include Planning Commission and Zoning Board of Appeals meeting attendance, including work sessions, and training sessions.

Planning?  
Zoning  
Director

3. **Submit:** Per Diem as required.
  4. **First Yearly Regular Meeting:** The first regular meeting of the year (January) will include the regular meeting dates for the upcoming year.
- E. **Alternate Planning Commission Member –**  
A Planning Commission Alternate is a full-fledged member of the Planning Commission, without voting rights, unless an opening occurs. An Alternate may serve on any committee, as appointed by the Planning Commission, without being vetted. Alternates shall be required to attend all meetings and trainings sessions.
- F. **Zoning Board of Appeals–Planning Commission–Representative:** The Planning Commission, being the authoritative Board, has a representative to the Zoning Board of Appeals, which shall be appointed annually by the Planning Commission during their yearly June elections. He/she reports the actions of the Zoning Board of Appeals to the Planning Commission and updates the Zoning Board of Appeals on actions of the Planning Commission.
- G. **Economic Improvement Committee – Planning Commission Representative:**  
The Planning Commission, being the authoritative Board, has a representative to the Economic Improvement Committee, which shall be appointed annually by the Planning Commission during their yearly June elections. He/she reports the actions of the Economic Improvement Committee to the Planning Commission, and updates the Economic Improvement Committee on actions of the Planning Commission.
- H. The Township Board, being the authoritative Board, has a representative to the Planning Commission, which they appoint, and who has the duty of reporting the actions taken by the Township Board back to the Planning Commission. He/she also reports the actions of the Planning Commission back to the Township Board.  
reporting the actions taken by the Planning Commission that relate to the Township Board.

## Section 2: Meetings

- A. **Meetings:** Meetings of the Planning Commission shall be held on the first Monday of each month or as otherwise directed. Unless directed otherwise, all meetings shall take place at the Township Board Room. Robert J. Parks Library
- B. **Notice:** All meetings shall be noticed in accordance with the requirements of the Zoning



**Ordinance.** Meeting notices shall state the purpose, time and location of meetings and shall be posted in accordance with the Open Meetings Act.

- C. All meetings, minutes, records, documents, correspondence and other materials of the Planning Commission shall be open to public inspection in accordance with the Freedom of Information Act, except as may otherwise be provided by law.
- D. Four members of a seven-member Planning Commission shall constitute a quorum for transacting business and taking official action for all matters. The Planning Commission shall not conduct business unless a majority of the members are present.
- E. **Voting:** An affirmative vote of the majority of the Planning Commission membership is required to adopt any part of the ~~Master Plan~~ or amendments to the plan (MCL 125.328). Unless required by statute, other actions or motions placed before the Planning Commission may be adopted by a majority vote of the membership in attendance, as long as a quorum is present. Voting shall be by voice roll call vote. All Planning Commission members, including the Chairperson, shall vote on all matters, but the Chairperson shall vote last (with the exception of a conflict of interest).

- Planning & Zoning Director*
- F. **Agenda:** The ~~Zoning Administrator~~ shall be responsible for preparing an agenda for Planning Commission meetings. The order of business for meetings shall be as follows:

1. Call to Order
2. Pledge of Allegiance
3. Welcome of Guests
4. Roll Call of Members
5. Approval of Minutes
6. Additions to the Agenda *and scheduled*
7. Public Comment Period (for non-scheduled *Y* agenda items)
8. Scheduled Public Hearings/Agenda Items
9. Comments of Planning Commission Members
10. Report of the Zoning Board of Appeals Representative
11. Report of the Township Board Representative
12. Report of the Planning Commission Sub-Committees
13. Report of the Economic Improvement Committee
14. Report of the ~~Zoning Administrator~~ *Planning & Zoning Director*
15. Adjournment

- G. **Public Hearings:** All public hearings held by the Planning Commission must be held as

part of a regular or special meeting of the Planning Commission. The following procedure shall apply to public hearings held by the Planning Commission:

1. Chairperson announces the subject and requests a motion to open the public hearing. All motions throughout the public hearing process will be repeated by the Chairperson along with the names of the Commissioners who made and seconded the motion. All voting shall be done by voice roll call vote.
  2. Chairperson summarizes procedures/rules to be followed during the public hearing.
  3. Applicant/Representative presents his/her request.
  4. All comments regarding the Public Hearing will be directed to the Chairperson. The Chairperson will accept opposing comments (including letters read by the ~~Zoning Administrator~~ *Planning & Zoning Director*) first asking the person's name and address. Once opposing comments have been heard, comments in favor (including letters read by the ~~Zoning Administrator~~ *Planning & Zoning Director*) will be heard in the same manner. All persons will be allowed to speak once. After all persons had the opportunity to speak, the Chairperson can allow questions from the Board. At the discretion of the Chairperson, additional comments may be permitted by the audience prior to the motion to close Public Comment.
  5. Chairperson requests a motion to close the public comment period. *Planning & Zoning Director*
  6. ~~Zoning Administrator~~ provides input/analysis.
  7. Chairperson requests a motion to open a discussion period for the Planning Commission members, who will be individually recognized to speak.
  8. When deliberations are complete, the Chairman asks for a motion to close deliberations.
  9. For Special Land Use Permit cases, all conditions will be read collectively and have a roll call vote for all conditions collectively.
  10. Chairperson asks for a final motion with a roll call vote.
  11. Chairperson informs the applicant of the Board's decision.
  12. Explanation of Appeal Process upon an application denial.
- H. **Special Meetings:** Applicants to the Planning Commission may request a special meeting, of which all costs (as directed by Township Board Resolution) shall be paid by the applicant; if there is more than one applicant, the costs shall be shared equally between all applicants. All public meetings by the Planning Commission will be held in compliance with the Open Meetings Act.

### Section 3: Duties of the Planning Commission

- A. Take such action on petitions, staff proposals and township board requests for amendments to the zoning ordinance and/or master land use plan as required.
- B. Prepare special studies and plans, as deemed necessary by the Planning Commission or Township Board and for which appropriations of funds have been approved by the Township Board, as needed.
- C. Provide assistance to the Township Board for a Capital Improvements Plan.
- D. Site Visits are required and are critical in rendering a proper decision. While visiting a site, some precautions should be used:
  - 1. More than one board member visiting a site at the same time should be avoided. However, the Chairman may authorize a group site visit if necessary. If a group visit is warranted, all comments will be held until the hearing and not discussed previously.
  - 2. Although applicants give members permission to inspect property, members must be cautious not to trespass on adjacent properties without permission, unless they are considered available to the public (such as a shopping center).
  - 3. If a board member cannot avoid contact with the applicant or neighbors, etc., the board member must share information obtained with other members during a public meeting. This will avoid "ex parte" (from one point of view) contact.
- E. Annual Reports will include attendance by <sup>Planning Commission</sup> PC members for all meetings, work sessions, and training sessions.
- F. The Annual Report will include the number of hours of attendance for training each <sup>Planning Commission</sup> PC member, which shall be a minimum of 6 hours per the Township Board, the Authoritative Board.

### Section 4: Resignations and Vacancies

- A. A member may resign from the Planning Commission by sending a letter of resignation to the Township Supervisor, Township Board or the Planning Commission Chairperson. Vacancies, which may be caused by the resignation or removal of a Planning Commission member shall be filled by an alternate, as approved by the Planning Commission. The Alternate shall take the vacant position while maintaining their original tenure.

### Section 5: Conflict of Interest



- A. Planning Commission members shall declare a conflict of interest and may abstain from voting, but may still participate as a member of the Public in a hearing or deliberations on a request when:
1. A relative or other family member is involved in any request for which the Planning Commission is asked to make a decision;
  2. ~~a)~~ The Planning Commission member has a business or financial interest in the property involved in the request or has a business or financial interest in the applicant's company, agency or association;
  3. ~~b)~~ The Planning Commission member owns or has a financial interest in neighboring property. For purposes of this section, a neighboring property shall include any property falling within the notification radius for the proposed development, as required by the Zoning Ordinance or other applicable ordinance, or;
  4. ~~c)~~ There is a reasonable appearance of a conflict of interest, as determined by the Planning Commission member declaring such conflict;
  5. ~~d)~~ A reasonable appearance of a conflict of interest as determined by another Planning Commission member, or another third party shall be discussed. A Planning Commission member can be asked to abstain from voting at the discretion of the Chairperson.
- B. The Planning Commission member declaring a conflict of interest should state the nature of the conflict and whether he or she believes he or she could impartially consider the request before the Commission. The member should individually decide to abstain from any discussion or votes relative to the matter that is the subject of the conflict. The member declaring a conflict should not make any presentations to the Planning Commission as a representative of the proposal.

## Section 6: Amendments

These By-Laws may be amended at any meeting by a vote of at least four members of the Planning Commission, and reviewed in its entirety at the first meeting of May each year and signed by the standing Chairperson.

Adopted by the Oscoda Township Planning Commission on December 2, 2019

Amended by the Oscoda Township Planning Commission on June 1, 2020

Amended by the Oscoda Township Planning Commission on May 2, 2022

Ed Davis

Mimi McDonald, Chairperson  
Oscoda Township Planning Commission