



**Planning Commission
Regular Meeting
July 16, 2024 7:00 p.m.**

1. CALL MEETING TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES
 - June 18, 2024 Regular Meeting
6. CORRESPONDENCE / BOARD REPORTS / PRESENTATIONS
 - A. Thering updates from Board of Trustees
 - B. Buckley updates from ZBA
 - C. Communication from Ben Gunning
 - D. Community and Economic Development Monthly Report
 - E. Other Reports
7. PUBLIC COMMENT: Restricted to (3) minutes regarding items not on this agenda
8. NEW BUSINESS
 - A. Election of Secretary**

 - B. PTXT24-01 Zoning Ordinance Amendments – Section 11 (Signs)**
 - a. Introduction by staff
 - b. Planning Commission discussion and questions
 - c. Deliberation and action (to postpone action for further discussion or to request additional revisions, or to set a public hearing date)
9. OTHER BUSINESS
 - A. Sidewalk and Pathway Construction Policies Update**
 - a. Introduction by staff
 - b. Commission discussion and questions
 - c. Commission deliberation and action (recommendation to the Board of Trustees for approval, approval with additional recommended changes, or rejection)
10. EXTENDED PUBLIC COMMENT: Restricted to (5) minutes regarding any issue
11. FINAL BOARD COMMENT
12. ADJOURNMENT

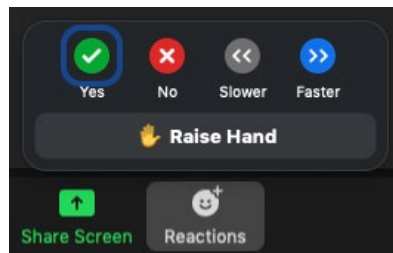
Hybrid Meeting Instructions for the Charter Township of Union Planning Commission

The public can view all Union Township meetings live by clicking on our [YouTube Channel](#). For those who would like to participate, you can do so via Zoom.

[Click here](#) to participate in the Zoom Meeting via computer or smart phone. (Meeting ID Enter “839 8031 3172” Password enter “240465”). Access to the electronic meeting will open at 6:50 p.m. and meeting will begin at 7:00 p.m.

Telephone conference call, dial (312-626-6799). Enter “839 8031 3172” and the “#” sign at the “Meeting ID” prompt, and then enter “240465” at the “Password” prompt. Lastly, re-enter the “#” sign again at the “Participant ID” prompt to join the meeting.

- All public comments for items on the agenda will be taken at the Public Comment and any issue not on the agenda will be taken at the Extended Public Comment section of the Agenda.
- Computer/tablet/smartphone audience: To indicate you wish to make a public comment, please use the “Reactions” icon. **Next, click on the “Raise Hand” icon** near the bottom right corner of the screen.



- **To raise your hand for telephone dial-in participants, press *9.** You will be called on by the last three digits of your phone number for comments, at which time you will be unmuted by the meeting moderator.
- Please state your name and address for the minutes and keep public comments concise.

You will be called upon once all in-person comments have been made, at which time you will be unmuted by the meeting moderator.

Persons with disabilities needing assistance should call the Township office at (989) 772-4600. Persons requiring speech or hearing assistance can contact the Township through the Michigan Relay Center at 711. A minimum of one (1) business day of advance notice will be necessary for accommodation.

Board Expiration Dates

Planning Commission Board Members (9 Members) 3 year term			
#	F Name	L Name	Expiration Date
1-BOT Representative	James	Thering	11/20/2024
2-Chair	Phil	Squatrito	2/15/2026
3-Vice Chair	Ryan	Buckley	2/15/2025
4-Secretary	Vacant		2/15/2025
5 - Vice Secretary	Jessica	Lapp	2/15/2026
6	Stan	Shingles	2/15/2027
7	Paul	Gross	2/15/2025
8	Nivia	McDonald	2/15/2026
9	Thomas	Olver	2/15/2027
Zoning Board of Appeals Members (5 Members, 2 Alternates) 3 year term			
#	F Name	L Name	Expiration Date
1-Chair	Liz	Presnell	12/31/2025
2 -Vice Chair	Richard	Barz	12/31/2025
3- PC Rep	Ryan	Buckley	2/15/2025
4 -	Lori	Rogers	12/31/2026
5 -	Eric	Loose	12/31/2024
Alt. #1	David	Coyne	12/31/2024
Alt #2	Brian	Clark	12/31/2026
Board of Review (3 Members) 2 year term			
#	F Name	L Name	Expiration Date
1	Jeanette	Corbin	12/31/2024
2	Sarvjit	Chowdhary	12/31/2024
3	Bryan	Neyer	12/31/2024
Alt #1	Vacant		12/31/2024
Construction Board of Appeals (3 Members) 2 year term			
#	F Name	L Name	Expiration Date
1	Joseph	Schafer	12/31/2025
2	Andy	Theisen	12/31/2025
3	William	Gallaher	12/31/2025
Hannah's Bark Park Advisory Board (2 Members from Township) 2 year term			
1	Mark	Stuhldreher	12/31/2024
2	John	Dinse	12/31/2025
Chippewa River District Library Board 4 year term			
1	Ruth	Helwig	12/31/2027
2	Lynn	Laskowsky	12/31/2025



Board Expiration Dates

EDA Board Members (9 Members) 4 year term			
#	F Name	L Name	Expiration Date
1-Chair	Thomas	Kequom	4/14/2027
2-VC/BOT Rep	Bryan	Mielke	11/20/2024
3	James	Zalud	4/14/2027
4	Richard	Barz	2/13/2025
5	Robert	Bacon	1/13/2027
6	Marty	Figg	6/22/2026
7	Sarvjit	Chowdhary	6/22/2027
8	Jeff	Sweet	2/13/2025
9	David	Coyne	3/26/2026
Mid Michigan Area Cable Consortium (2 Members)			
#	F Name	L Name	Expiration Date
1	Kim	Smith	12/31/2025
2	vacant seat		
Cultural and Recreational Commission (1 seat from Township) 3 year term			
#	F Name	L Name	Expiration Date
1	Robert	Sommerville	12/31/2025
Mt. Pleasant Airport Joint Operations and Mgmt Board (1 seat from Township) 3 year term			
#	F Name	L Name	Expiration Date
1 - Union Township	Rodney	Nanney	12/31/2026

CHARTER TOWNSHIP OF UNION
Planning Commission
Regular Meeting Minutes

A regular meeting of the Charter Township of Union Planning Commission was held on June 18, 2024, at 7:00 p.m. at the Union Township Hall.

Meeting was called to order at 7:00 p.m.

Roll Call

Present: Buckley, Gross, McDonald, Olver, Shingles, Squattrito, and Thering
Excused: Lapp

Others Present

Rodney Nanney, Community and Economic Development Director; Peter Gallinat, Zoning Administrator; Tera Green, Administrative Assistant

Chair Squattrito designated Commissioner Olver as temporary Secretary.

Approval of Agenda

Gross moved **McDonald** supported to approve the agenda as presented. **Vote: Ayes: 7. Nays: 0. Motion Carried**

Approval of Minutes

Olver moved **Shingles** supported to approve the May 21, 2024 regular meeting minutes as presented. **Vote: Ayes: 7. Nays: 0. Motion carried.**

Correspondence / Reports/ Presentations

- A. Board of Trustees updates by Thering – Gave updates on the May 22nd and June 12th Board of Trustees Meetings.
- B. ZBA updates by Buckley – No updates were given.
- C. Planning Commission acknowledged correspondence from the City of Mount Pleasant with Intent to update the Master Plan
- D. Planning Commission acknowledged correspondence from Ben Gunning and Commissioner Shingles regarding the proposed Sidewalk and Pathway Ordinance
- E. Community and Economic Development Monthly Report
- F. Other Reports

Public Comment

Open 7:12 p.m.

No comments were offered.

Closed 7:13 p.m.

New Business

A. Review of the Proposed Sidewalk and Pathway Ordinance.

- a. Introduction by staff
- b. Commission discussion and questions
- c. Commission deliberation and action (recommendation to the board of Trustees for adoption, adoption with additional recommended changes, or rejection)

Nanney reviewed the memo dated June 11th, 2024 highlighting key elements of the updated ordinance. It was noted that the new Sidewalk and Pathway Ordinance has been developed in

consultation with the Township Engineer and Township Attorney to address the deficiencies identified in Ordinance No. 2009-03. The memo addressed revisions to items brought up during the May 21st meeting.

The commissioners deliberated on the updates, with Commissioner Buckley highlighting the confusion between Ordinance and Policy. There was extensive conversation concerning the language in Section 4.B subsection 4, “the Board of Trustees may also propose a cost-sharing mechanism” and subsection 5 “the Board of Trustees may require a property owner to post a cash deposit in lieu of construction”.

Olver moved **Shingles** supported to recommend to the Board of Trustees that the proposed Sidewalk and Pathway Ordinance with a draft date of June 11, 2024 be adopted as presented with the following change to strike section 4.B.4 and 4.B.5 until a policy is adopted for its implementation. **Roll Call Vote: Ayes: Buckley, Gross, Olver, Shingles, and Squattrito. Nays: McDonald and Thering. Motion carried.**

B. Review of the Sidewalk and Pathway Construction Policy update

- a. Introduction by staff
- b. Commission discussion and questions
- c. Commission deliberation and action (recommendation to the board of Trustees for adoption, adoption with additional recommended changes, or rejection)

Nanney presented the proposed updates to the Sidewalk and Pathway Construction Policies for review and for any recommendations to the Board of Trustees. Nanney highlighted the deficiencies in the current policies, noting the enforcement challenges with the way it is currently written. Nanney then provided a summary of the proposed policies outlined in the document.

The commissioners discussed the proposed changes and expressed that they would like to further discuss this topic at their next meeting before making a recommendation. They also requested to review a map of the designated roads.

Buckley moved **Shingles** supported to postpone action until July 16th for further discussion. **all Vote: Ayes: Buckley, Gross, McDonald, Olver, Shingles, Squattrito, and Thering. Nays: 0. Motion carried.**

Extended Public Comments

Open: 9:22 p.m.

Ben Gunning, 2280 E Broomfield Rd., expressed satisfaction with the discussion at the meeting. Moving forward, it is pertinent to address concerns with the policy regarding eliminating relief in the industrial zones. Mr. Gunning commented on Commissioner Shingle’s email correspondence.

Closed 9:27 p.m.

Final Board Comment

Adjournment – Chair Squattrito adjourned the meeting at 9:27 p.m.

APPROVED BY:

Jessica Lapp – Vice Secretary

(Recorded by Tera Green)

From: [Squatrito, Philip John](#)
To: [Tera Green](#)
Cc: [Rodney Nanney](#); [Peter Gallinat](#)
Subject: FW: [External] Planning Commission Meeting June 18
Date: Wednesday, June 19, 2024 5:04:41 PM

Tera,

Please add this correspondence to the packet for July.

Thanks.

Phil

From: Ben Gunning <ben@thegolfcentermp.com>
Date: Wednesday, June 19, 2024 at 3:35 PM
To: jthering@uniontownshipmi.com <jthering@uniontownshipmi.com>, Squatrito, Philip John <squat1pj@mail.cmich.edu>, Ryan Buckley <buckl1rm@gmail.com>, Paul Gross <grossp93@yahoo.com>, Nivia McDonald <niviamcdonald95@gmail.com>, Thomas Olver <thomas.olver@gmail.com>, Jessica Lapp <jlapp500@yahoo.com>
Cc: Bryan Mielke <bmielke@uniontownshipmi.com>, jbrown@uniontownshipmi.com <jbrown@uniontownshipmi.com>, cbills@uniontownshipmi.com <cbills@uniontownshipmi.com>, Cody Lisa <lcody@uniontownshipmi.com>, jthering@uniontownshipmi.com <jthering@uniontownshipmi.com>, bsmith@uniontownshipmi.com <bsmith@uniontownshipmi.com>, Rice Kimberly <krice@uniontownshipmi.com>
Subject: [External] Planning Commission Meeting June 18

Good Afternoon,

I would like to thank all of you for what I would consider one of the best Planning Commission meetings that I have ever attended. You showed that you were prepared and you made definite strides towards imposing the will of the ownership (the residents) and drafting an Ordinance and Policies that will reflect the community. You followed my Township flow chart and I'm very proud of every one of you.

- Striking Section 4 subsections B4 & 5 from the Ordinance was very important and sends a message to future Administration and Boards.
- I do believe that businesses in the industrial zones should be notified of the elimination of sidewalk relief in those zones. This is a substantial change in policy and they should be notified out of transparency concerns that this change is in the revised policy.
- The other concern is when Commissioner Buckley brought up Construction Costs

vs. Sidewalk Costs and how construction cost calculated if the owner is performing their own labor. I do believe clarity is needed in that regard. The cost involved should be the cost of materials. How do you price one's labor. If the owner is industrious enough to perform their own labor and the project is properly permitted and built to all construction codes then that should be to their benefit.

In closing, the ball is in the Trustees court on the Ordinance and I will continue to be actively involved until conclusion. Last night was how a Township Board is supposed to function and I hope that all of the Trustees take the time to view this meeting and watch how it's done. This also, hopefully, will show other citizens and prospective developers how important it is to be involved in the process instead of standing in the shadows and complaining.

Thank You!

Ben Gunning

The Golf Center

Sent from my iPad



Department Monthly Report

Department: Community and Economic Development

Month/Year: July 2024

Global Ends

- 1.1 Community well-being and the common good
- 1.2 Prosperity through economic diversity, cultural diversity, and social diversity
- 1.3 Health and Safety
- 1.4 Natural environment
- 1.5 Commerce

Prior Month Activities

Economic Development Activities (1.1, 1.2, 1.3, 1.5):

- The Community and Economic Development Director served as Chair for the June meeting of the Mt. Pleasant Airport Joint Operations and Management Board.
- The Community and Economic Development Director and Township Engineer at Gourdie-Fraser Associates are continuing work on evaluation and prioritization of infrastructure improvements for potential new industrial/research/business park development along the US-127 corridor per the state Rural Readiness Grant awarded to the Township for our Master Plan update project.
- The Community and Economic Development Director participated in a Michigan Downtowns Association advocacy committee meeting to consider options for responding to recent bills that would impair future brownfield redevelopment in Michigan.
- The Community and Economic Development Director met with Michigan Department of Transportation officials from the Mt. Pleasant MDOT TSC office to discuss options for completion of the remaining restoration activities related to the 2023 M-20 road reconstruction project.
- The Building Services Clerk supported the Community and Economic Development Director and EDA Board and served as contact person for East DDA District service contractors.
- The Rental Inspector served as the Community and Economic Development Director's representative at the CEDAM conference on low income housing, held 6/4 – 6/7/2024. (1.2)
- The Building Services Clerk worked with landscaping company to get the landscaping improvements started on Pickard at US-127 interchange. (1.5)
- The Building Services Clerk worked with Irrigation company to get controller boxes repaired/restored the irrigation system within the US-127 interchange. (1.1.1.5)

Economic Development Authority (EDA) Board Activities (1.1, 1.2, 1.3, 1.4, 1.5):

- During their June 18, 2024 meeting the EDA Board:
 - Received and accepted the FY2023 audit presentation for the East and West DDA Funds.
 - Approved Malley Construction as the successful bidder to construct a new sidewalk along the east side of Bud St. north from E. Pickard Rd. to connect to Jameson Park.

- Approved Graber and Associates to provide irrigation design advisory services to assist the EDA Board with identifying necessary design elements for a new irrigation system along M-20 within the recently completed construction area.

Building Services (1.1, 1.2, 1.3, 1.5):

- The Building Official provided the following services during the month:
 - 30 Building Inspections (1.3)
 - 10 Permits issued (1.3)
 - 4 Certificate of Occupancy's Issued (1.3, 1.4, 1.5)
 - 1 FOIA Requests (1.1, 1.4, 1.6)
 - Follow up phone calls
- The Building Official met with multiple residents/contractors to answer potential project questions.
- The Building Services Clerk provided the following services during the month:
 - Served as a second Township Hall contact person for the public and helped process payments at counter and through mail.
 - Assisted homeowners and contractors with building permit applications and coordinated with the Building Official, Zoning Administrator, Assessor, and Public Services Department as needed to facilitate timely reviews of permit applications.
 - Administrative support for Rental Inspector
 - Prepared monthly Census and HBA reports for building permits

Rental Inspection Services (1.1, 1.2, 1.3):

- The Rental Inspector is continuing to distribute copies of a flyer he designed to answer questions about common issues that can become rental violations, which has been well-received and appreciated by managers of the various apartment complexes.
- The Rental Inspector is now scheduling both the initial and follow up inspections at the same time for units in large apartment complexes to improve response time and increase efficiencies for all concerned related to completion of any corrective actions. Multiple apartment complex managers have responded that this change has been helpful for them.
- Site visits with inspections or re-inspections at residential complexes, hotels, various single-family units, and other regulated premises (approx. 285 units).
- Inspections on apartment complexes & hotels (fire alarm and sprinkle report reviews).
- Expired certificate scheduling.
- Fielding questions about the rental program in the Township from the community, potential/current landlords, and tenants.
- Informing various departments of items that may be of concern or of note that have been observed throughout the Township (tall grass, construction without permits, site plan verifications, etc.).
- Contacts with local inspectors, enforcement, and fire personnel.
- Working through tenant complaints, working with both parties to get relief.
- Sharing with contacts about our updated Rental Housing Information webpage, as well as sharing the need to contact the office for items that may need other department insight or approvals.
- Building Services Clerk prepared and mailed all invoices for rental certificates due to expire from 6/24 – 12/24 (1.3)
- The Rental Inspector responded to a rental complaint at 1305 E Broomfield. Upon inspection the bathroom wall was testing with over a 40% moisture content and what looked like a mold like substance in the basement. Contacted the landlord and the wall was removed and the mold like substance was remediated. The associated plumbing issues were subsequently resolved.

Zoning Administration Activities (1.1, 1.2, 1.3, 1.4, 1.5):

- The Zoning Administrator provided the following services:
 - (5) Zoning review approval letters for building permit applications.
- The Community and Economic Development Director and Zoning Administrator met with school district representatives to discuss potential development options for MPPS owned property.
- The Zoning Administrator attended online Blight Buster Seminar hosted by MTA.
- The Community and Economic Development Director and Zoning Administrator toured the new County Jail with Township staff and officials.

Ordinance Enforcement Activities (1.1, 1.3):

- 2129 S. Isabella Road. - complaint about tall grass. Owner was notified but failed to correct the violation. Property mowed by the Township at the owner's expense. This matter is now closed.
- 907 Mulberry St. – Existing rental dwelling without a valid certificate. The owner has responded to apply for a rental certification and to complete all required corrections. This matter is now closed.
- 5057 Bertshire - complaint about tall grass. Owner was notified. Front yard has since been mowed, with plans to mow the rear yard shortly. Follow up site visit is planned.
- 143 E. Remus Road. - complaint about unlawful industrial use in the agricultural zoning district. The owner of the business operation responded to notice of the violation to confirm that the unlawful activity has ceased. Follow-up is planned to verify resolution of the violation.
- 5105 E. Kay Street. – junk. The owner of the property is deceased. A family relative responded to notice of the violation to begin clean-up of the site. A follow up site visit is planned to verify completion of the corrective actions.
- 5401 S. Lincoln Rd. – An 1,800 square-foot detached accessory building constructed without a building permit and in violation of applicable maximum height and maximum 1,500 square-foot floor area requirements. The owner applied for and was granted a height variance in May 2023 contingent upon completion of alterations to reduce the building floor area by 300 square-feet. The owner's contractor subsequently secured a building permit for the work, which expired on 1/17/2024 with no activity. Three (3) civil infraction tickets were issued for violation of the conditions of the approved height variance and failure to correct the Zoning Ordinance violation related to maximum floor area for this accessory building. The owner delivered a copy of a purchase agreement for additional land from the neighbor, which if done correctly to increase the total lot area to at least 2.5 acres, would resolve the remaining violations. Once a land combination application for the required acreage of land is submitted and accepted by the Twp. Assessor, this ordinance enforcement matter can be closed.
- 943/975 S. Isabella Rd. – Complaint about chickens at two adjacent legal non-conforming residences on lots in an Industrial zoning district. Notices have been sent to both owners.
- 1651 Airway Dr. – Complaint about chickens at a legal non-conforming residence on a small lot in an Industrial zoning district. The owner has responded to the notice of violation to confirm they are moving and chickens will be removed.
- 386 Bluegrass Road. - Junk in the yard. The elderly owner was notified of the violations and is working with Township staff to complete the removal of junk from the premises.
- 4941 E Valley Rd. – Dilapidated and potentially unsafe dwelling. The owner confirmed that he wants the roof completed but does not have the funds. The Building Official and a contractor are continuing to look into options to help the owner resolve the violations.
- Indian Hills Shopping Center - Owner and contractor were notified of a possible violation related to the approved minor site plan for sidewalk, pedestrian access, and parking lot improvements to the Indian Hills Shopping Center property. A reminder notice has been sent to the owner detailing remaining site plan items to be completed and the timeline for completion established by the owner on the approved site plan.

- Northeast corner of S. Lincoln Rd. and E. Broomfield Rd. – unlawful contractor’s storage yard and unlawful grading/fill activities without a grading permit. The owner claimed a “grandfathered” status as a legal nonconforming use. This matter remains under review by the Township Attorney with additional follow up anticipated.

Planning Commission Activities (1.1, 1.2, 1.3, 1.4, 1.5):

- During their regular June 18, 2024 meeting the Planning Commission:
 - Completed review of the proposed Sidewalk and Pathway Ordinance and recommended the ordinance to the Board of Trustees for adoption.
 - Began discussion of the proposed updates to the 2018 Sidewalk and Pathway construction policies.

Zoning Board of Appeals Activities (1.1):

- The regular Board of Appeals meeting for June was canceled due to a lack of agenda items.

Sidewalks, Pathways, and Parks & Recreation Plan/Program Activities (1.1, 1.2, 1.3, 1.4):

- The 2023 Township Survey Report of Findings, which included several parks and recreation-related questions, is under review by the Community and Economic Development Director for development of updated draft Parks & Recreation Plan elements. (1.1, 1.4)

Other Activities:

- The Community and Economic Development Director attended a Fiscally Ready Communities webinar hosted by the State of Michigan. The webinar recording was subsequently also viewed by the Building Services Clerk – both for professional development.
- The Director meets weekly with the Community and Economic Development Department staff as a group and regularly on an individual basis to provide guidance, coordinate provision of services, ensure good intra- and inter-departmental communication, and identify and resolve issues. (1.1)
- The Building Services Clerk along with the Administrative Assistant coordinated the installation and reconfiguration of the front office. (1.1)
- Building Services Clerk and Administrative Assistant planned and executed a company morale event for the ribbon cutting to celebrate the updated front office. (1.1)

Current Month Anticipated Activities

Economic Development Activities (1.1, 1.5):

- The Community and Economic Development Director will continue business retention contacts.
- The Community and Economic Development Director attended a membership meeting of the VFW on 7/3/2024 to answer questions about the Township’s sign regulations and the EDA Board’s grant program to support modernization of older signage in the DDA districts, and to introduce a proposal to relocate a round planter impacted by the 2023 road construction to a site in front of the VFW Hall.

Economic Development Authority (EDA) Board Activities (1.1, 1.2, 1.3, 1.4, 1.5):

- The regular July 16, 2024 EDA Board meeting agenda is anticipated to include:
 - Introductory meeting with the irrigation design consultant.
 - Possible closed session to discuss purchase of property.

Building Services (1.1, 1.3, 1.5):

- Inspections and follow up as needed for the new Isabella County Jail project. (1.1, 1.3)
- Issuance of a building permit for the Walmart addition.
- Follow up phone calls.
- Continue to do site visits, inspections, issue permits, plan reviews.
- Continued work on expired permit list.

Rental Inspection Services (1.1, 1.2, 1.3):

- The Rental Inspector will:
 - Investigate and follow up on any rental complaints as needed.
 - Continue to collaborate with the Fire Department on hotel rental inspections.
 - Schedule complexes, hotels, as well as duplex and single-family units for inspections.
 - Conduct follow-up inspections to verify correction of violations.
 - Work on expired certificate scheduling as needed.
 - Arrange for site visits as needed for compliance or informational.

Zoning Administration Activities (1.1, 1.2, 1.3, 1.4, 1.5):

- Community and Economic Development Director and Zoning Administrator review of site plan, special use, and other development applications and preparation of staff reports for the Planning Commission regarding Zoning Ordinance compliance.
- Zoning Administrator review of site plan applications eligible for administrative approval.
- Zoning Administrator review of building permits for zoning compliance.
- Zoning compliance letters
- Sign permits
- Continued use of MissDig notifications to catch activity in the Township needing zoning approval.
- Enforcement follow ups
- Yard sales
- Tall weeds and grass enforcement
- The Community and Economic Development Director and Zoning Administrator regularly hold informal pre-application development meetings with developers and business/property owners.

Ordinance Enforcement Activities (1.1, 1.3):

- Ordinance enforcement follow up on current matters and investigation of any new complaints.

Planning Commission Activities (1.1, 1.2, 1.3, 1.4, 1.5):

- The regular July 16, 2024 Planning Commission meeting is anticipated to include:
 - Review and discussion of the proposed Sidewalk and Pathway Construction Policy Resolution for recommendation to the Board of Trustees.
 - Introduction of proposed Zoning Ordinance amendments to Section 11.0 (Signs).

Zoning Board of Appeals Activities (1.1):

- No Board of Appeals meeting scheduled in July.

Sidewalks, Pathways, and Parks & Recreation Plan/Program Activities (1.1, 1.2, 1.3, 1.4):

- The Community and Economic Development Director and the Township's engineering consultant at Gourdie-Fraser are proceeding with attempting to secure easements needed for new sidewalk projects along the:
 - north side of Pickard Rd. east from S. Lincoln Rd. to the existing sidewalk near Ashland Dr.;
 - east side of S. Isabella Rd. from E. Kay St. south to E. Broadway Rd.;

- west side of Bradley St. from E. Remus Rd. (M-20) north to connect to the Mt. Pleasant Middle School at the City-Township boundary; and
- The Township’s engineering consultant at Gourdie-Fraser has begun work for planning construction of a new sidewalk along the south side of E. Bluegrass Rd. from S. Mission Rd. east across the frontage of the Red Lobster parcel to complete a connection to the Indian Pines Shopping Center.

Other Activities:

- The Community and Economic Development Director and Mt. Pleasant City Planner plan to meet remotely via the Teams app to discuss coordination of City/Township projects of mutual interest.
- Under the Community and Economic Development Director’s direction, the Building Services Clerk will continue to coordinate with the file scanning contractor Graphic Sciences to transfer historical documents and files from the basement for scanning. (1.1)
- The Rental Inspector is using his photography skills to capture scenes from around the Township for the purpose of updating the Township website’s photo gallery.

Future Board of Trustee Meeting Agenda Items

- Consideration of an updated Sidewalk and Pathway Construction Policy Resolution for adoption. (1.1, 1.3, 1.5)

Significant Items of Interest Longer Term

- Economic Development – The Community and Economic Development Director will complete and distribute a request for qualifications from sign contractors with the capability to design and install a new gateway sign for the East DDA District to be located at the corner of M-20 and S. Summerton Rd. in cooperation with Mid-Michigan College and Consumers Energy, and to design and install new Enterprise Industrial Park signage at the corner of M-20 and Enterprise Dr.
- Other Activities – The Community and Economic Development Director will begin work to prepare a proposed scope of work and request for proposals from qualified consulting firms to prepare a detailed evaluation of housing needs and priorities in accordance with the approved MSHDA Housing Readiness Incentive Grant to expand the Township’s Master Plan update project.
- Zoning Administration – The Community and Economic Development Director and Zoning Administrator will review the current Zoning Board of Appeals bylaws to coordinate with recent updates to relevant sections of Zoning Ordinance 20-06. (1.1)
- Other Activities - The Community and Economic Development Director and the Township Assessor will be working on developing policy proposals for Board of Trustees consideration to establish updated guidelines for consideration of requests for new or amended Industrial Development Districts and Industrial Facility Tax Exemption (IFTE) applications under Michigan Public Act 198 of 1973, as amended. (1.5)
- Economic Development - The Community and Economic Development Director will expand information on the Township’s website related to development approval processes and pre-application meeting options to further assist the development community. (1.2, 1.5)
- Economic Development – The Community and Economic Development Director will prepare an updated summary document for the website outlining economic development programs and incentives available from the State of Michigan and our DDA Districts for various types of projects. (1.2, 1.5)
- Zoning Administration - The Community and Economic Development Director and Zoning Administrator plan to propose some additional updates to the sign regulations of Zoning Ordinance 20-06 to improve consistency in application and to minimize regulatory conflicts. (1.1)

- Other Activities - Consideration of a new 2023 - 2027 Parks and Recreation Master Plan for adoption, following a recommendation from the Planning Commission and a public hearing. (1.1, 1.2, 1.3, 1.4)
- Building Services - When the county's office situation stabilizes, the Community and Economic Development Director will resume working with the county Community Development Dept. Director to develop a draft reciprocal intergovernmental agreement proposal for Isabella County to provide for residential and commercial building inspection services during vacations. (1.3, 1.5)
- Economic Development - Possible future airport-related Zoning Ordinance changes to create a separate zoning district for the Mt. Pleasant Airport to expand options for airport-related business activities beyond the scope allowed under the current the AG (Agricultural) district. (1.1, 1.5)
- Building Services – The Building Official continues to work in close coordination with the County's plumbing, mechanical, and electrical inspectors on building projects to minimize delays and to ensure that construction meets the applicable health and safety standards. (1.1, 1.3, 1.5)
- PILOT Housing Projects - The Community and Economic Development Director will continue to oversee the administration of the Tax Exemption Ordinance and adopted PILOT resolutions in coordination with the Finance Director and Twp. Assessor to verify continuing compliance by the sponsors of the eligible housing projects. (1.1, 1.2)
- Other Activities – Consideration of new International Fire Code Ordinance for adoption, which would replace Ordinance No. 2014-05 and would reference the updated fire code to be enforced by the Mt. Pleasant Fire Department in both the City and the Township. (1.1, 1.3)
- Other Activities - Consider repeal of the outdated and unenforceable Ordinance 2011-4 for marijuana dispensaries and growing operations (1.1)
- Other Activities - The Community and Economic Development Director will work with the Township Attorney to prepare an updated Noxious Weeds Ordinance for Board of Trustees consideration that improves consistency in applicable regulations of tall grass and weeds. (1.1, 1.3, 1.4)
- Other Activities - The Community and Economic Development Director will work with the Township Attorney and Township Assessor to prepare an updated Land Division Ordinance for Board of Trustees consideration that clarifies application requirements and the division, combination, and boundary adjustment approval process. (1.1, 1.5)
- Other Activities – The Community and Economic Development Director will work with the Township Attorney and Public Services Director to prepare updates to the Township's ordinance establishing rules for our parks. (1.1, 1.3)
- Other Activities – Consider updates to the Township's ordinance on open burning. (1.1, 1.3)
- Other Activities - Consider updates to the Subdivision of Land Ordinance No. 1994-6 for consistency with updates to the state's subdivision plat approval requirements. (1.1, 1.3, 1.5)
- Other Activities – Consider ways to maximize the usefulness, readability, and functionality of the Township website's Announcements, Public Notices, and News features. (1.1, 1.2)
- Other Activities – When the county's office situation stabilizes, the Community and Economic Development Director, the County's Community Development Director, and the City Planner will resume work on creating a unified "regional planning/zoning" theme on the County's FetchGIS website where County, City, and Township zoning district and future land use maps could be displayed together with other relevant data.

TEXT AMENDMENT REPORT

TO: Planning Commission	DATE: July 10, 2024
FROM: Rodney C. Nanney, AICP, Community and Economic Development Director	
APPLICATION: PTXT24-01 Zoning Text Amendment (Charter Township of Union)	
ACTION REQUESTED: To review an initial draft of proposed amendments to Section 11 (Signs) and Section 2.2 (Definitions) of the Zoning Ordinance to consider updates to the standards and requirements for signs in the Township; and to consider setting a public hearing for the proposed amendments.	

Background Information

The Township's current Zoning Ordinance No. 20-06 went into effect on September 21, 2020. During the adoption process, our project consultant noted that with any comprehensive Zoning Ordinance update project, it is expected that some details may be identified for correction as the new ordinance is implemented. Over the past several years, the Planning Commission has reviewed and made recommendations on several sets of text amendments, which were subsequently adopted by the Board of Trustees.

The sign regulations adopted as Section 11 of the new Zoning Ordinance in 2020 represented a comprehensive change from the earlier 1991 Zoning Ordinance. As staff has worked to implement these regulations since 2020, some challenges and regulatory conflicts have been noted. In addition, issues have arisen with regards to somewhat inflexible standards for certain types of signs that in particular have made it harder to modernize or update older signs.

Overall, the current sign regulations have proven to be cumbersome and not well coordinated with the specific needs of the Township. The proposed Zoning Ordinance amendments have been initiated by the Township in response to these issues, with the intent of establishing more flexible standards and updated requirements for various types of signs.

Proposed updates include:

1. Expanding provisions for calculating the signable area of a building to add flexibility and in some cases to create additional signable area for building-mounted signage.
2. Reducing the complexity of the current regulations for freestanding (ground) signs and substantially expand the scope of potential modifiers to sign height, sign area, and setbacks for ground signs based on specific circumstances related to zoning district, lot size, type of development, right-of-way width, and speed of traffic (see Section 11.06).
3. Expanding options for allowable alterations to existing nonconforming signs to make it easier for owners of older signs to update or modernize them in cases where full compliance to all current sign ordinance standards would be impractical (see Section 11.10).

4. Streamlining regulations and expanding the allowance for temporary signage without a sign permit in each of the zoning districts.
5. Clarifying provisions for signage at entranceways (site entry features with signage).
6. Removing the remaining elements of content-based regulation consistent with recent U.S. Supreme Court decisions related to local sign regulations.
7. Updating provisions for sign illumination and electronic message boards.
8. Prohibiting new pylon signs and billboards, based on specific findings and conclusions.
9. Updating and adding new sign-related illustrations.
10. Consolidating the sign-related definitions into Section 2.2 (Definitions).

Project Timetable

Under the requirements of the Michigan Zoning Enabling Act, this Zoning Ordinance amendment is subject to a Planning Commission public hearing and recommendation to the Board of Trustees along with review and comment from the Isabella County Planning Commission.

Key Findings

1. The current sign regulations have proven to be cumbersome and not well coordinated with the specific needs of the Township.
2. The current sign regulations have somewhat inflexible standards for certain types of signs that in particular have made it harder to modernize or update older signs.
3. Staff has identified regulatory conflicts and challenges that would be resolved with the proposed set of amendments.

Recommendations

Based on the above findings, I would ask that the Planning Commission review the proposed set of amendments to the Township's sign regulations and consider taking action to move the proposed amendments forward for a public hearing.

Please contact me at (989) 772-4600 ext. 232, or via email at RNanney@uniontownshipmi.com, with any questions about this information.

Respectfully submitted,

Rodney C. Nanney, AICP, Director

Community and Economic Development Department

CHARTER TOWNSHIP OF UNION
ISABELLA COUNTY, MICHIGAN

ORDINANCE NO. _____

An ordinance to delete and replace in its entirety Section 11 (Signs) of the Charter Township of Union Zoning Ordinance No. 20-06 for the purpose of establishing more flexible standards and updated requirements for various types of signs, and to resolve regulatory conflicts in the current ordinance; to amend Section 2.2 (Definitions) to insert a new definition for “Sign” and associated sub-definitions; and to provide for repeal, severability, publication, and an effective date; all by authority of the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended (MCL 125.3101 et seq.).

THE CHARTER TOWNSHIP OF UNION, ISABELLA COUNTY, MICHIGAN, HEREBY ORDAINS:

PART ONE – Title

This Ordinance shall be known and may be referred to as the “Charter Township of Union Ordinance Number _____, Ordinance Amending the Charter Township of Union Zoning Ordinance.”

PART TWO – Delete and Replace Section 11 (Signs) In its Entirety

The text and illustrations under Section 11 (Signs) are hereby deleted and replaced in their entirety to establish more flexible standards and updated requirements for various types of signs, and to resolve regulatory conflicts in the current ordinance:

Section 11 Signs

Section 11.01 Intent and Purposes.

The primary function of signage, as it relates to this Ordinance, is to identify a particular use or business occupying a lot or building in the Township. The Township further finds that reasonable use of signage promotes commerce in the Township. However, a proliferation of signs would unduly distract or endanger motorists and pedestrians; cause the deterioration of business or residential areas; obstruct vision; negatively impact property values; and reduce the effectiveness of private and public signage. The intent and purposes of this Section 11 (Signs) are to:

1. Promote the health, safety, and welfare of the community by allowing for a broad range, scale, and types of signs and other displays that are of an appropriate design, scale, placement, and manner for their intended purposes of identification or communication.
2. Minimize the proliferation of visual clutter and preserve the appearance of the Township by preventing the placement of oversized signs that are out of scale with surrounding buildings and uses.
3. Establish standards for the construction, alteration, repair, and maintenance of all signs with respect to safety, location, dimensions, height, and method of illumination.
4. Provide for the prompt repair or removal of abandoned, damaged, temporary, and unlawful signs.
5. Ensure that, by reason of their size, location, spacing, construction or manner of display, signs do not endanger life or limb, confuse or mislead motorized or non-motorized traffic, obstruct vision necessary for traffic safety, or otherwise endanger the public health or safety.
6. Protect and enhance the aesthetic appeal of the Township, including the preservation of historic and cultural resources, visual character, and the dark night sky; and the prevention of visual clutter and

blighting conditions caused in part by oversized signs or an excessive concentration of signage that would be out-of-scale with surrounding buildings and uses.

7. Establish standards for signs in the Township that are fully consistent with the liberty of speech of every person, as acknowledged in the Michigan Constitution.

Section 11.02 General Standards.

Signs erected, altered, and maintained in the Township shall conform to the standards of this Ordinance. The following standards shall apply to signs in all zoning districts:

A. Standards of Measurement.

Dimensional standards and measurements for signs shall be subject to the following:

1. Sign height. The distance from the average level of the ground or pavement directly below the sign to the highest point of the sign structure, including any supportive or decorative elements (see illustration).
2. Sign setback. Setbacks shall be measured from the closest road right-of-way or front lot line to the nearest edge of the sign.
3. Sign area. Measurements of allowed sign area shall be in accordance with the following standards:
 - a. The surface area of a sign shall include the total area within a regular geometric figure (circle, triangle, rectangle or square) enclosing the extreme limits of letters, symbols or other materials forming an integral part of the display, plus the surface area of any board, panel, or similar sign copy area to which the letters, symbols or other materials are attached (see illustration).
 - b. For an internally illuminated sign, the entire illuminated surface area of a sign face shall be included in the measurement of sign area.
 - c. Where a sign has more than two (2) sign faces, then the sign area shall equal the total area of all sign faces.
 - d. Where two (2) sign faces are placed more than 18 inches apart at any point, then the sign area shall equal the total area of all sign faces.
 - e. Where two (2) sign faces with identical sign areas are placed back to back no more than 18 inches apart, then the sign area shall equal the area of one (1) face.
 - f. Where two (2) sign faces with different sign areas are placed back to back no more than 18 inches apart, then the sign area shall equal the area of the larger face.
 - g. Multiple sign faces grouped together shall be treated as one sign face for determination of sign area.
4. Signable area. The signable area of a building shall equal the area of the building's street level façade (see illustration), subject to the following:
 - a. The signable area of each building or structure where building-mounted signage is allowed by this Section 11 (Signs) shall be calculated separately.
 - b. For a filling station pump island canopy, drive-through canopy or equivalent structure, the signable area shall equal the area of each vertical wall surface below the roofline facing a public road.
 - c. Where more than one business or use occupies space on the street level façade, the total signable area allowed for the building shall be divided among the businesses or uses in proportion to the size of each occupied space.
 - d. Where a building has two (2) or more street level facades (such as on a corner lot), each street level façade shall be considered as a separate signable area for purposes of this Section 11 (Signs) [e.g. - a building that faces two (2) road rights-of-way shall have two (2) signable areas].

B. Construction and Maintenance.

All signs shall be constructed or installed in compliance with the State Construction Code and other applicable building, fire, and electrical codes; shall be maintained in good repair and working order; and shall present a neat and orderly appearance. All signs shall be of sturdy construction to withstand normal natural elements, and shall be properly maintained at all times. All sign copy areas shall be intact, and illuminated signs shall be capable of immediate illumination. Signs with damaged, incomplete or missing sign copy areas or non-functional or damaged illumination elements shall be classified as damaged signs for purposes of this Section 11 (Signs).

C. Road Rights-of-Way.

No sign shall be located in, project into or overhang a public or private road right-of-way or easement, except signs provided by local, county, state or federal governments, required legal notices, and mailboxes and delivery boxes.

D. Hazards and Obstructions.

Signs shall not be designed or maintained in a manner that would confuse or mislead motorists or pedestrians, create traffic or pedestrian hazards, obstruct free and clear vision or interfere with any traffic control device. No sign shall be erected or maintained so as to prevent ingress or egress from any door, window or emergency exit.

E. Vehicle Signs.

Signs painted on, or otherwise affixed to, trucks, trailers or other vehicles shall be subject to the requirements of this Ordinance for temporary signs unless all of the following conditions are met:

1. The vehicle or trailer has a valid license.
2. The vehicle or trailer is operable and used for transportation, deliveries or services related to the principal permitted use that is the subject of the sign.
3. The vehicle or trailer is actively used in such a fashion that requires it to be transported off the site on a daily basis during business hours.

F. Changeable Copy Area or Electronic Message Board.

A changeable copy area or electronic message board shall be allowed as part of a permitted building-mounted sign, ground sign or billboard sign, subject to the following:

1. The changeable copy area or electronic message board shall be limited to no more than one (1) revolution or change in the display for each ten (10) seconds of time, and no more than six (6) revolutions or changes per minute.
2. To minimize visual distractions and hazards for motorists, pedestrians, and property, animated copy as defined in Section 2.02 (Definitions) shall be prohibited.
3. The permitted changeable copy area or electronic message board of any sign shall at all times conform to the illumination standards of Section 11.02.G. (Illumination).
4. The permitted changeable copy area or electronic message board of a building-mounted sign or ground sign shall not exceed eighty percent (80%) of the total sign area.

G. Illumination.

Internal and external sign illumination shall be allowed, subject to the following:

1. External sign illumination. Where allowed under this Section 11 (Signs), external illumination of signs shall be subject to the following:
 - e. The light source(s) shall be fully shielded to prevent upward illumination or glare, directed towards the sign face, and designed to concentrate all light on the sign copy area (see illustration); and
 - f. The light source(s) shall be arranged and shaded so as not to project onto the public right-of-way, interfere with traffic, or project onto adjacent property.
2. Internal sign illumination. Where allowed under this Section 11 (Signs), internal illumination of signs shall be subject to the following:
 - a. The sign faces shall be more than fifty percent (50%) covered by semi- opaque colors and materials with a color value and saturation of fifty percent (50%) or higher (see illustration).
 - b. Internally illuminated signs shall be equipped with a reduced intensity nighttime setting activated by photocell or timer.
3. Other limitations. Sign illumination shall be provided solely by electrical means or devices, and shall not be of a flashing, intermittent or moving type. Illumination involving searchlights, strings of lights or movement of lights or other devices shall be prohibited.

Section 11.03 Signs Allowed Without a Permit.

The following signs are exempt from Section 11.09 (Sign Permit) requirements, and shall be allowed accessory to a permitted use in any zoning district. Such signs shall be subject to all other applicable standards of this Ordinance:

A. Address Numbers and Nameplate.

All principal buildings shall display their assigned address number in a manner legible from the road right-of-way. In addition, one (1) nameplate shall be allowed per principal building to provide for the further identification of the building, use or occupants. The nameplate shall not exceed four (4) square-feet in area, and shall be attached flat against the building wall.

B. Construction Signs.

Temporary construction signs shall be subject to the following:

Standards	Construction Signs
Maximum number of allowed signs	One (1) sign per road frontage of the development parcel
Minimum required setbacks	Outside of any road rights-of-way and clear vision triangles as defined in Section 4.6 (Clear Vision Triangle); and ten (10) feet from any side or rear lot boundary and the edge of pavement for any internal access drive
Maximum sign area	32.0 square feet per sign
Maximum sign height	6.0 feet
Method of illumination	External light sources only
Display period	Sign(s) may be erected following a minor site plan, final site plan, or final preliminary plat approval, and shall be removed within 14 calendar days of completion of the project's final phase, or upon expiration of site plan or permit approval.

C. Other Temporary Signs.

Temporary signs not otherwise provided for in this Section, subject to the following:

1. Maximum height and sign area. Such temporary signs shall be allowed in accordance with the following table of standards for maximum allowed height and total sign area per lot:

Zoning District or Use	Maximum Total Sign Area	Maximum Sign Height
AG District or customary agricultural operations in any zoning district	32.0 square feet	6.0 feet
All residential zoning districts	16.0 square feet	6.0 feet
B-4, B-5, B-7 or OS Districts	32.0 square feet	8.0 feet
I-1 or I-2 Districts	32.0 square feet	8.0 feet

2. Minimum required setbacks. Such temporary signs shall be located outside of any road rights-of-way and clear vision triangles as defined in Section 4.6 (Clear Vision Triangle); and ten (10) feet from any side or rear lot boundary and the edge of pavement for any internal access drive.
3. Removal. Such signs shall be removed by the property or business owner, agent or person responsible for creating or placing the sign on the lot within five (5) calendar days following completion or discontinuation of the event, action or activity to which the sign pertains.

D. Other Signs and Sign-Related Activities.

The following types of signs and sign-related activities shall be allowed accessory to a permitted use in any zoning district:

1. Painting, servicing, cleaning, normal maintenance, and minor repairs of an existing sign, provided that the approved design is not altered and all work is in compliance with applicable Ordinance requirements.\
2. One (1) window sign accessory to a principal non-residential use not exceeding four (4) square-feet in area and may be illuminated. Additional window signs may be allowed in accordance with Section 11.05 (Building Mounted Signs).
3. Memorial signs, tablets or markers that are cut into the face of masonry surfaces or constructed of bronze or other incombustible materials, and are integrated into the façade wall of a building.
4. Signs of a duly constituted governmental body; signs required to be maintained by law or governmental order, rule or regulation; signs identifying public access, municipal facilities, and similar official markers for the direction, safety or convenience of the public.
5. Traffic safety and control and similar signs that conform to the requirements of the Michigan Manual of Uniform Traffic Control Devices; and essential service signs denoting utilities, hazards, and precautions.
6. Signs on the interior of a building that are not legible from the building exterior.
7. Signs displayed within the interior of an outdoor stadium, ballfield, college campus, recreation area, or equivalent space that are not visible from public road rights-of-way.
8. Changes to sign copy within an approved changeable copy area.
9. Signs carried by or affixed to clothing worn by persons.

Section 11.04 Signs Allowed With a Permit.

The following signs shall be allowed accessory to a permitted use in any zoning district, subject to sign permit approval per Section 11.09 (Sign Permits) and the following:

A. Site Entry Features with Signage.

Site entry features with signage may be erected at the entrance to a residential subdivision, condominium or multiple-family development; manufactured housing park; medical, research, or educational campus; or multi-tenant office, business, or industrial park, subject to sign permit approval per Section 11.09 (Sign Permits) and the following (see illustration):

1. Site entry features may consist of walls, columns, gates, and similar design elements and shall be separate from other permitted signs accessory to uses occupying individual lots.
2. The location and design of any site entry feature with signage shall not interfere with pedestrian, bicycle, or vehicular traffic movement.
3. If the site entry feature is on private property, evidence of a recorded easement shall be provided to the Zoning Administrator as part of any permit application.
4. Site entry features with signage may be located within required yard setback areas, but shall be located outside of any clear vision triangles as defined in Section 4.6 (Clear Vision Triangle).
5. Site entry feature shall be prohibited within any road right-of-way, with the exception of location on a boulevard entrance island in the road right-of-way under the following set of circumstances:
 - a. The nearest edge of the site entry feature with signage shall be set back a minimum of ten (10) feet from the intersecting road right-of-way and shall conform to the requirements of Section 11.02.D. (Hazards and Obstructions). The Zoning Administrator may require additional setback distance to ensure full compliance with Section 11.02.D.
 - b. Documentation of an approved permit from the Isabella County Road Commission, Michigan Department of Transportation or other outside agency with jurisdiction shall be provided to the Zoning Administrator as part of any permit application.
6. A maximum of one (1) sign shall be allowed on a site entry feature per road entrance from a public road classified as a primary roadway by the master transportation plans of the Township, or county or state road authorities, subject to the following:

Standards	Site Entry Features with Signage
Maximum sign area	32.0 square feet per sign
Maximum sign height	6.0 feet
Method of illumination	External light sources only.

B. Incidental Signs.

For any land use subject to site plan approval per Section 14.2.C. (Site Plan Approval Required), a limited allowance for incidental signage shall be permitted subject to sign permit approval per Section 11.09 (Sign Permits) and the following limitations:

1. A maximum of four (4) square-feet per sign.
2. For freestanding incidental signs, a maximum of three (3) feet in height.
3. A maximum of six (6) incidental signs shall be allowed per lot.
4. Incidental signs shall be located outside of any road rights-of-way and clear vision triangles as defined in Section 4.6 (Clear Vision Triangle) and shall be set back a minimum of ten (10) feet from all side and rear lot boundaries. The locations shall not interfere with pedestrian, bicycle, or vehicular traffic movement.

C. Building Directory.

Where a single building on a single lot is occupied by more than one (1) business, dwelling or other use above the street level façade (such as a multiple-tenant office or commercial building), a building directory sign may be erected on the street level façade for these uses, subject to sign permit approval per Section 11.09 (Sign Permits) and the following limitations (see illustration):

1. The maximum sign area shall not exceed three percent (3%) of the signable area of the building.
2. This allowance for a building directory shall be separate from and in addition to any calculation of the allowable area for other building-mounted signs allowed per Section 11.05 (Building-Mounted Signage)..
3. Illumination of such signs shall be limited to external light sources.

Section 11.05 Building-Mounted Signs.

The intent of this Section is to establish consistent and reasonable standards for the location, size and range of permitted types of signs located on buildings in the Township. Building-mounted signs may be erected accessory to non-residential uses in any zoning district, subject to approval of a sign permit in accordance with Section 11.09 (Sign Permits) and the following:

Standards	Type of Permitted Signs			
	Wall	Awning	Projecting	Window
Permit required?	yes	yes	yes	no
Internal or external illumination allowed?	yes	yes	yes	no
Maximum number of sign faces per building-mounted sign	one (1)	one (1)	Two (2)	one (1)
Minimum sign height	none	7.5 feet	8.0 feet	none
Maximum allowed sign area of all building-mounted signs	10% of the signable area of the building space occupied by the use (see illustration)			10% of the street level window surface area

1. Location. The allowance for building-mounted signage cannot be shared or transferred to another building or structure.
2. Painted wall signs. Signs applied with paint or similar substance on an exterior surface of a structure shall be considered a building-mounted sign subject to the standards of this Section. Prior to painting a sign on a wall, the wall surface shall be freshly painted with a continuous base color.
3. Awning signs. Awning signs shall be restricted to the surface area of the awning’s valance, which is the band of material hanging perpendicular to the ground (see illustration). Awning materials for an internally illuminated awning sign shall be opaque, except for any allowed sign area.
4. Projecting signs. A maximum of one (1) projecting sign shall be allowed per use, which shall be securely anchored to the building, shall be pinned away from the wall at least six (6) inches, and shall project from the wall at an angle of 90 degrees for a distance of no more than five (5) feet (see illustration).
5. Window signs. Window signs shall be restricted to interior window surfaces. No window sign shall be allowed to cover more than 50% of a single window opening. A sign permit shall not be required for permitted window signs under this Section.
6. Residential land uses. Building-mounted signs as authorized by this Section 11.05 shall be prohibited accessory to residential land uses in any zoning district.

Section 11.06 Ground Signs.

The intent of this Section is to establish consistent and reasonable standards for the height, location and size of ground signs in the Township. Ground signs may be erected accessory to multiple-family or non-residential uses in any zoning district, subject to approval of a sign permit in accordance with Section 11.09 (Sign Permits) and the following:

A. Ground Sign Standards.

Maximum Ground Sign Height	Minimum Sign Setback from Front Lot Boundaries and Road Rights-of-Way	Maximum Sign Area per Ground Sign	Maximum Number of Ground Signs per Lot
10.0 feet	10.0 feet	40.0 square feet	1.0

1. Setbacks shall be measured from the near edge of the road right-of-way.
2. Ground signs shall be set back a minimum of 20 feet from all side or rear lot boundaries, and any lot boundary abutting lots occupied by residential land uses or within a residential zoning district.
3. Ground signs shall be prohibited accessory to any single-family and two-family dwellings, and within clear vision triangles as defined in Section 4.6 (Clear Vision Triangle).
4. Where a site entry feature with signage has been established at an entrance in accordance with Section 11.04.A. (Site Entry Features with Signage), a ground sign at the same entrance shall be prohibited.

B. Permitted Modifications.

The following modifications to the standards of this Section 11.06 (Ground Signs) have been established to preserve the character and appearance of the Township's lower intensity use districts through more restrictive standards; and ensure that permitted signage is in reasonable proportion to the land use intensity, road right-of-way width, and lot frontage. Modifiers to maximum sign height, minimum setback distance from the front lot boundaries and road rights-of-way, maximum sign area, and maximum number of allowed signs shall be cumulative down each column of the following table, as applied to a particular land use or zoning district:

Permitted Modifiers (cumulative down each column)		Maximum Sign Height	Minimum Sign Setback	Maximum Sign Area per Sign	Maximum Number of Signs
		10.0 feet	10.0 feet	40.0 square feet	1.0
+	Located in the AG District	- 2.0 feet	no change	- 8.0 square feet	no change
	Located in the R-1, R-2A, or R-2B Districts	- 2.0 feet	no change	- 12.0 square feet	no change
	Located in the R-3A, R-3B or R-4 Districts	- 2.0 feet	no change	- 8.0 square feet	no change
	Located in the B-4 or OS Districts	no change	no change	no change	no change
	Located in the B-5 or B-7 Districts	+ 2.0 feet	- 2.0 feet	+ 8.0 square feet	no change
	Located in the I-1 or I-2 Districts	no change	no change	no change	no change
	Sign abuts any public road right-of-way of 43 feet or greater in width as measured back from the centerline to the near edge	+ 2.0 feet	- 2.0 feet	+ 8.0 square feet	no change
	Total lot frontage on all paved public road rights-of-way exceeds 500 feet	no change	no change	no change	+ 1.0 additional sign
	Sign abuts a primary paved road with a 50 miles-per-hour or higher posted speed limit	+ 2.0 feet	no change	+ 8.0 square feet	no change
	Shopping center or similar multi-tenant non-residential building(s) occupied by four (4) or more independent non-residential uses on the lot	no change	no change	+ 8.0 square feet for each independent non-residential use	no change
Total Permitted with Modifiers:		_____ feet	_____ feet	_____ square feet	_____ sign(s)

C. Pylon Signs Prohibited.

The Township has made the following determinations related to pylon signs, which are freestanding signs accessory to commercial services and business operations that are of such height and scale as to be visible and legible at a long distance, and particularly from the US-127 expressway:

1. The placement of additional signs on lots or structures in the Township that exceed the maximum allowed sign height and area standards of this Ordinance for ground signs would result in visual pollution and obstructions of light and air for adjoining lots and uses, and would be inappropriate to the intended character and sound development of the Township.
2. Additional pylon signs adjacent to the US-127 expressway and M-20 state highway would lessen the effectiveness of signs allowed under this Ordinance, exacerbate the visual clutter created by existing signs, compete for the visual attention of motorists, and increase hazards for motorists and pedestrians.
3. Alternative means are available to inform the motoring public of the availability of nearby commercial services and business operations, including mobile applications for smartphones and other digital devices; existing billboard signs in the vicinity of the exit; and use of the Michigan Department of Transportation's Specific Services Signing, Logo Signing, or equivalent MDOT signage program that allows eligible businesses to place their logos on MDOT sign panels located within the US-127 right-of-way near an exit to identify available services and businesses.
4. In accordance with the above findings, new pylon signs shall be prohibited in the Township. Pylon signs lawfully existing in the Township on the date of adoption of this Ordinance shall be allowed to continue, subject to the provisions of Section 11.10 (Nonconforming Signs).

Section 11.07 Billboards.

Billboard signs, as defined in Section 2.02 (Definitions), shall be subject to the following:

A. Findings.

The Township has made the following determinations related to billboard signs:

1. The placement of additional signs on lots or structures in the Township that exceed the maximum allowed sign height and area standards of this Ordinance for ground signs would result in visual pollution and obstructions of light and air for adjoining lots and uses, would lessen the effectiveness of ground signs allowed under this Ordinance, and would be inappropriate to the intended character and sound development of the Township.
2. Billboard signs are not appropriate in the rural areas of the Township and in the AG (Agricultural) zoning district, because they would detract from the visual appearance and rural character that helps to encourage tourism, local sourcing of agricultural food products, and a vibrant rural economy.
3. Billboards are not appropriate in the residential zoning districts, or in the OS (Office Service) zoning district that serves as a transitional zone for adjacent residential areas, because the intense commercial nature of the advertising activity would be harmful to property values and incompatible with quality of life in residential areas.
4. Billboards are not appropriate in or B-4, B-5, and B-7 business zoning districts, because such signs would be incompatible with the intended character of the districts, out-of-scale with permitted structures and ground signage, and incompatible with abutting residential and recreational uses.
5. Display of additional billboard signs along the US-127 expressway would lessen the effectiveness of signs under this Ordinance, exacerbate visual clutter created by existing signage, compete for the visual attention of motorists, and increase hazards for motorists.
6. Billboard signs are not appropriate in areas along the M-20 state highway and along E. Broadway Road, E. Broomfield Road, E. Bluegrass Road, E. Deerfield Road, S. Summerton Road, S. Isabella Road, S. Mission Road, S. Lincoln Road, and those portions of E. Pickard Road and E. Remus Road that are not part of the state highway. These road corridors have multiple existing curb cuts and driveways, and are busy routes for motorists, bicyclists, and pedestrians. A proliferation of billboard signs would exacerbate hazards for bicyclists and pedestrians by creating additional visual clutter and competing for the attention of motorists.
7. Typical levels of billboard illumination would exacerbate local light pollution and glare, which would further inhibit the quiet enjoyment of the night sky by Township residents and visitors.
8. The placement of new billboard signs in the Township is contrary to the purpose of this Section 11 (Signs), the intent and purposes of this Ordinance, and the goals and objectives of the Township's Master Plan.

B. New Billboards Prohibited.

In accordance with the above findings, new billboard signs shall be prohibited in the Township.

C. Existing Billboards.

Billboard signs lawfully existing in the Township on the date of adoption of this Ordinance shall be allowed to continue, subject to the provisions of Section 11.10 (Nonconforming Signs).

Section 11.08 Prohibited Signs.

The following types of signs are prohibited in all districts:

1. Signs that resemble and could be confused with an official highway, traffic or government sign, signal or traffic control device; or that obscure a sign, signal or traffic control device displayed by public authority to provide traffic instruction, direction or public information.
2. Signs painted on or attached to trees, utility poles, fences or streetlights.
3. Signs placed upon or across any road or other right-of-way, except as otherwise provided for in this Ordinance.
4. Signs that incorporate string lights; flashing, moving or intermittent lights of changing degrees or intensity; exposed incandescent bulbs; animation; or unshielded luminous tube lighting.
5. Signs that have any visible moving parts, mechanical movement, rotation, or other apparent visible movement achieved by electrical or mechanical means or by action of normal wind currents; and signs that discharge any audible sound, odor or visible matter.
6. Roof signs, inflatable signs, projecting signs, pylon signs, billboard signs, and portable signs.
7. Building-mounted signs that obstruct window or door openings, inhibit ingress or egress, or interfere with building ventilation.
8. Signs displayed without required permits or outside of allowed size, location or time period limitations.
9. Abandoned or unlawful signs, displays of obscene material on any sign, and any other sign not expressly allowed by this Ordinance.

Section 11.09 Sign Permits.

It shall be unlawful for any person to erect, alter, or relocate any sign, sign structure or sign area subject to permit approval under the provisions of this Section 11 (Signs) without first obtaining all required permits from the Township and paying the required permit fee according to the schedule of fees established by the Board of Trustees. Where a provision of this Ordinance requires approval of a sign permit, such approval shall be subject to the provisions of Section 14.1.A. (Zoning Permit). Other permits may be required in accordance with applicable building and electrical codes. Issuance of a building or electrical permit shall not exempt the permit holder from compliance with the requirements of this Ordinance.

A. Additional Required Information.

In addition to the requirements of Section 14.1.A., the following shall be provided with any sign permit application:

1. Plans of the sign drawn to scale, accurately depicting the sign dimensions, height, location in relation to easements, structures, sidewalks, pathways, and parking areas, and setback distances from lot boundaries and road rights-of-way. If building-mounted signs are proposed, elevation drawings of the building(s) shall be provided showing the height, width, and locations and dimensions of all existing and proposed building-mounted signs.
2. The Zoning Administrator may require a survey of the subject property upon determination that it is necessary to verify lot boundaries, road rights-of-way, easements, setbacks, or other dimensional aspects of the site essential to verifying compliance with the requirements of this Ordinance.
3. Specifications and drawings for the sign showing the materials, design, dimensions, structural supports, and method of illumination.
4. Copies of stress sheets and calculations, if deemed necessary, showing the structure as designed for dead load and wind pressure.
5. Name and address of the person, firm, or corporation owning, erecting, and maintaining the sign.
6. Written consent of the lot or building owner upon which the sign is proposed to be located, or other evidence that the applicant is entitled to erect and maintain the sign as proposed.

B. Signage on an Approved Site Plan.

Signage depicted on a site plan approved per Section 14.2 (Site Plan Review) shall remain subject to the requirement for sign permit approval in accordance with this Section 11.09.

Section 11.10 Nonconforming Signs.

All existing signs that do not conform to the provisions of this Ordinance shall be allowed to continue as nonconforming signs until abandoned or permanently removed, subject to the following:

A. Good Working Order.

Nonconforming signs shall be maintained in accordance with the requirements for all signs specified in Section 11.02 (General Standards), to the maximum extent feasible. Nonconforming signs shall be maintained with all necessary structural and decorative components, including supports, sign frame, and electrical equipment. All sign copy areas shall be intact, and illuminated signs shall be capable of immediate illumination.

B. Servicing.

Painting, servicing, cleaning or minor repairs to a nonconforming sign shall be allowed, provided that the sign is restored to its original design and all work is in compliance with the requirements for all signs specified in Section 11.02 (General Standards).

1. Repair or replacement of a damaged structural support element without removal or alteration of the sign copy area shall be an allowable servicing or minor repair, subject to approval of a sign permit in accordance with Section 11.09 (Sign Permits).
2. Removal or replacement of the existing foundation and structural support elements shall not be allowed as a servicing or minor repair, but may be a permitted alteration where authorized for the type of sign in accordance with the provisions of Section 11.10.C. (Alterations).

C. Alterations.

Alterations to nonconforming signs shall be prohibited, except as follows:

1. Sign copy area. The sign copy area of a nonconforming sign may be altered, including replacement of sign panels and changes to the sign copy, provided that the degree of nonconformity is not increased, and provided that any sign illumination is brought into compliance with the provisions of Section 11.02.G. (Illumination).
2. Sign frame. Alterations to the sign frame of a nonconforming sign shall be allowed, subject to approval of a sign permit in accordance with Section 11.09 (Sign Permits) and the following requirements:
 - a. Any nonconforming sign area shall be maintained or decreased.
 - b. As part of any sign frame alterations to a nonconforming ground sign, any nonconforming sign height shall be maintained or decreased, and any nonconforming sign setback distance from lot boundaries and road rights-of-way shall be maintained or increased.
 - c. Any sign illumination shall be brought into compliance with the provisions of Section 11.02.G. (Illumination).
 - d. The alterations shall conform to the requirements of Section 4.6 (Clear Vision Triangle).
 - e. A nonconforming sign that is located outside of any existing or planned future road right-of-way, as defined by the master transportation plans for the Township, county or state road authorities, and outside of any corner clearance area as defined by Section 4.6 (Clear Vision Triangle), may be converted to an electronic message board, subject to the requirements of Section 11.02.F. (Changeable Copy Area or Electronic Message Board).
3. Ground sign structure or foundation. Alterations to a nonconforming ground sign that include alterations to or replacement of the foundation or any structural support elements shall be allowed, subject to the following:
 - a. The sign shall be located outside of any existing or planned future road right-of-way, as defined by the master transportation plans for the Township, county or state road authorities, and outside of any corner clearance area as defined by Section 4.6 (Clear Vision Triangle).
 - b. Any nonconforming sign area and sign height shall be maintained or decreased, and any nonconforming sign setback distance from lot boundaries and road rights-of-way shall be maintained or increased.
 - c. The alterations shall conform to the requirements of Section 11.02.D. (Hazards and Obstructions). The Zoning Administrator may require the alterations to include increasing the setback distance from

lot boundaries or road rights-of-way upon determination that the increase is necessary to ensure full compliance with Section 11.02.D.

4. Alteration of a billboard sign. A nonconforming billboard sign may be altered, subject to approval of a sign permit in accordance with Section 11.09 (Sign Permits) and the following requirements:
 - a. The sign shall be located outside of any existing or planned future road right-of-way, as defined by the master transportation plans for the Township, county or state road authorities, and outside of any corner clearance area as defined by Section 4.6 (Clear Vision Triangle).
 - b. The existing sign height shall be maintained or decreased, and the existing sign setback distance from lot boundaries and road rights-of-way shall be maintained or increased.
 - c. Any sign illumination shall be brought into compliance with the provisions of Section 11.02.G. (Illumination). A nonconforming billboard sign may be converted to an electronic message board billboard sign, subject to the requirements of Section 11.02.F. (Changeable Copy Area or Electronic Message Board).
 - d. Documentation shall be provided consistent with the State Construction Code enforced by the Township to show that the existing foundation and structural support elements are adequate to support the proposed alterations.

5. Replacement of a damaged or destroyed billboard sign. A nonconforming billboard sign that has been damaged or destroyed may be replaced, subject to approval of a sign permit in accordance with Section 11.09 (Sign Permits) and the following requirements:
 - a. A determination by the Zoning Administrator, based on documentation provided by the sign owner and other resources available to the Township, that the damage or destruction was not caused by neglect or otherwise self-created by the sign owner.
 - b. The replacement or reconstructed billboard sign copy area, foundation, and structural support elements shall match to the maximum extent possible the equivalent elements of the original billboard sign.
 - c. Any sign illumination shall be brought into compliance with the provisions of Section 11.02.G. (Illumination).

D. Loss of Legal Nonconforming Protection.

A nonconforming sign shall be deemed to have lost its legal nonconforming status if it is determined by the Zoning Administrator to have been abandoned, permanently removed, or altered in a manner beyond that authorized by Section 11.10.C. (Alterations).

Section 11.11 Sign Removal by Township Action.

Sign removal by Township action shall be subject to the following procedures and standards:

A. Abandoned, Damaged, and Unlawful Signs.

The Zoning Administrator shall have the authority to determine whether a sign is unlawful, in a damaged condition, or has been abandoned, as defined in Section 2.02 (Definitions), subject to appeal by an aggrieved person to the Zoning Board of Appeals. The Zoning Administrator may order the removal of such signs in accordance with the following:

1. Determination. Written notification of the determination and any order for removal shall be provided by certified mail to the owner, operator or person having beneficial use of the property upon which the sign is located.

2. Repair or removal. Abandoned or unlawful signs shall be removed within 30 calendar days after written notification of a determination and order for removal by the Zoning Administrator. All support structures and components shall be completely removed. Damaged signs shall be repaired or removed within 15 calendar days after written notification of a determination and order for repair or removal by the Zoning Administrator.
 - a. Failure of the property owner to repair or remove the sign as ordered by the Zoning Administrator shall constitute grounds for the Township to seek Circuit Court approval to remove the sign at the property owner's expense.
 - b. The owner shall reimburse the Township for necessary removal costs, or the Township may place a lien on the property for removal expenses.

B. Unsafe Signs.

The Zoning Administrator may order the immediate removal of any sign determined in writing by the Building Official, a structural engineer or equivalent professional to be unsafe:

1. Failure of the property owner to remove the sign as ordered by the Zoning Administrator shall constitute grounds for the Township to seek Circuit Court approval to remove the sign at the property owner's expense.
2. The owner shall reimburse the Township for necessary removal costs, or the Township may place a lien on the property for removal expenses.

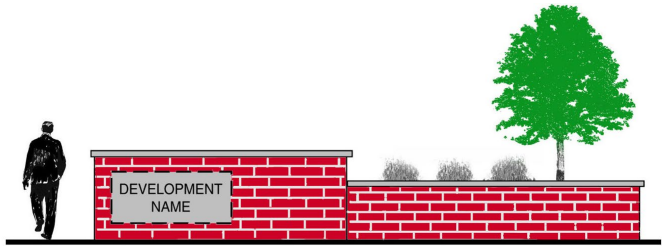
C. Nonconforming Signs.

The elimination of nonconforming signs in the Township is hereby declared to be for a public purpose and for a public use. The Township may purchase nonconforming signs for the purpose of removal, or may initiate condemnation proceedings for nonconforming signs determined to be in violation of Section 11.10 (Nonconforming Signs) requirements.

D. Temporary Signs.

The owner, agent or person responsible for creating or placing the sign on the lot shall immediately remove such signs determined by the Zoning Administrator to be in a damaged or unsafe condition. Failure to remove a sign in such condition shall be considered a violation of this Ordinance. Temporary signs affixed within a road right-of-way or clear vision triangle may be removed by the Township without notice. Signs removed shall be held by the Township for five (5) calendar days and then may be discarded.

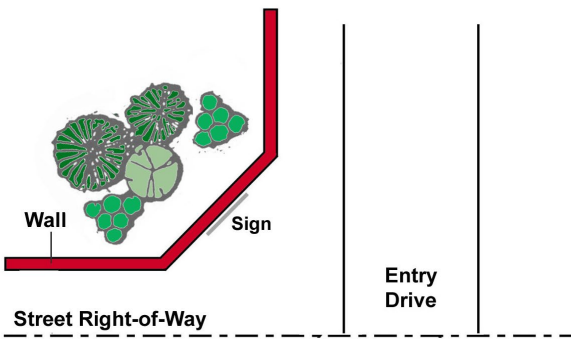
ILLUSTRATIONS



Single-story Building

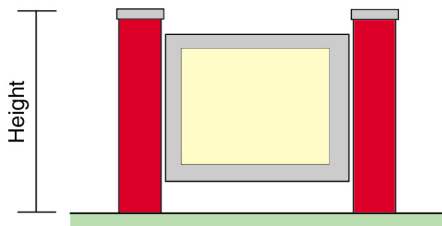


Multiple-story Building

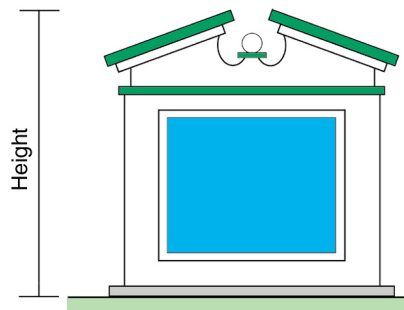


Signable Area

Site Entry Feature With Signage

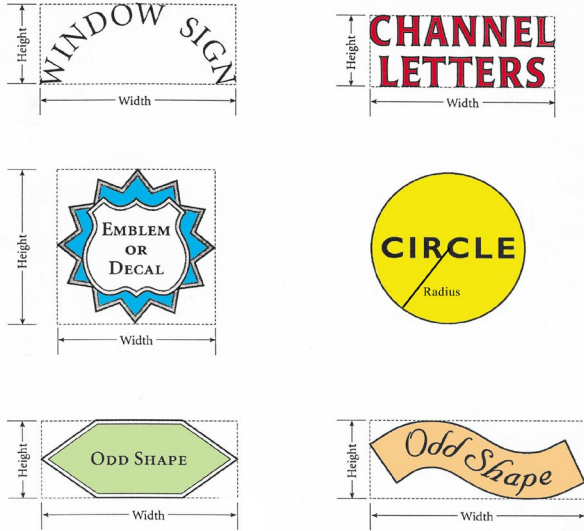


Sign Height

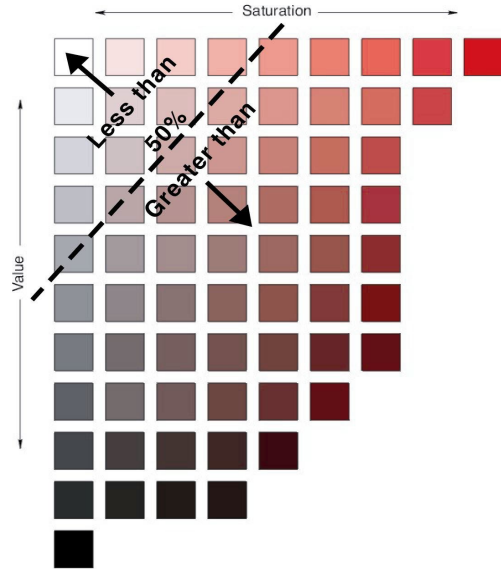


Projecting Sign

ILLUSTRATIONS



Computation of Sign Area



Color Value and Saturation

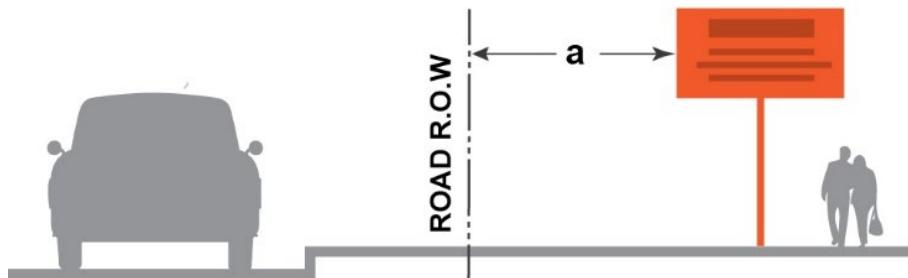


External illumination only



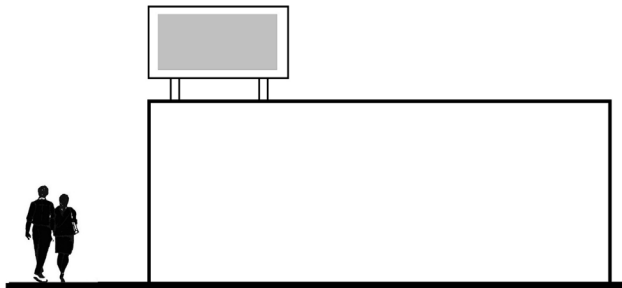
Internal illumination permitted

Sign Illumination

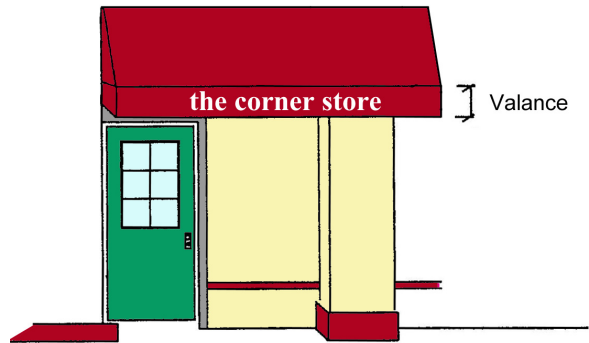


a = required setback

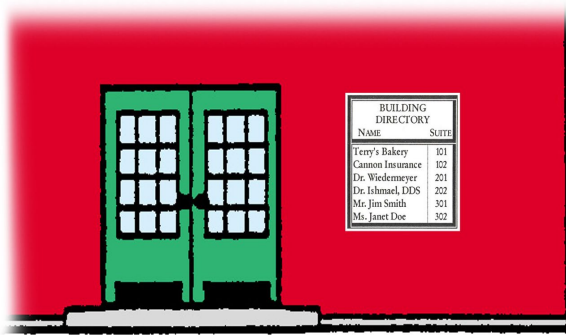
ILLUSTRATIONS



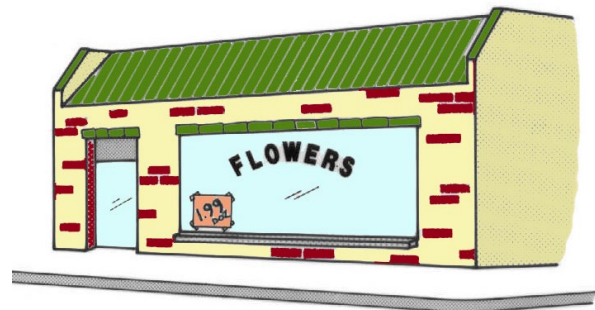
Roof Sign



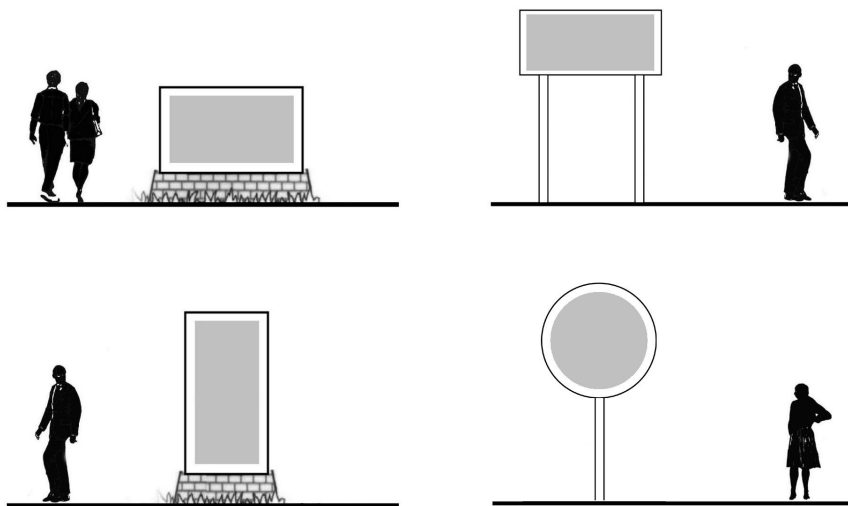
Awning Sign



Building Directory



Window Sign



Various Types of Ground Signs

PART THREE – Revise Section 2.2 (Definitions) to add new sign-related definitions

Section 2.2 (Definitions) is hereby revised to insert a new definition for “Sign” and associated sub-definitions, as follows:

Section 2.2 Definitions.

Sign. Any surface, fabric, device, display, structure, fixture, placard, or similar visual medium, including all component parts, which bears writing, representations, emblems, graphic designs, logos, trademarks, pictorial forms, sculptured matter or any figures of similar character or the purpose of conveying information, or informing or attracting the attention of persons. Signs shall include banners, bulbs, other lighting devices, streamers, pennants, balloons, propellers, flags or similar devices. Unless otherwise indicated, the definition of “sign” includes interior or exterior signs that are visible from any public road, sidewalk, alley, park or public property, but not signs that are primarily directed at persons within the premises where the sign is located.

- A. Abandoned Sign. A sign accessory to or associated with a use that has been discontinued or terminated for more than 365 calendar days.
- B. Accessory Sign. A sign that pertains to the principal use of the premises.
- C. Billboard. Signs that do not pertain to the principal use of the premises, or that advertises businesses, products, services, facilities or events not sold, distributed or furnished on the premises on which the sign is located. Also referred to as “outdoor advertising,” or “off-premises signs.”
- D. Building-Mounted Sign. A display sign that is painted on, adjacent to or attached to a building wall, door, window or related architectural feature.
 - a. Awning Sign. A sign that is painted or printed on, or attached to an awning or canopy.
 - b. Building Directory. A wall sign where individual occupants of a building whose space is not located on the street level façade may display information directing visitors to their portion of the building.
 - c. Projecting Sign. A display sign attached to or hung from a structure projecting from and supported by the building, and extending beyond the building wall, building line or road right-of-way line.
 - d. Roof Sign. Any sign erected or maintained on or above the roof of the building, or that extends above the roofline.
 - e. Wall Sign. A sign painted on, or attached parallel to the exterior surface of a building wall, door, window or related architectural feature and extending not more than two (2) feet from the wall with no copy on the sides or edges.
 - f. Window Sign. A sign affixed to or installed inside a window so as to be observable from the exterior of the building.
- E. Clearance. The vertical distance between the surface grade beneath the sign and the lowest point of the sign, including framework and embellishments.
- F. Color Value. The perception of an internally illuminated color’s lightness or darkness or a description of the overall intensity or strength of the light through the illuminated color, expressed as a ratio or percentage.
- G. Damaged Sign. A sign or supporting structure that is torn, defaced, dented, smashed, broken, vandalized or destroyed.
- H. Decorative Display. A decorative, temporary display designed for the entertainment or cultural enrichment of the public and having no direct or indirect sales or advertising content.
- I. Ground Sign. A freestanding sign supported by one or more columns, uprights or braces in the ground surface, or mounted directly to a base with no clearance between the established grade and the bottom of the sign.

- J. Nameplate. A small wall sign accessory to the address numbers of a building for the purpose of identifying the building, occupants or uses.
- K. Noncombustible Material. Any material that will not ignite at or below a temperature of 1,200 degrees Fahrenheit and will not continue to burn or glow at that temperature.
- L. Nonconforming Sign. A sign which was erected legally, but which is not in compliance with current Ordinance provisions for signs. The definition of “nonconforming sign” shall not include any sign located within a road right-of-way, or any sign that is missing necessary structural and functional components.
- M. Saturation. The dominance of hue in the color, expressed as a percentage of the dominant wavelength to other wavelengths in the color.
- N. Sign Area. The gross surface area within a single continuous perimeter enclosing the extreme limits of all sign copy or surface of any internally-illuminated sign, awning or canopy. Such perimeter shall not include any structural or framing elements lying outside the limits of such sign and not forming an integral part of the display.
- O. Signable Area. The area of each street level portion of a principal building’s front facade wall, including doors and windows, facing a public road.
- P. Sign Copy. Writing, representations, emblems, logos, pictorial forms, sculptured matter or any figures of similar character, together with any frame, tower or other materials, color or internally-illuminated area forming an integral part of a display to convey information or attract attention.
 - a. Animated Copy. Sign copy that flashes, moves, revolves, cycles or is otherwise altered or changed by mechanical or electrical means at intervals of less than once per minute.
 - b. Changeable Copy. Moveable letters or other forms of sign copy, not including animated copy, which can be altered by manual, mechanical or electrical means without replacing the sign copy area, at intervals of once per minute or longer.
- Q. Sign Height. The vertical distance measured from the average grade at the sign location to the highest point of the sign.
- R. Site Entry Feature with Signage. A sign located at the entrance to a residential development, industrial park or similar development for the purpose of identifying an entrance, defining a gateway or creating a common identity for the development.
- S. Temporary Sign. Display signs, banners, balloons, festoons or other advertising devices constructed of cloth, canvas, fabric, plastic or other light temporary material, with or without a structural frame or any other sign intended for a limited period of display, but not including decorative displays for holidays or public demonstration.
 - a. Banner. A temporary sign made of fabric or other non-rigid material with no enclosing framework.
 - b. Festoons. A string of ribbons, tinsel, small flags or pinwheels.
 - c. Inflatable Sign. Any air filled or gas filled object tethered to a fixed location and used as a means of directing attention to any business, profession, commodity, service, product or entertainment.
 - d. Portable Sign. A type of temporary sign not permanently affixed to the ground or structure and consisting of two vertically-oriented sign faces linked at the top by hinges or similar devices and forming an inverted “V” shape when displayed. Also referred to as a “sandwich board” sign.
- T. Unlawful Sign. A sign for which no valid permit was issued by the Township at the time such sign was erected or a sign that is not in compliance with the current zoning ordinance and does not meet the definition of a nonconforming sign.
- U. Unsafe Sign. A sign that is not properly secured, in danger of falling or otherwise in a condition that is hazardous to the public health, safety or welfare.

Draft Date: July 3, 2024

PART FOUR – Repeal

All ordinances or parts of ordinances in conflict with the provisions of this amendatory ordinance, except as herein provided, are hereby repealed only to the extent necessary to give this amendatory ordinance full force and effect.

PART FIVE – Severability

If any section, subsection, clause, phrase or portion of this amendatory ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion thereof.

PART SIX – Publication

The Clerk for the Charter Township of Union shall cause this amendatory ordinance to be published in the manner required by law.

PART SEVEN – Effective Date

This amendatory ordinance was approved and adopted by the Charter Township of Union Board of Trustees, Isabella County, Michigan, on _____, 2024, after initiation and a public hearing by the Planning Commission on _____, 2024 as required pursuant to the Michigan Public Act 110 of 2006, as amended, and after introduction and a first reading by the Board of Trustees on _____, 2024 and publication after such first reading as required by Michigan Act 359 of 1947, as amended. This amendatory ordinance shall be effective on _____, 2024, which date is more than seven days after publication of the ordinance as is required by Section 401(6) of Act 110 of 2006, as amended, provided that this effective date shall be extended as necessary to comply with the requirements of Section 402 of Act 110 of 2006, as amended.

TO:	Planning Commission	DATE:	July 3, 2024
FROM:	Rodney C. Nanney, AICP, Community and Economic Development Director		
PROJECT:	Updates to the 2018 Sidewalk and Pathway Construction Policies		
ACTION REQUESTED:	To review the revised set of proposed Sidewalk and Pathway Construction Policies and to make recommendations to the Board of Trustees for final action.		

Background Information

In 2017 the Township re-established the Sidewalks and Pathways Prioritization Committee in accordance with Section 5.0 of the Sidewalk and Pathway Ordinance No. 2009-03. A previous version of this committee established shortly after the adoption of Ord. No. 2009-03 had been disbanded and inactive for the previous five years. The 2017 Committee was charged with identifying on a map the “designated streets” where sidewalk implementation should be prioritized. They were additionally tasked with creating a policy to provide guidance for the Planning Commission to follow when considering requests for “provisional” or temporary relief from sidewalk construction under certain circumstances. By March of 2018 the Committee had completed both tasks. The Board of Trustees adopted the Sidewalk and Pathway Construction Policy in April of 2018.

The Policy Document is not an Ordinance

The 2018 policy document is not an ordinance, but rather a set of guidelines to follow to assist with implementation of the Sidewalks and Pathways Ordinance in the most effective and equitable manner. Ord. No. 2009-03 requires sidewalks or pathways to be constructed throughout the without any caveats or limitations. It is not a zoning ordinance, so there are no “grandfathered” or legal nonconforming situations protected from the general application of the requirements of this ordinance across the Township.

Before the 2018 policy, there were many times when the discussion of sidewalks would dominate Planning Commission site plan reviews. The 1991 Zoning Ordinance required sidewalks to be constructed, but the Planning Commission struggled with the timing of sidewalk construction on a project-by-project basis. After the 2018 policy was approved it was generally used by the Planning Commission as a tool to guide them through the issue of sidewalks and site plan reviews. Township staff would inform future applicants about the policy and the criteria needed to request relief from sidewalk construction. This significantly shortened site plan reviews and allowed the Planning Commission to be more consistent with addressing the sidewalk issue.

For all the good the policy provided the Planning Commission, it was not perfect. From its inception, there were some planning commissioners who took issue with the policy being adopted by the Board of Trustees instead of the Planning Commission. This was done because Ord. No. 2009-03 requires that the Committee make recommendations to the “Township Board.” Another common request made by some commissioners to the Board representative on the Planning Commission was that they would like to see some direction from the Board of Trustees regarding the sidewalk issue.

Finally, concerns have been periodically raised about where the 2018 policy appeared to prohibit any granting of provisional or temporary relief from sidewalk construction along designated streets. In fact, this is not actually the case. As a policy document, it does not “prohibit” any action but rather sets guidelines for decision-making. Although the granting of temporary relief is certainly discouraged by the 2018 policy along the designated streets, there have been at least two instances where the Planning Commission determined that it was appropriate to do so. There are also two relatively recent instances (both along E. Broomfield Rd. east of S. Lincoln Rd.) where property owners could have requested that temporary relief from sidewalk construction be granted in relation to their project but they chose not to do so.

Lack of Enabling Authority for the 2018 Policy

Public Act 246 of 1931, as amended, authorizes the Board of Trustees to order or direct the construction of sidewalks or pathways in designated areas of the Township. It is within this scope that the 2018 Sidewalk and Pathway Construction Policy was established. However, our current Ord. No. 2009-03 does not actually include any specific authorization for this policy. This is a deficiency that is proposed to be corrected in the proposed new Sidewalk and Pathway Ordinance.

Deficiencies in the Current Policy

The 2018 Sidewalk and Pathway Construction policy has been the subject of Planning Commission discussion during various meetings over the years, usually in relation to specific site plan projects. The following is a summary of some of the concerns that have been noted:

- Interest in potentially amending the list of designated streets (to add or to remove).
- The 2018 policy does not address where a pathway would be preferred over a sidewalk.
- The 2018 policy does not address the necessity for securing easements where a sidewalk or pathway must be located outside of the road right-of-way.
- Granting relief and tracking relief granted is problematic for cases “*where no car-pedestrian injury or fatality, due to the need of the pedestrian to walk in the roadway, has occurred for a distance of 1 mile in either direction of the development.*” The Township has no effective mechanism to collect and track crash data for this. In addition, any crash data or accident report we might secure from the County Sheriff's Office or the State Police through a Freedom of Information Act request would not be expected to include any determination by the accident investigator about “*the need of the pedestrian to walk in the roadway.*”
- The blanket guideline to grant relief for development “*located on a property zoned industrial*” is counterproductive to the Township’s planning goals and the Board of Trustees’ adopted Global Ends policies related to establishing a regional sidewalk network and promoting economic development. Non-motorized transportation connections between homes and employment centers should actually be a high priority of this policy to be consistent with the adopted Global Ends policies and the Master Plan. The lack of sidewalks in industrial areas means that employees who live within reasonable walking distances are not able to safely walk or bike ride to work.
- The guideline for granting relief related to development on “an unimproved road” needs to be clarified, as the Township has no seasonal or “unimproved” roads in its jurisdiction. There

would be benefit to tying relief consideration to rural private roads and to areas of the Township designated in the Master Plan as Rural Preservation or Rural Buffer areas.

- Generally, a sidewalk cannot end at an intersection where two roads meet without the construction of a landing area on the other side. The policy does not address this. In practice, developers are then required by law to construct a landing on property that does not pertain to their development or to which they have control or permission for the work.

Summary of the Board of Trustees’ Direction related to the Proposed Ordinance

During their 6/26/2024 regular meeting, the Board of Trustees introduced and held a First Reading for the proposed new Sidewalk and Pathway Ordinance, which included review and discussion of the Planning Commission’s motion to recommend adoption of the Ordinance subject to removal of subsections “B.4.” and “B.5.” from Section 4.0 of the proposed Ordinance. As part of their First Reading discussion, the Board of Trustees requested revisions to Section 4.0, subsection “A.” of the proposed Ordinance to expand the scope of the implementation policy language to include cost sharing guidance (see the marked-up excerpt below showing the Board’s requested revisions).

Section 4.0 Construction-Related-Timing Policies, Orders, and Assessments.

The Board of Trustees shall have the following authority pursuant to this Ordinance:

A. Adoption of Sidewalk or Pathway Construction Policies.

The Board of Trustees may from time to time adopt or amend by resolution a general policy governing the design, funding, and timing of sidewalk or pathway construction in designated areas of the Township, provided that:

1. This policy may include allowances for temporary relief from sidewalk construction under specific circumstances or in certain designated areas.
2. This policy may include guidelines for additional sidewalk or pathway width in designated areas of the Township based on existing or anticipated intensity of usage.
3. This policy may designate certain areas for pathway construction instead of sidewalks.
4. This policy may include cost sharing guidance to assist the Board of Trustees in decisions related to funding for construction of public sidewalks and pathways.
5. This policy shall not conflict with this Ordinance, other Township ordinances, or the Township’s adopted Master Plan and other adopted planning documents.
6. Prior to adoption or amendment, the proposed policy resolution shall be provided to the Planning Commission with a request for review and recommendations for action.

These revisions to subsection “A.” have been integrated into the proposed Ordinance presented for a Second Reading and Board of Trustees consideration for adoption during their upcoming 7/10/2024 regular meeting. The Board of Trustees did not request any other changes, so the remainder of Section 4.0 remains the same as the version reviewed by the Planning Commission.

Summary of the Proposed Policy Updates, as Revised

During their 6/26/2024 meeting, there was a general consensus among the Board of Trustees to invite the Planning Commission to consider and make recommendations on proposed policy language to provide *“cost-haring guidance to assist the Board of Trustees in decisions related to funding for construction of public sidewalks and pathways.”*

With these changes and direction in mind, staff has prepared an updated draft of the proposed Sidewalk and Pathway Construction Policy resolution for Planning Commission review. Changes

from the initial draft resolution (reviewed during your 6/18/2024 regular meeting) are highlighted in underline and ~~strikethrough~~ text. The updated policy resolution document includes the following key elements:

- 1. Cost-sharing guidance to assist the Board of Trustees.** Consistent with the Board of Trustees' direction, a new subsection "E." has been added to the updated draft resolution, which is entitled, "*Funding Priorities for Sidewalk or Pathway Construction.*" The highest priority is proposed to be public/municipal and associated grant funding, followed by developer/property owner funding of projects subject to site plan, subdivision plat, or equivalent development plan approvals.

Subsection "E.3." of this policy proposes to make clear that the "lowest priorities for funding...would be through property owner cost-sharing, posting of a cash deposit in lieu of construction, payment to have public sidewalks or pathways constructed at their own expense, or reimbursement to the Township for construction costs over a five-year period..."
- 2. List of designated roads.** No changes have been made to the proposed list of designated roads in the initial draft reviewed on 6/18/2024.
- 3. Temporary relief on designated roads.** Subsection "B.3." of the guidelines for temporary relief has been updated per the Planning Commission's direction.
- 4. State or county requirements for off-site improvements.** No changes have been made to the proposed guidelines included in the initial draft resolution to address how requests for temporary relief should be considered in cases where road authority requirements may necessitate off-site sidewalk or pathway construction.
- 5. Authority to grant temporary relief.** The updated resolution retains the same proposed language as the initial draft in subsection "B.7.," which adds authority for the Zoning Administrator to grant or reject temporary relief in cases where a site plan is subject only to administrative approval.
- 6. Easements.** Only a minor typographical change has been made to the proposed guideline from the initial draft that the Planning Commission should work with applicants to try to secure recorded necessary easements for sidewalk or pathway construction even in cases where temporary relief is granted.
- 7. Pathway construction.** No changes have been made to the proposed guideline from the initial draft to give direction for when a pathway is preferable to a sidewalk, which prioritizes pathway construction based on the Township's adopted planning documents.

Objectives

To review and make any recommendations to the Board of Trustees for final action on the proposed Sidewalk and Pathway Construction Policy Resolution to guide implementation of the new ordinance. Consistent with the proposed ordinance, this proposed policy resolution would be subject to Board of Trustees approval after recommendation by the Planning Commission.

Board of Trustees Goals Addressed

Board of Trustees goals (Ends or desired outcomes) addressed by this proposed policy resolution
(From Policy 1.0: Global End):

1. **Community well-being and common good**
3. **Safety and Health**
5. **Economic Development**

Adoption of the updated policy resolution would help facilitate the effective use of resources (1.0) and to help guide extension of a network of safe and accessible routes for pedestrians, bicyclists, and others (1.3.1). The updated sidewalk and pathway construction policies are consistent with commerce-friendly economic development policies (1.5).

Recommendations

For this item, the Planning Commission serves as a recommending body to the Board of Trustees.

Following review and deliberation, I recommend that the Planning Commission consider taking action by **motion to recommend to the Board of Trustees that the proposed Sidewalk and Pathway Construction Policy Resolution with a revision date of July 3, 2024 be adopted as presented** or be adopted with the following additional changes:

Please contact me at (989) 772-4600 ext. 232, or via email at rnanney@uniontownshipmi.com, with any questions about this information.

Respectfully submitted,

Rodney C. Nanney, AICP

Community and Economic Development Director

**CHARTER TOWNSHIP OF UNION
ISABELLA COUNTY, MICHIGAN**

**RESOLUTION OF THE BOARD OF TRUSTEES TO ESTABLISH
SIDEWALK AND PATHWAY CONSTRUCTION POLICIES**

At a regular meeting of the Board of Trustees for the Charter Township of Union, Isabella County, Michigan held on the _____ day of _____, 2024:

WHEREAS, on _____, 2024, the Board of Trustees adopted a new Sidewalk and Pathway Ordinance No. 24-02 in accordance with the requirements of the Charter Township Act and after review and recommendation by the Planning Commission; and

WHEREAS, Section 4.0 (Construction-~~Related~~-~~Timing~~ Policies, Orders, and Assessments) of the new Ordinance No. 24-02 states in part that, “*The Board of Trustees may from time to time adopt or amend by resolution a general policy governing the design, funding, and timing of sidewalk or pathway construction in designated areas of the Township;*” and

WHEREAS, the Planning Commission reviewed the current policy for granting provisional relief from sidewalk construction under certain circumstances, which was adopted in 2018, and determined that updates are warranted.

NOW, THEREFORE, LET IT BE RESOLVED that sidewalk and pathway construction policies are established to guide implementation of the Sidewalk and Pathway Ordinance No. _____, as follows:

A. Identification of Designated Roads for Sidewalk or Pathway Construction.

1. The following are the “Designated Roads” where located within the boundaries of the Township for purposes of implementing policies that apply specifically to designated road corridors:
 - a. E. Pickard Road from S. Summerton Road west to S. Lincoln Rd.
 - b. E. Broadway Road from S. Summerton Road west to S. Lincoln Road.
 - c. E. Remus Road/High Street from US-127 west to S. Lincoln Road.
 - d. E. Broomfield Road from S. Isabella Road west to the City of Mt. Pleasant boundary.
 - e. E. Broomfield Road from Crawford Road west to S. Lincoln Road.
 - f. E. Blue Grass Road from S. Isabella Road west to S. Mission Rd.
 - g. S. Isabella Road from E. River Road south to E. Blue Grass Road.
 - h. Crawford Road from E. Broomfield Road south to E. Deerfield Road.
 - i. S. Lincoln Road from E. Pickard Road south to the Chippewa River.
 - j. S. Lincoln Road from the Chippewa River south to E. Broomfield Road.
2. These Designated Roads were identified to complete the sidewalk and pathway network; to connect with City of Mt. Pleasant, Saginaw Chippewa Indian Tribe, and Central Michigan University property and facilities; and to connect residential areas to local and regional schools, parks, activity centers, employment centers, retail, business, health care facilities, religious institutions, civic buildings, and community services.

B. Policy for Granting Temporary Relief from Sidewalk or Pathway Construction.

Temporary relief of sidewalk or pathway construction may be granted under the following circumstances:

1. The land is designated in the Township’s adopted Master Plan for Rural Preservation or Rural Buffer, provided that:
 - a. The land is also located in an AG (Agricultural) or R-1 (Rural Residential) zoning district; and
 - b. The land is not served by both municipal water and sanitary sewer and any associated development project on the land does not require such services.
2. Less than 50% of the surveyed section(s) of the Township along the road(s) fronting the proposed development has sidewalks. If on a corner lot, the mile will extend in both directions along the frontage roads. Once the threshold has been met the sidewalk or pathway shall be required to be constructed within 365 calendar days.
- ~~3. If the cost of the sidewalk or pathway construction exceeds 50% of the estimated total project construction cost, as prepared by the project engineer or architect and subject to review and recommendation by the Township Engineer.~~
3. If the cost to construct the sidewalk or pathway is greater than 50% of the overall project construction cost, based on detailed cost estimates prepared by a civil engineer, architect, licensed builder, paving contractor, or similarly qualified professional. The estimates shall be subject to review and recommendation by the Township Engineer.
4. The requirements of the state or county road authority with jurisdiction would necessitate off-site construction of a sidewalk ramp or curb return on the opposite side of a public road to complete the sidewalk or pathway construction project.
 - a. In such cases, temporary relief may be limited to construction of the sidewalk ramps or curb returns within the public road right-of-way.
 - b. If full relief from construction is granted, the sidewalk or pathway should be required to be constructed within 365 calendar days following installation of the necessary sidewalk ramps or curb returns.
5. The development is located on a private road serving rural single-family dwellings in an AG (Agricultural) or R-1 (Rural Residential) zoning district and outside of the boundaries of any subdivision plat or condominium development.
6. For parcels of land identified with frontage on a Designated Road, such temporary relief may be granted based on any of the above circumstances, provided also that a paved shoulder or equivalent improvement of at least four (4) feet in width either:
 - a. Exists along 50% or more of the surveyed section(s) of the Township along the road(s) fronting the proposed development; or
 - b. Construction is planned by the road authority with jurisdiction to be completed before the end of the next construction season.

7. For ~~development or construction~~ projects where a site plan is subject to administrative review and approval by the Zoning Administrator (such as a minor site plan as authorized by the Zoning Ordinance, No. 20-06, as amended), the Zoning Administrator shall also have authority to grant or reject any request for temporary relief from sidewalk or pathway construction. If rejected, the applicant may submit a written request to the Planning Commission for reconsideration of the request for temporary relief. In such cases, the Planning Commission's action is final.

C. Easements for Sidewalk or Pathway Construction.

In any case where temporary relief from sidewalk or pathway construction is granted for a project subject to site plan approval under the Township's Zoning Ordinance No. 20-06 as amended, such relief should be made contingent upon the landowner authorizing and recording ~~of~~ any easements on the land at the County Register of Deeds Office needed to allow for future construction of the sidewalk or pathway as depicted on the site plan.

D. Designated Areas for Pathway Construction.

Where sidewalks and pathways are required to be constructed in the Township, a pathway design shall be the preferred wherever a road corridor or other area of the Township is designated on a Township planning document for planned future pathway construction. Such planning documents shall include but not be limited to the adopted Township Master Plan and any sub-area plans, the adopted Township Parks and Recreation Master Plan, any regional non-motorized transportation plans accepted by the Township, or any plans associated with an adopted intergovernmental agreement or Board of Trustees resolution addressing sidewalks or pathways.

E. Funding Priorities for Sidewalk or Pathway Construction.

It is the general policy of the Board of Trustees to prioritize cost-sharing methods to fund sidewalk and pathway construction projects in the Township as follows:

1. Charter Township of Union General Fund and East/West DDA Funds as budgeted and appropriated for public sidewalk and pathway projects planned for and constructed by the Township consistent with the Board of Trustees' Global Ends, supplemented by grant funding where available and consistent with the Board of Trustees' governance policy 2.7 (Ends of Focus of Grants).
2. Developer/property owner funding of new sidewalk and pathway construction to provide necessary barrier-free pedestrian accessibility to and within a lot subject to development or alteration in accordance with an approved site plan, subdivision plat, or equivalent development plan.
3. The lowest priorities for funding of public sidewalk and pathway projects would be through property owner cost-sharing, posting of a cash deposit in lieu of construction, payment to have public sidewalks or pathways constructed at their own expense, or reimbursement to the Township for construction costs over a five-year period as authorized by Public Act 246 of 1931, as amended.

Draft Date: July 3, 2024

The foregoing resolution was offered by _____ and supported by _____.

Upon roll call vote, the following voted:

<u>Board of Trustees</u>	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
Supervisor Bryan Mielke	_____	_____	_____	_____
Clerk Lisa Cody	_____	_____	_____	_____
Treasurer Kim Rice	_____	_____	_____	_____
Trustee Connie Bills	_____	_____	_____	_____
Trustee Jeff Brown	_____	_____	_____	_____
Trustee Brian Smith	_____	_____	_____	_____
Trustee James Thering	_____	_____	_____	_____

RESOLUTION DECLARED ADOPTED.

Bryan Mielke, Supervisor

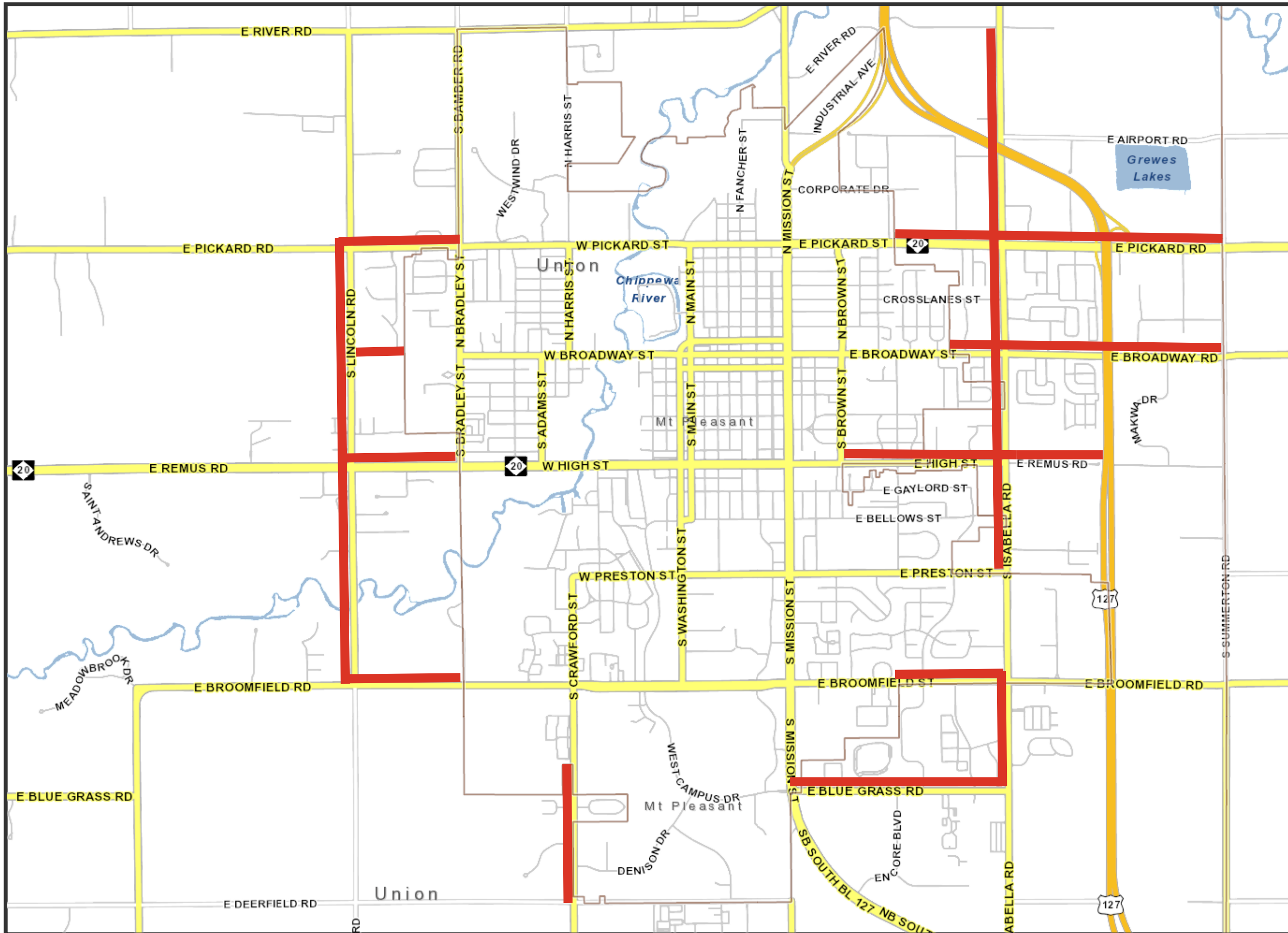
Date

CERTIFICATION

I, Lisa Cody, Clerk for the Charter Township of Union, do hereby certify that the foregoing is a true and complete copy of the action taken by the Board of Trustees at a regular meeting held on the _____ day of _____, 202___. I further certify that public notice was given and the meeting was conducted in full compliance with the Open Meetings Act (Public Act 267 of 1976, as amended).

Lisa Cody, Clerk

Certification Date



Designated Roads

Proposed Sidewalk and Pathway Policy Resolution



Map Publication:
07/05/2024 9:29 AM

 Designated Road

 City boundary



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FetchGIS 