

**NOTICE OF PUBLIC HEARING
ON PROPOSED AMENDMENTS TO THE
LAKETOWN TOWNSHIP ZONING ORDINANCE**

TO: CITIZENS AND RESIDENTS OF THE TOWNSHIP OF LAKETOWN, ALLEGAN COUNTY, MICHIGAN

PLEASE TAKE NOTICE that on the 7th of December, 2011, a public hearing will be held by the Laketown Township Planning Commission in the Township Hall of Laketown Township, 4338 Beeline Road, Holland, Michigan 49423, at 7:00 p.m., local time, to hear and consider proposed amendments to the text of the Laketown Township Zoning Ordinance, as set forth in Chapter 38 of the Laketown Township Code of Ordinances. The amendments pertain to:

1. Site plan review requirements;
2. The creation of the C-3 Highway Commercial District and the MU Mixed Use District;
3. Area regulations;
4. Existing lots of record;
5. Signs; and
6. Parking and loading spaces.

The proposed amendments also reference the Highway Commercial District and Mixed Use District Guidelines, which are available for review and which are subject to amendment from time to time.

The tentative text of the proposed amendments to the Laketown Township Zoning Ordinance may be examined by any person at the Township Hall of Laketown, 4338 Beeline Road, Holland, Michigan 49423 (telephone: 616-335-3050), on any day of the week except Saturdays, Sundays and holidays, between the hours of 7:30 a.m. and 5:00 p.m.

The Township will provide necessary and reasonable auxiliary aids and services at these hearings, such as signers for hearing impaired persons and audio tapes of printed materials for visually-impaired persons, upon receipt of seven days' prior notice. Disabled persons requiring such auxiliary aids or services should so notify the Township by contacting the Township Clerk.

Dated: November 11, 2011

Al Meshkin, Manager
Laketown Township

ORDINANCE NO. _____

ZONING TEXT AMENDMENT ORDINANCE

AN ORDINANCE TO AMEND CHAPTER 38, THE ZONING CHAPTER IN THE CODE OF ORDINANCES FOR LAKETOWN TOWNSHIP, ALLEGAN COUNTY, MICHIGAN, SPECIFICALLY PERTAINING TO SITE PLAN REVIEW; THE ZONE DISTRICTS; THE R-3 MEDIUM DENSITY RESIDENTIAL DISTRICT; THE C-1 NEIGHBORHOOD BUSINESS DISTRICT; THE C-2 GENERAL BUSINESS DISTRICT; THE C-3 HIGHWAY COMMERCIAL DISTRICT; THE MU MIXED-USE DISTRICT; EXISTING LOTS OF RECORD; PARKING AND LOADING SPACES; SIGN REGULATIONS; AND AN EFFECTIVE DATE.

THE TOWNSHIP OF LAKETOWN, COUNTY OF ALLEGAN, STATE OF MICHIGAN ORDAINS:

Section 1. Site Plan Review. Section 38-60(1), regarding site plan review, of Article II of Chapter 38 shall be restated in its entirety as follows.

- (1) A site plan shall be submitted to the planning commission for any use permitted in the C-1, C-2, C-3, MU, or I-1 zoning districts.

Section 2. Zone Districts. Section 38-162, regarding zone districts, of Article III of Chapter 38 shall be restated in its entirety as follows.

Sec. 38-162. Zone districts.

The township is hereby divided into the following zoning districts.

- (1) AG Agricultural District.
- (2) R-1 Rural Estate District.
- (3) R-2 Low Density Residential District.
- (4) R-3 Medium Density Residential District.
- (5) R-4 Mobile Home Park Residential District.
- (6) C-1 Neighborhood Business District.
- (7) C-2 General Business District.
- (8) C-3 Highway Commercial District.
- (9) MU Mixed Use District.
- (10) I-1 Industrial District.

- (11) FP Floodplain District.

Section 3. R-3 Use Regulations. Section 38-266(2) and (3), regarding site plan review of R-3 Zoning District uses, of Article III of Chapter 38 shall be restated in their entirety as follows.

- (2) Multifamily dwellings, if the site plan is reviewed by the planning commission in accordance with division 2 of article II of this chapter.
- (3) Nursing homes, senior citizen housing, foster care facilities, and similar group housing if the site plan is reviewed by the planning commission in accordance with division 2 of article II of this chapter.

Section 4. C-1 Zoning District - Required Conditions. Section 38-332, regarding required conditions in the C-1 Zoning District, of Article III of Chapter 38 shall be eliminated in its entirety, and reserved for future use.

Section 5. C-1 Zoning District - Area Regulations. Subsection (3)a and Subsection (4) of Section 38-334, regarding area regulations in the C-1 Zoning District, of Article III of Chapter 38 shall be restated in their entirety as follows (the balance of Section 38-334 shall remain as currently stated).

- (3) *Rear Yard.*

- (a) Subject to subsection (4) below, which shall control if applicable, where the rear of a lot in a C-1 zoning district abuts upon the side yard of a lot in any R zoning district or AG zoning district, there shall be a rear yard of not less than 25 feet.

...

- (4) *Screening and building location.* Side yards and rear yards adjoining any lot in the AG or any R zoning district shall be adequately screened. An adequate screen would be a solid wall or tight bound fence six feet in height. Alternatively, an adequate screen would be two staggered rows of evergreen trees, at least six feet in height and planted eight feet apart (i.e., from tree center to tree center). No building used for commercial purposes shall be located closer than the height of the building or 50 feet, whichever is greater, to any property line adjoining any lot in the AG or any R zoning district.

Section 6. C-2 Zoning District. Section 38-359 of Article III of Chapter 38 shall be restated in its entirety as follows.

Sec. 38-359. Height regulations and area regulations.

The height regulations for the C-1 zoning district (as set forth in section 38-333) and the area regulations for the C-1 zoning district (as set forth in section 38-334) are incorporated herein for the C-2 zoning district, as if set forth in their entirety.

Section 7. C-3 Zoning District. Division 8A shall be added to Article III of Chapter 38 to state in its entirety as follows.

DIVISION 8A. C-3 HIGHWAY COMMERCIAL DISTRICT

Sec. 38-360. Description and purpose.

This zoning district is intended as a mixed-use district containing a wide range of high quality retail, office, recreation, hospitality and open space uses. This zoning district is intended to allow greater flexibility in the range of permitted land uses and promote a high quality of development through the establishment of specific standards that are consistent with the Blue Star Highway Sub Area Master Plan.

Sec. 38-361. Use regulations.

Land, buildings or structures in this zoning district may be used for the following purposes:

- (a) Private and public schools, libraries, museums, art galleries and similar uses.
- (b) Parks, playgrounds, community centers, governmental, administration, or service buildings.
- (c) Religious institutions.
- (d) Funeral homes.
- (e) Offices for the following professions and occupations: executive, administrative, scientific, scholarly, artistic, architectural, engineering, insurance, medicine, dentistry, accounting, law, secretarial, drafting, designing, real estate, sales, and other similar professions and occupations.
- (f) Research, development and testing laboratories and offices.
- (g) Retail commercial establishments and retail service establishments, provided the number of such stores may not exceed three per building. No building which houses one or more such establishments may exceed 75,000 square feet or be located on a lot exceeding three acres.
- (h) Banks and financial institutions, with or without drive-in service.

- (i) If granted a special use permit by the planning commission based upon a consideration of the factors in article II, division 3 of this chapter, any of the following uses:
- (1) On-site dry cleaning and laundry facilities;
 - (2) Restaurants, including drive-throughs and drive-ins;
 - (3) Florist and gift shop, including nursery;
 - (4) Hotels and motels;
 - (5) Parking lots;
 - (6) Retail commercial establishments or retail service establishments which exceed three stores in a building;
 - (7) One or more retail commercial establishment or retail service establishment housed in a building which exceeds 75,000 square feet or is located on a lot exceeding three acres;
 - (8) Other uses not specifically listed above but similar to those allowed by right or by special use permit.

Sec. 38-362. Height regulations.

No building or structure shall exceed 35 feet in height. Buildings or structures exceeding 35 feet in height may be permitted if authorized as a special use by the planning commission based upon a consideration of the factors in article II, division 3 of this chapter.

Sec. 38-363. Area regulations.

No building or structure nor any enlargement shall be erected except in conformance with the following yard, lot area and building coverage requirements.

- (a) Front yard. In all cases, there shall be a front yard of not less than 50 feet, unless a lesser front yard is authorized as a special use by the planning commission based upon a consideration of the factors in article II, division 3 of this chapter.
- (b) Side yard. Except for corner lots, each side yard shall be not less than 25 feet, unless a lesser side yard is authorized as a special use by the planning commission based upon a consideration of the factors in article II, division 3 of this chapter.
- (c) Rear yard. The following rear yard requirements must be met, unless a lesser side yard is authorized as a special use by the planning commission based upon a consideration of the factors in article II, division 3 of this chapter.

- (1) Subject to subsection (d) below, which shall control if applicable, where the rear of a lot in a C-3 zoning district abuts upon the side yard of a lot in any R zoning district or AG zoning district, there shall be a rear yard of not less than 25 feet.
- (2) In all other cases, there shall be a rear yard of not less than 10 feet.
- (3) No accessory building shall be allowed closer than five feet from the rear lot line.
- (d) Building location. No building used for commercial purposes shall be located closer than the height of the building or 50 feet, whichever is greater, to any property line adjoining any lot in the AG or any R zoning district.
- (e) Lot area. The minimum lot area shall be 35,000 square feet and the minimum lot width shall be 110 feet, unless a lesser area or width or both are authorized by a special use by the planning commission based upon a consideration of the factors in article II, division 3 of this chapter.

Sec. 38-364. Purpose, scope, general requirements, landscaping and screening.

When reviewing any site plan for a development in the C-3 zoning district, the planning commission shall consider the highway commercial district guidelines approved at that time by the planning commission, and shall require compliance with those guidelines unless the planning commission finds that the applicant has submitted an alternative which promotes the purpose of the guidelines and of the C-3 zoning district better than the guidelines and the zoning district as drafted.

Section 8. MU Zoning District. Section 8B shall be added to Article III of Chapter 38 to state in its entirety as follows.

DIVISION 8B. MU MIXED-USE DISTRICT

Sec. 38-366. Description and purpose.

This zoning district is intended as a mixed-use district containing a wide range of retail, office, industrial, institutional, multifamily residential, single family residential, recreation, and open space uses. This zoning district is intended to allow greater flexibility in the range of permitted land uses and promote a high quality of development and protect abutting property through the establishment of specific standards that are consistent with the Blue Star Highway Sub Area Master Plan.

Sec. 38-367. Use regulations.

Land, buildings or structures in this zoning district may be used for the following purposes:

- (a) Single family dwellings.

- (b) Two family dwellings.
- (c) Private and public schools, libraries, museums, art galleries and similar uses.
- (d) Parks, playgrounds, community centers, governmental, administration, or service buildings.
- (e) Religious institutions.
- (f) Home occupations.
- (g) Bed and breakfast operations.
- (h) Funeral homes.
- (i) Offices for the following professions and occupations: executive, administrative, scientific, scholarly, artistic, architectural, engineering, insurance, medicine, dentistry, accounting, law, secretarial, drafting, designing, real estate, sales, and other similar professions and occupations.
- (j) Research, development and testing laboratories and offices.
- (k) Veterinary clinics.
- (l) Retail commercial establishments and retail service establishments, provided the number of such stores may not exceed three per building. No building which houses one or more such establishments may exceed 75,000 square feet or be located on a lot exceeding three acres.
- (m) Banks and financial institutions, with or without drive-in service.
- (n) If granted a special use permit by the planning commission based upon a consideration of the factors in article II, division 3 of this chapter, any of the following uses:
 - (1) Outdoor amusement or recreation activities;
 - (2) Motor vehicle repair shop or garage;
 - (3) Motor vehicle wash facility;
 - (4) One-site dry cleaning and laundry facilities;
 - (5) Restaurants, including drive-throughs and drive-ins;
 - (6) Florist and gift shop, including nursery;

- (7) Hotels and motels;
- (8) Service stations;
- (9) Warehousing and storage structures;
- (10) Contractors (plumbing, heating, electrical, etc.);
- (11) Roller rinks, bowling alleys, and other inside recreational facilities;
- (12) Parking lots;
- (13) Retail commercial establishments and retail service establishments which exceed three stores in a building;
- (14) One or more retail commercial establishment or retail service establishment housed in a building which exceeds 75,000 square feet or is located on a lot exceeding three acres;
- (15) Trucking or transport operations;
- (16) Multifamily dwellings;
- (17) Conference centers;
- (18) Industrial facilities; and
- (19) Other uses not specifically listed above but similar to those allowed by right or by special use permit.

Sec. 38-368. Height regulations.

No building or structure shall exceed 35 feet. Buildings or structures exceeding 35 feet in height may be permitted if authorized as a special use by the planning commission based upon a consideration of the factors in article II, division 3 of this chapter.

Sec. 38-369. Area regulations.

No building or structure nor any enlargement shall be erected except in conformance with the following yard, lot area and building coverage requirements.

- (a) Front yard. In all cases, there shall be a front yard of not less than 50 feet, unless a lesser front yard is authorized as a special use by the planning commission based upon a consideration of the factors in article II, division 3 of this chapter.

- (b) Side yard. Except for corner lots, each side yard shall be not less than 25 feet, unless a lesser side yard is authorized as a special use by the planning commission based upon a consideration of the factors in article II, division 3 of this chapter.
- (c) Rear yard. The following rear yard requirements must be met, unless a lesser side yard is authorized as a special use by the planning commission based upon a consideration of the factors in article II, division 3 of this chapter.
 - (1) Subject to subsection (d) below, which shall control if applicable, where the rear of a lot in a MU zoning district abuts upon the side yard of a lot in any R zoning district or AG zoning district, there shall be a rear yard of not less than 25 feet.
 - (2) In all other cases, there shall be a rear yard of not less than 10 feet.
 - (3) No accessory building shall be allowed closer than five feet from the rear lot line.
- (d) Building location. No building used for industrial or commercial purposes shall be located closer than the height of the building or 50 feet, whichever is greater, to any property line adjoining any lot in the AG or any R zoning district.
- (e) Lot area. The minimum lot area shall be 35,000 square feet, and the minimum lot width shall be 110 feet, unless a lesser area or width or both are authorized as a special use by the planning commission based upon a consideration of the factors in article II, division 3 of this chapter.

Sec. 38-370. Purpose, scope, general requirements, landscaping and screening.

When reviewing any site plan for a development in the MU zoning district, the planning commission shall consider the highway commercial district guidelines approved at that time by the planning commission, and shall require compliance with those guidelines unless the planning commission finds that the applicant has submitted an alternative which promotes the purpose of the guidelines and of the zoning district better than the guidelines and the zoning district as drafted.

Sec. 38-371 - 38-376. Reserved.

Section 9. Existing Lots of Record. Section 38-465(b)(2), regarding existing lots of record, of Article IX of Chapter 38 shall be restated in its entirety as follows.

- (2) If a lot in the R-4, C-1, C-2, C-3, MU or I-1 district which is platted or otherwise of record as of the effective date of the ordinance from which this article is derived or of any amendment to this article does not comply with the area and/or width requirements of its zoning district, then such lot may be used only if first authorized by the planning commission as a special use. In considering such authorization, the planning commission shall consider the following standards, in addition to article II, division 3 of this chapter:

- a. The size, character and nature of the commercial or industrial buildings and any accessory buildings to be constructed on the lot;
- b. The effect of the proposed use on adjoining properties and the surrounding neighborhood;
- c. The effect of any increased density of the intended use on the surrounding neighborhood; and
- d. Available parking for the intended use.

In all zoning districts, where two or more lots do not comply with the area and/or width requirements of the applicable zoning district as of the effective date of the ordinance from which this article is derived or of any amendment to this article, and where the lots are adjacent to each other and are in common ownership as of the effective date of the ordinance from which this article is derived or of any amendment to this article, then such lots shall be combined so that the lot or lots created by the combination comply (or more closely comply in the event that compliance is not possible) with the requirements of the applicable zoning district.

Section 10. Signs. Section 38-475 in Article IV of Chapter 38 shall be restated in its entirety as follows.

Sec. 38-475. Signs.

- (a) Signs not explicitly permitted are prohibited. A permit shall be obtained for the erection, construction, alteration or replacement of any sign unless otherwise provided in this chapter. All regulated signs shall be subject to the approval of the zoning inspector as to their conformance with the requirements of this chapter. As part of the zoning compliance permit, the applicant shall provide the following:
 - (1) Total display area of the sign in square feet;
 - (2) Proposed setback of the sign from the street right-of-way, drives and adjacent properties;
 - (3) Sign type, purpose and height, and ground clearance if applicable;
 - (4) Height and width of building if the sign is a wall sign or wall projecting type;
 - (5) Site area and frontage;
 - (6) Site and building photos.

- (b) The following signs are prohibited in all zoning districts:
- (1) A sign resembling the flashing lights customarily used in traffic signals; or flashing lights resembling police, fire, ambulance, or rescue vehicles; or flashing lights resembling traffic directional signs or devices.
 - (2) A sign using the words, "stop," "danger," or any other words, phrases, symbols, or characters, in such a manner as to interfere with, mislead, or confuse a vehicle driver.
 - (3) Signs on parked vehicles where the sign is the primary use of the vehicle.
 - (4) Signs greater than two square feet that are affixed to trees, shrubs or similar natural features.
 - (5) Signs affixed to fences or utility poles or structural elements not capable of supporting such signs.
 - (6) Any sign which obstructs the ingress or egress from a required door, window, or other required exit.
 - (7) Banners used as permanent signs.
 - (8) Temporary signs and devices including inflatable devices, pennants, pinwheels, searchlights or other devices with similar characteristics, except when used temporarily for periods not to exceed 15 days.
 - (9) Electronic message centers which use electronic message center display methods involving extended video messages, flashing, rapid scrolling, or strobe lights (see section 38-475[h] for definitions of the terms).
- (c) All signs and sign structures shall conform to all applicable codes. Signs shall be installed in a workmanlike manner and be maintained at all times in a state of good repair, with all braces, bolts, clips, supporting frames, and fastenings free from deterioration, insect infestation, rot, rust or loosening. All signs shall be kept neatly finished, including all metal parts and supports that are not galvanized or made of rust-resistant metals.
- (d) Signs erected in the township shall not obstruct the clear view of traffic. If the location or design of a sign may result in a conflict with pedestrian or vehicular movement or circulation, the township may require a clearance of up to 10 feet from the finished grade level or curb elevation to the lowest part of such sign or a front setback of up to 10 feet.
- (e) If a sign advertises a business, attraction, or other enterprise or activity that is no longer operating or being offered or conducted, that sign shall be considered abandoned and the sign faces shall be removed and replaced with blank faces within 60 days after written

notification from the township to the sign owner, owner of the property where the sign is located, or other party having control over the sign.

- (f) The following signs are permitted in all zoning districts, without a permit.
 - (1) Non-illuminated no trespassing, no hunting, safety, directional, caution or announcement signs each not exceeding two square feet in area or signs announcing the sale of agricultural products each not exceeding six square feet in area.
 - (2) Name plates of fewer than two square feet.
 - (3) Street name signs and other signs established by state, county, or township units of government when necessary for giving proper directions or otherwise safeguarding the public in any zoning district.
 - (4) Non-advertising signs erected by any person that are needed to warn the public of dangerous conditions and unusual hazards including: caving ground, drop-offs, high voltage, fire danger, explosives, severe visibility limits, or other physical hazards which create imminent danger.

- (g) Temporary signs.
 - (1) No temporary signs shall be erected unless authorized as a special use by the planning commission, except for the following temporary signs which are exempt from the permit requirements of this chapter. All other signs must be permanently located on the ground or permanently attached to something permanently located on the ground.
 - a. Subdivision signs not exceeding 32 square feet in area are exempt. However, any such sign shall be subject to the approval of the zoning inspector at the time it is erected, and any such sign shall be removed when 50 percent or more of the lots in the subdivision are sold or after five years, whichever first occurs. The sign shall not be illuminated by any light source other than a continuous indirect white light.
 - b. One construction sign per project, not exceeding 32 square feet in area, denoting architects, engineers, or contractors in conjunction with the work under construction is exempt. For one-family dwellings under construction, the construction sign may not exceed nine square feet in area. Any such construction sign shall be subject to the approval of the zoning inspector at the time it is erected, and it shall be removed within 14 days after completion of construction.
 - c. Temporary real estate signs are exempt. The total area of a real estate sign or signs advertising one lot shall not exceed 12 square feet in area. The

total area of a real estate sign or signs advertising more than one lot shall not exceed 32 square feet in area. Such signs shall be removed within 14 days after the lot or lots in question are no longer for sale, rent or lease.

- d. Signs for political advertising are exempt, provided they are temporary, not illuminated, and do not exceed 32 square feet in area. All political signs shall be removed within 10 days after the election with which they are concerned.
 - e. Temporary signs in the commercial or industrial zoning districts are exempt, provided that each such temporary sign meets the following conditions.
 - 1. No such temporary sign may have a surface area which exceeds 32 square feet.
 - 2. No such temporary sign may exceed 10 feet in height.
 - 3. No such temporary sign may violate any of the prohibitions in subsection (b) of this section.
 - 4. No lot may have a temporary sign erected upon it more than 90 total full or partial days per calendar year.
 - 5. No such temporary sign may be erected without a zoning certificate of compliance from the zoning inspector.
 - f. Garage and estate sale signs are exempt, subject to the following restrictions.
 - 1. One sign per lot is permitted, located on the lot on which such sale is being conducted, and erected outside of any public right-of-way.
 - 2. The sign shall not exceed six square feet in area.
 - 3. The sign may be erected no more than seven days prior to the day(s) of the sale and shall be removed within one day after the completion of the sale.
- (2) In considering whether or not to issue a special use permit for a temporary sign under this subsection, the planning commission shall consider the following standards and article II, division 3 of this chapter:
- a. The size, character and nature of the sign;
 - b. The duration of time period during which the sign will be utilized;

- c. The purpose(s) for which the sign is to be erected;
 - d. The arrangements made for the removal of the sign after the termination of its usefulness;
 - e. The effect of the proposed sign on light and air circulation for lots which are both adjoining and in the surrounding neighborhood of the proposed sign;
 - f. Whether or not the sign will constitute a traffic hazard; and
 - g. The effect of the sign on the surrounding neighborhood.
- (h) Electronic message centers (EMCs; signs capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means) may be used as signs when otherwise allowed pursuant to this section, subject to the requirements of this subsection.

(1) Defined terms for this subsection.

- a. **Static message:** The display on the entire electronic message center stays constant for a period of at least 10 minutes. The display does not appear to change, move, scroll, vary color, or vary light intensity.
- b. **Alternating message:** The display on the entire electronic message center is held constant for a period of at least five seconds. The display does not appear to change, move, scroll, vary color, or vary light intensity during that period. The display transitions to another image instantly or in a transition of less than one-half second.
- c. **Animated message:** The display on all or part of the electronic message center changes or appears to move, scroll, vary color or vary light intensity. Animated message excludes static messages, alternating messages, extended video messages and flashing or rapid scrolling.
- d. **Extended video message:** A display on an electronic message center that contains images that vary in a continuous, non-repeating fashion, similar to television viewing. It includes messages or patterns of images that repeat in segments over 10 seconds in duration. It excludes images that serve as a background display, where a foreground display comprising at least 50 percent of the EMC surface is held constant for continuous one second intervals. It also excludes flashing or rapid scrolling displays.
- e. **Flashing or rapid scrolling:** Flashing means a display that includes a pattern of sudden alteration, less than one-half second, between an

illuminated EMC face and a face without illumination, or an EMC face where the copy color and the background color alternate or reverse color schemes rapidly, again in less than one-half second. Rapid scrolling means any letter or character in a message moves or appears to move across an EMC face faster than 10 feet in two seconds. Flashing or rapid scrolling excludes a transition of less than one-half second between messages on an alternating message display.

f. Strobe lights: Strobe lights are high intensity flashing lights that may impair vision.

(2) Electronic message centers (EMCs) are permitted subject to the following limitations below, and subject to the general regulations pertaining to signs.

ZONING	MAXIMUM SIZE OF EMC	EMC DISPLAY METHOD		
		Static Message	Alternating Message	Animated Message
a. Agricultural	24 sq. ft.	Special use		
b. Residential	24 sq. ft.	Special use		
c. Commercial	32 sq. ft.	Allowed		
d. Mixed Use	Subject to Approval	Special use		
e. Industrial	32 sq. ft.	Allowed		
f. Electronic message centers are not permitted as billboards				

(3) If an EMC is allowed as a special use, the planning commission must find that the EMC will be compatible with surrounding uses, based on all of the following factors, as well as the standards in article II, division 3 of this chapter.

a. The EMC shall have a setback of at least 15 feet from the front lot line.

b. The EMC must be turned off from 12:01 a.m. until 5:00 a.m. if in any residential district or if within 500 feet of a dwelling.

c. Freestanding EMCs must include at least three of the following design elements:

1. Prominent brickwork, masonry, naturally-finished wood, or naturally-finished metal in frame or supports;

2. Two support poles or a full width support structure;

3. The EMC outline or top of the frame is predominantly non-rectangular or curved;

4. Landscaping around the EMC base is equal in area to the size of the sign;
 5. More than 40 percent of the sign is an EMC;
 6. The EMC height is 20 percent lower than required;
 7. All setbacks are 20 percent more than required; and
 8. The EMC will be used by two or more businesses on the same lot.
- (4) If a freestanding EMC includes four of the design elements listed in subsection (3) above, then the allowable size is increased by 10 percent, as long as none of the design elements previously met is not thereby lost. If a freestanding EMC includes five or more of those design elements listed above, then the allowable size is increased by 20 percent as long as none of the design elements previously met is not thereby lost.
- (5) Electronic scoreboards with electronic message centers in stadiums or at sports fields are not considered signs if they are oriented inward to the playing field.
- (6) All electronic message centers shall be kept in good state of repair. Any burned out lights or LEDs shall be replaced as soon as possible.
- (7) Each electronic message center shall be equipped with dimming technology that automatically varies the brightness of the EMC according to the ambient light conditions.
- (i) Non-conforming but previously conforming signs in use on the effective date of this chapter or any amendment to it shall be permitted to remain, provided they are properly maintained. Such maintenance is restricted to painting and minor repairs which cannot be considered a rebuilding of the sign. Extensive repairs constituting rebuilding must meet the requirement of the pertinent zoning district.
- (j) In the AG district, the following sign regulations apply.
- (1) Permitted signs.
 - a. Internally illuminated monument signs of up to 24 square feet for lawful institutional uses such as churches, schools and parks. Signs shall not exceed eight feet in height. One non-illuminated wall sign of up to 24 square feet may also be permitted.
 - b. One non-illuminated sign of up to four square feet for a home occupation.
 - c. One non-illuminated sign of up to 16 square feet for a farm market.

(2) Standards.

- a. Signs shall be located outside the street right-of-way, and at least 10 feet from side property lines.
- b. Sign design shall respect the rural character of the district. As examples, sign colors shall be natural and subdued and sign materials shall be natural looking (e.g., wood and field stone versus glossy metals and plastics).

(k) In the R-1, R-2, R-3, and R-4 districts, the following sign regulations apply.

(1) Permitted signs.

- a. Entranceway monument signs (i.e., 32 square feet) are permitted for residential developments. One sign for each street on which there is frontage and from which there is direct access may be provided. Signs shall not exceed six feet in height from established grade.
- b. Monument signs are permitted for lawful institutional uses such as churches, schools and parks. They may be 32 square feet if not illuminated, or 24 square feet if illuminated (i.e., one per use). Signs shall not exceed six feet in height. One non-illuminated wall sign of up to 24 square feet may also be permitted.
- c. One non-illuminated sign of up to four square feet is permitted for a home occupation.
- d. One non-illuminated monument sign of up to 16 square feet may be permitted for all other authorized non-residential uses, unless otherwise regulated in this chapter. Signs shall not exceed six feet in height.

(2) Standards.

- a. Signs shall be located outside the street right-of-way and at least 10 feet from side property lines.
- b. Sign design shall respect the character of the district. As examples, sign colors shall be natural and subdued and sign materials shall be natural looking (e.g., wood and field stone vs. glossy metals and plastics).

(l) In the C-1, C-2 and C-3 districts, the following sign regulations apply.

(1) Permitted signs.

- a. Unless billboards are otherwise allowed, signs shall pertain exclusively to the business carried on at the lot.
 - b. Signs may be illuminated, provided that the source of light is directed in a manner that will prevent light from shining directly onto traffic or neighboring properties.
 - c. One freestanding sign is permitted per lot. For multiple businesses on a lot, regardless of the number of businesses there, one additional freestanding sign may be erected per accessible street frontage when the development has over 500 linear feet of street frontage.
 - d. One-half square foot of freestanding sign area is permitted for every one foot of street frontage of the lot except that signs shall not exceed 200 square feet.
 - e. Monument signs shall not exceed eight feet in height. All other freestanding (pole) signs shall not exceed 20 feet in height. The 20 feet limit shall be extended to 50 feet for signs on a limited access highway (a highway to which owners or occupants of abutting lands and other persons have no legal right of access to or from the highway except at designated access points determined by the public authority with jurisdiction over the highway).
 - f. Wall, awning or bracket signs shall not cumulatively exceed 15 percent of the surface area of the commercial portion of the front building face and may be placed on any wall. In the case where the building is over 100 feet from the street, this allotment may be 20 percent of the front face of the building. In the case where the building is over 300 feet from the street, this allotment may be 25 percent of the front face of the building. In no case, shall any one wall sign exceed 150 square feet.
 - 1. Canopy signs shall be considered wall signs and a sign attached to a mansard shall be considered a wall sign.
 - 2. Signs shall not project above the roof line or cornice.
- (2) Standards. Signs shall be located outside the street right-of-way, and at least 10 feet from side lot lines.
- (m) In the MU district, the following sign regulations apply.
- (1) Permitted signs.
 - a. Signs shall pertain exclusively to the business carried on at the lot.

- b. Signs may be illuminated, provided that the source of light is directed in a manner that will prevent light from shining directly onto traffic or neighboring properties.
 - c. One monument sign for a business center (i.e., more than one business on the lot, if permitted) not exceeding 32 square feet in area and eight feet in height.
 - d. Individual business may only have a wall, awning or bracket sign which shall not exceed 15 percent of the surface area of the commercial or industrial portion of the front building face. Wall signs may be placed on any wall.
 - e. Signs shall be placed against the main building or on a canopy.
 - f. Canopy signs shall be considered wall signs.
 - g. A sign attached to a mansard shall be considered a wall sign.
 - h. Signs shall not project above the roof line or cornice.
- (2) Standards. Signs shall be located outside the street right-of-way, and at least 10 feet from side lot lines.
- (n) In the I-1 district, the following sign regulations apply.
- (1) Permitted signs.
 - a. Signs shall pertain exclusively to the business carried on at the lot.
 - b. Signs may be illuminated, provided that the source of light is directed in a manner that will prevent light from shining directly onto traffic or neighboring properties.
 - c. One pole or monument sign is permitted per property, regardless of the number of businesses there, except that one additional freestanding sign may be erected per street frontage when the development has parallel frontage on more than one street or corner frontages on streets totaling over 500 linear feet. Sign area shall be limited to 64 square feet.
 - d. Monument signs shall not exceed eight feet in height.
 - e. All other freestanding (pole) signs shall not exceed 20 feet in height.

- f. Wall, awning or bracket signs shall not exceed 20 percent of the surface areas of the front building face and may be placed on any wall. In no case shall the signs exceed 150 square feet in area.
 - g. Signs shall be placed against the principal building or on a canopy.
 - h. A sign attached to a mansard shall be considered a wall sign.
- (2) Standards. Signs shall be located outside the street right-of-way, and at least 10 feet from side lot lines.
- (o) In the FP district, the sign regulations shall be the same as in the R-1 district.

Section 11. Home Occupation Sign. Section 38-488(3) in Article IV of Chapter 38 shall be restated in its entirety as follows:

- (3) The dwelling has no exterior evidence, other than a permitted four square feet sign, to indicate that the same is being utilized for any purpose other than that of a dwelling.

Section 12. Parking and Loading Spaces. Article X of Chapter 38 shall be restated in its entirety as follows.

ARTICLE X. PARKING AND LOADING SPACES

Sec. 38-674. General parking requirements.

- (a) Parking in general, specifically for non-residential purposes unless otherwise noted.
 - (1) Minimum required off-street parking spaces shall not be replaced by any other use unless and until equal facilities are provided elsewhere, in compliance with the chapter. However, up to 10 percent of the minimum required off-street parking spaces may be used for seasonal markets, if approved by the zoning inspector.
 - (2) Off-street parking existing at the effective date of this chapter, or any amendment to it, in connection with the operation of an existing building or use, shall not be reduced to an amount less than required for a similar new building or new use.
 - (3) The planning commission may defer construction of the required number of parking spaces if the following conditions are met.
 - a. Areas proposed for deferred parking shall be shown on the site plan, and shall be sufficient for construction of the required number of parking spaces in accordance with the standards of this chapter for parking area design and other site development requirements.

- b. Alterations to the deferred parking area may be initiated by the owner or required by the zoning inspector, but in any event the alterations shall be subject to the requirements of this chapter.
 - c. All or a portion of such deferred parking shall be constructed if required by the zoning inspector upon a finding that such additional parking is needed.
- (4) Shared parking areas.
 - a. The zoning inspector may approve a shared parking arrangement for two or more uses to utilize the same off-street parking facility where the operating hours of the uses do not significantly overlap.
 - b. Required parking shall be calculated from the use that requires the greatest number of spaces.
 - c. Should any use involved in the shared parking arrangement change to another use, or an expanded use, the zoning inspector may revoke this approval and require separate parking facilities as required by this chapter.
- (b) Off-street parking lot construction and design requirements.
 - (1) Parking spaces shall be a minimum of 10 feet by 19 feet.
 - (2) All spaces shall be provided adequate access by means of maneuvering aisles.
 - (3) Backing directly onto a street shall be prohibited.
 - (4) Parking lot access.
 - a. Adequate ingress and egress to and from the parking lot by means of clearly limited and defined drives shall be provided for all vehicles.
 - b. Ingress and egress to and from a parking lot located in a non-residential district shall not be across land zoned in a residential district or land used for residential purposes.
 - c. Access drives and maneuvering lanes shall be a minimum of 12 feet in width for one-way traffic and 24 feet in width for two-way traffic.
 - (5) Construction requirements.
 - a. The entire parking area, including parking spaces and maneuvering lanes, shall be provided with asphalt or concrete surfacing in accordance with approved specifications. However, solid but porous material or porous

pavement may be used for the entire parking area; or grass or gravel may be used for portions of the parking area; subject to the approval of the planning commission, based upon consideration of the particular land use involved, the amount of traffic and parking involved, the drainage of the area, and other factors deemed relevant by the planning commission.

- b. Surfacing of the parking area shall be completed prior to occupancy unless seasonal restrictions apply, in which case a performance guarantee which ensures that surfacing occurs by a specified time the following season shall be required.
- c. Off-street parking areas shall be drained so as to dispose of all surface water accumulated in the parking area in such a way as to preclude drainage of water onto adjacent property or toward buildings.
- d. All parking spaces shall be striped with paint or other approved material, at least four inches in width. The striping shall be maintained and clearly visible.

(6) Lighting requirements.

- a. Off-street parking lots shall be adequately lit to ensure security and safety. However, during non-use hours, only security lighting shall be maintained.
- b. Light fixtures shall be provided with light cut-off fixtures that direct light downward. Lighting shall not be attached to buildings or other structures that permit light to be directed horizontally.
- c. Lighting shall illuminate only the parking lot or other areas approved for illumination by the planning commission.
- d. Site lighting fixtures shall be limited to 35 feet in height.

(7) Landscaping requirements.

These requirements shall be established by the Highway Commercial District and Mixed Use District Guidelines, as amended in accordance with Public Act No. 110 of 2006.

(8) Snow storage.

For parking lots having more than 100 spaces, where the planning commission determines that snow removal and storage may pose a problem to traffic circulation or reduce the amount of required parking, the site plan shall designate snow storage areas.

(c) Off-street parking requirements.

- (1) Parking space requirements for specific uses are found in subsection (f) below.
- (2) When units or measurements determining the number of required parking spaces or loading spaces result in the requirement of a fractional space, any fraction up to and including one-half shall be disregarded, and fractions over one-half shall require one parking space.
- (3) For those uses not specifically mentioned, the requirements for off-street parking facilities shall be in accord with a use that is similar in type. If there is no requirement that is reasonably applicable to the use, the zoning inspector shall determine the number of parking spaces that must be provided.
- (4) The outdoor storage of merchandise; motor vehicles for sale; trucks or equipment; and wrecked, junked or unlicensed vehicles, and the repair of vehicles in areas designated for parking, including the maneuvering lane, are prohibited.

(d) Stacking spaces.

- (1) Certain uses are greatly reliant on vehicle access and possess characteristics that create the need for additional area devoted to stacking of vehicles. This subsection addresses these individual uses and outlines requirements for stacking spaces.
- (2) Each stacking space shall be shown on a site plan.
- (3) Each stacking space shall have a minimum dimension shown of 22 feet in length by nine feet in width. The lane containing the stacking spaces shall be separate and distinct from other access drives and maneuvering lanes for parking spaces.
- (4) The location of stacking spaces shall be placed to avoid undue interference with on-site parking and to prevent unnecessary hazards to pedestrians.
- (5) Regardless of the number of stacking spaces required or provided, in no instance shall the operator permit vehicles to stack into any adjacent street.
- (6) The following minimum stacking spaces shall be provided for the uses noted (stacking spaces for non-designated uses shall be based upon a comparison to the most analogous use listed below, evidence submitted to the planning commission by the applicant, and such other relevant factors determined by the planning commission):

Use	Required stacking spaces
ATM stations	2 spaces per ATM

Use	Required stacking spaces
Vehicle service station	1 space per service bay
Vehicle wash establishment	1 space for self-serve washes, 2 spaces for automated washes, and 5 spaces for tunnel (moving) automated washes
Bank drive-through windows	3 spaces per service lane
Restaurants with drive-through facilities	7 spaces per ordering station

(e) Loading requirements.

- (1) Adequate space for standing, loading and unloading, that avoids undue interference with public use of dedicated rights-of-way, shall be provided and maintained on the same premises with every building or structure involving the receipt or distribution of vehicles or materials or merchandise.
- (2) Loading, unloading or parking of delivery vehicles and trailers in a non-residential district shall take place only in approved areas. Under no circumstances shall a delivery vehicle or trailer be allowed to park in a designated loading/unloading zone for longer than 48 hours.

(f) Minimum parking spaces.

- (1) For the C-1, C-2, C-3, MU and I-1 zoning districts, and for any use which requires a site plan review by the planning commission, each applicant for a zoning permit from the township shall submit a parking plan, which plan shall describe the proposed parking spaces, the justification for the number of proposed parking spaces, and the location of the proposed parking spaces. The planning commission shall determine the number of parking spaces to be provided by the applicant, based on the material submitted by the applicant, the type of land use proposed, the size of the proposed land use and the size of any building on the lot, and the number of any employees working on the lot.
- (2) For all zoning districts and uses which do not require site plan review by the planning commission, following is the minimum parking spaces table.

Use	Parking requirement spaces
Residential	
All dwellings	2 per dwelling unit
State licensed residential facilities	1 per 3 individuals computed on the basis of the licensing limits of the facility
Non-Residential	
Agricultural operation generally	1 per employee, plus 1 per truck

Use	Parking requirement spaces
Confined feedlots and livestock holding facilities	1 per service vehicle
Day care centers where such use is clearly incidental and accessory to the primary use	1 per 3 clients computed on the basis of the greatest number of clients on-site at a given time
Equine boarding stable and training facility	1 per 2 stalls; parking spaces shall be sized to accommodate vehicles plus trailers
Farm market	1 per 200 sq. ft. of floor area, plus 1 per 2,000 sq. ft. of exterior sales area

- (3) In the case of mixed uses on the same lot, the amount of parking space for each use shall be provided.

Section 13. Off-Street Loading Spaces. Section 38-679 in Article X of Chapter 38 shall be restated in its entirety as follows.

For every building or addition to an existing building hereafter erected to be occupied by uses requiring the receipt or distribution in vehicles of materials or merchandise, there shall be provided and maintained on the same lot with such building or addition an area or means adequate for maneuvering and ingress and egress for delivery vehicles. Off-street loading spaces shall be required in relation to floor areas as follows:

- (1) Up to 20,000 square feet, one space;
- (2) 20,000 or more but less than 50,000 square feet, two spaces; and
- (3) One additional space for each additional 50,000 square feet or fraction thereof.

Each such loading space shall be at least 10 feet in width, 50 feet in length and 14 feet in height. No such space shall be located closer than 50 feet to any lot in any residential zoning district. No such space may be located in the front yard. No such space may be located in the side yard unless the planning commission determines it is adequately screened from adjoining properties and passers-by.

Section 14. Effective Date. This Ordinance was approved and adopted by the Township Board of Laketown Township, Allegan County, on _____, 2011, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended. This Ordinance shall be effective on _____, 2011, which is the eighth day after publication as is required by Section 401 of Act 110, as amended, provided that the effective date shall be extended as necessary to comply with the requirements of Section 402 of Act 110, as amended

Terry Hofmeyer,

Wendy VanHuis,

HIGHWAY COMMERCIAL DISTRICT
AND
MIXED USE DISTRICT
GUIDELINES

The Highway Commercial District is a district containing high quality retail, office, multiple family residential, recreational, hospitality and open space uses. The Mixed Use District is a district containing a wide range of the same types of uses. It is intended that these Districts allow greater flexibility in the range of permitted land uses and promote a high quality of development and provide a gateway into the community through the establishment of standards that are consistent with the Blue Star Highway Sub Area Master Plan, as amended from time to time. Single family residential uses, to the extent allowed in these Districts, are exempt from the requirements of these Guidelines.

Words and phrases in these Guidelines shall have the same definitions they have in the Zoning Ordinance, unless the context clearly indicates to the contrary.

PURPOSE. The shape, placement, design, and quality of the built environment (building design, placement, and composition) are important elements. Accordingly, it is the purpose of these Guidelines to:

- Protect the general welfare, and ensure that the Township's property values, appearance, character, and economic well-being are preserved through minimum design and appearance standards.
- Encourage creativity, imagination, innovation, and variety in architectural design and building composition.
- Preserve the unique architectural character of existing buildings as these buildings are renovated and re-used, and as changes and improvements are made.
- Reinforce and support a healthy, pedestrian-oriented development pattern through facade transparency requirements, and complementary and appropriate use of scale, massing, and design.
- Establish minimum standards for exterior building facade materials to promote harmony in the physical relationships between buildings.

SCOPE. These Guidelines are not intended to supersede or supplant established building and fire code regulations, or to regulate the durability, maintenance, performance, load capacity, or fire resistance characteristics or workmanship of building materials.

GENERAL REQUIREMENTS. Building design, construction, exterior alterations, renovations and expansions, and other exterior work subject to the provisions of these Guidelines shall comply with the general requirements of the Guidelines. Industrial uses are exempt from these General Requirements.

A. **ARCHITECTURAL STANDARDS.** Decorative and functional architectural features, details and ornamentation (such as arches, colonnades, columns, pilasters, detailed trim, brick bands, contrasting courses of material, cornices or porches) shall be incorporated into all building facades at a scale appropriate to the size and bulk of the building, as determined by the Planning Commission.

1. **Façades.** All sides of a building shall be similar in design, details, and materials. Where a side or rear facade is visible from a public street or adjoining lot, or if parking is located at the side or rear of a building, the facade shall be similar in design and materials to the front facade of the building.
2. **Façade variation.** Building façade walls exceeding 100 feet in length shall be designed to provide a changing and varying facade appearance. Such features and design elements may include, but are not limited to the following:
 - i. Projections, bays or recesses;
 - ii. Enhanced ornamentation and architectural detailing;
 - iii. Variations in building height or window patterns; and
 - iv. Distinctively shaped roof forms, detailed parapets, and cornice lines.
3. **Public Entrances.** Public entrances shall be emphasized with framing devices, such as peaked roof forms, porches, overhangs, archways, larger door openings, display windows, accent colors, tile, moldings, pedestrian-scale lighting, and similar devices.
4. **Roof Design.** Roof-top equipment shall be screened from public rights-of-way and adjacent uses to the extent feasible.
5. **Security and Safety Equipment.** Exterior security gates or roll-down security doors are not required. Link or grill type security devices shall be permitted only if installed on the interior of the building. Such security equipment shall be concealed during regular business hours, and shall allow visibility of the interior during closed hours. Fire escapes shall not be permitted on a building's front facade, except where the Building Official determines that the front façade is the preferred option to provide the required means of egress.

B. **ADDITIONAL STANDARDS.** The following additional standards apply to all building construction, exterior alterations, renovations, expansions, and other work subject to the provisions of these Guidelines.

1. Awnings. Awnings accessory to buildings shall be subject to the following requirements.
 - i. Use. Awnings shall be primarily designed to protect pedestrians, display windows, and public entrances from the weather; and to add color and visual interest to the street level façade.
 - ii. Materials. The awning shall be constructed of durable materials.
 - iii. Secured to building. All awnings shall be securely attached to the building.
 - iv. Consistency. Awnings shall be consistent with the facade's architectural elements.
 - v. Projections and clearance. Awnings shall be set back a minimum of six feet from a curb line of the street and loading and unloading areas. A minimum 7.5 foot clearance shall be maintained under the awning.
 - vi. Awning signs. Signs on awnings shall comply with the Zoning Ordinance.
2. Public entrances. All buildings in the Highway Commercial District shall have at least one public entrance that faces a street or primary parking. Secondary public entrances shall be permitted on the rear or side facade, including additional access for uses in a multi-tenant building.
3. Windows and Façade Transparency. Buildings shall be designed to encourage and complement a pedestrian-scale environment, with window openings and facade transparency,
4. Alternative Designs or Materials. To encourage creativity, imagination, innovation, and variety in architectural design, the Planning Commission may waive or modify the requirements of these Guidelines upon determining that the proposed architectural design or exterior façade material meets all of the following conditions.
 - i. The proposed design or material is consistent with the purposes of these Guidelines.
 - ii. The proposed design or material would enhance the character of the building, and would be equal or superior to designs or materials permitted by these Guidelines.
 - iii. The proposed design or material would be in harmony with the character of adjacent buildings and the surrounding district and Master Plan.

LANDSCAPING AND SCREENING. All plant materials shall comply with the following standards.

- A. **GENERAL STANDARDS.** Whenever a landscape planting screen or other plantings are required under the Zoning Ordinance, such plantings shall be installed according to accepted good planting procedures and in a sound, workmanlike manner.
 - 1. A minimum four inches of topsoil shall be provided for all lawn areas, ground covers, and planting beds.
 - 2. Artificial plant material shall not be used to meet the requirements of these Guidelines.
- B. **GROUNDCOVERS.** The following shall apply to all groundcover materials.
 - 1. Lawn areas shall be planted in species of grass normally grown as permanent lawns in Michigan. Grass may be sodded or hydro-seeded, provided that adequate measures are taken to minimize soil erosion. Sod or seed shall be clean and free of weeds and noxious pests or disease. Alternate ground covers may be proposed (e.g., bark, stone, etc.).
- C. **PERMITTED LANDSCAPE MATERIALS.** Landscape materials used to satisfy the requirements of these Guidelines shall be common to the area and suitable for their intended use. Species native to southern Michigan are encouraged.
- D. **PLANT MATERIAL SPACING.** Spacing of plant materials required under these Guidelines shall be as follows.
 - 1. Plant materials, not including lawn, ground cover, or buffer plantings, shall not be placed closer than four feet from the fence line or property line.
 - 2. Trees and shrubs may not be planted within 10 feet of a fire hydrant.
 - 3. Where shrub plantings are required to form a continuous hedge or used for screening purposes, the plants shall be planted at a spacing that will allow them to form a complete hedge within two years of planting.
- E. **EXISTING VEGETATION.** Healthy existing trees on a site may be used to satisfy any of the requirements of these Guidelines. If the applicant is going to use existing vegetation to satisfy these guidelines the following requirements apply.
 - 1. Site plans shall show all existing trees which are located on the site and on portions of adjacent sites within 20 feet, and are 12 inches or greater in caliper, measured 4.5 feet above grade. Trees shall be labeled "To Be Removed" or "To Be Saved" on the site plan, with tree species and caliper noted for trees to be saved.

2. The Planning Commission may require Township inspection of existing plant materials prior to or as a condition of site plan approval to determine the health of such materials.
3. Temporary protective fencing shall be placed at the drip-line of existing trees, and around the perimeter of other plant materials to be preserved, with details of protective measures noted on the site plan. No vehicle or other construction equipment or materials shall be parked or stored within protected areas.
4. In the event that plant materials which are intended to meet the requirements are cut down, damaged or destroyed during construction, these plant materials shall be replaced with an equivalent species. Replacement trees shall be provided at the ratio of one replacement tree for each six inches in caliper measured one foot above grade level or fraction thereof of tree that is cut down, damaged, or destroyed, up to a maximum of four replacement trees unless otherwise approved by the Township based on consideration of the site and building configuration, available planting space, and similar considerations.

F. **SIZE OF PLANT MATERIAL.**

1. To ensure adequate variety, and to avoid monotony and uniformity within a site, recommend plant materials should not include more than 20 percent of any single plant species, and should comply with the following schedule for minimum sizes at planting.

PLANT MATERIAL RECOMMENDATIONS	
Screening Materials	Minimum Size at Installation
Deciduous Shade Trees	3 caliper-inches*
Evergreen Trees	10 feet height and 5 feet spread
Deciduous Ornamental Trees	2 caliper-inches* or 6 feet overall height
Shrubs	30 inches in height, 24 inches in spread when used for screening or buffering purposes, or 3 gallon container size when used for other purposes
Groundcovers	Should be from flats

*Caliper-inches measured 12 inches above grade.

2. The Planning Commission may approve modifications from the above table for appropriate landscape materials that do not meet the above minimum size requirements or are not readily available at landscape supply yards in the required size. In approving such a modification, the Planning Commission shall determine that the substituted plant material size will meet the intent of these Guidelines, and that providing a landscape material that meets the above size requirements is impractical or not feasible.

G. **BUFFER STANDARDS.** Buffers or greenbelts and obscuring walls or fencing are intended to mitigate potential negative impacts that a proposed land use may have on neighboring land uses, or to obscure the view of the site from off site. The buffer or greenbelt is a designated unit of yard or open space together with plant materials, barriers and screening designed to minimize negative impacts on adjacent land uses. Both the amount of land and the type and amount of landscaping specified are intended to minimize potential nuisances such as noise, glare, dirt, litter, unsightly areas and similar impacts.

It is the intent that the following provisions provide flexibility to the developer or property owner through the manipulation of four basic elements: distance, plant material type, plant material density and structural or land forms. Buffers shall be designed for a specific site and shall consider the adjacent uses and the need or desirability to screen or block (and to what degree), the site, sounds, light, traffic, or other attributes or potential impacts of the proposed use from adjacent sites as well as the public right-of-way.

H. **LOADING, STORAGE, AND SERVICE AREA SCREENING.** Commercial vehicle use areas, including service areas, loading areas shall be screened from adjacent residential areas and from the public right-of-way. Such screening may be accomplished by a masonry wall, building wing wall, or densely planted landscape buffer, or other means acceptable to the Planning Commission.

I. **STORMWATER MANAGEMENT POND LANDSCAPING.** Where any pond, retention basin, detention basin, or other constructed storm water management facility is required, it shall comply with the following requirements and Section 14.17 of the Zoning Ordinance.

1. Basin configurations shall be incorporated into the natural topography to the greatest extent possible. Where this is not practical, the basin shall be shaped to emulate a naturally formed or free form depression.
2. Where fencing is proposed, the location and design shall be subject to Planning Commission approval.
3. A perimeter greenbelt buffer shall be provided in accordance with the Buffer Standards in Subsection G above.
4. Plantings shall be clustered around the basin to achieve a variety of plant materials and to replicate a natural environment. Deciduous shade trees shall be

clustered around the sides of the basin to provide shade and minimize solar heating of the water.

J. **RIGHT-OF-WAY LANDSCAPING.** Public rights-of-way and other public open-space areas adjacent to required landscaped areas and development sites shall be landscaped in a manner that enhances the visual character of Township streets and minimizes adverse impacts of vehicular traffic on adjacent uses.

K. **STREET TREES.** Street tree plantings shall be required for all development projects adjacent to or along the margins of street rights-of-way in the Township. Street trees shall consist of deciduous trees planted at a minimum concentration of one street tree per 35 linear feet of right-of-way. Required trees may be planted at regular intervals or in groupings which are subject to the approval of the Planning Commission.

Existing trees in good condition and of a desirable species located near or within street rights-of-way shall be preserved where feasible and counted toward the street tree planting requirement if the trees are four inches in caliper or greater, one foot above grade level.

Permits may be required by the Allegan County Road Commission or Michigan Department of Transportation for installation of street trees within rights-of-way under their jurisdiction. Where such plantings are not permitted within a street right-of-way, required street trees shall be planted within the front yard setback area, or at an alternative location approved by the Planning Commission.

L. **MAINTENANCE OF RIGHT-OF-WAY LANDSCAPING.** Right-of-way landscaping shall be maintained by the owners of the abutting lots, including any irrigation of the right-of-way.

M. **LANDSCAPING OF YARDS.** Any portion of a front, side or rear yard not utilized for storage, parking, loading, or unloading, shall be planted and maintained in a neat condition.

N. **MODIFICATION OF LANDSCAPE REQUIREMENTS.** Recognizing that a wide variety of land uses and the relationships between them can exist, and that varying circumstances can mitigate the need for landscaping, the Planning Commission may reduce or waive the screening and buffer requirements of these Guidelines and approve an alternative landscape plan. The Planning Commission must find that the following standards have been met whenever it modifies any landscaping requirements.

1. The modified landscape plan shall protect the character of new and existing residential neighborhoods against negative impacts such as noise, glare, light, air pollution, trash and debris, and hazardous activities.
2. Any alternate width and type of buffer zone and screening provided therein will ensure compatibility with surrounding and nearby land uses based on the following.

- i. The development must be compatible with and sensitive to the immediate environment of the site and neighborhood relative to architectural design, scale, bulk, building height, identified historical character, disposition and orientation of buildings on the lot and visual integrity.
- ii. The site must have natural existing vegetation or topography, natural bodies of water or wetland areas, or other existing conditions which offer screening consistent with the standards set forth in these Guidelines. The Planning Commission shall require the preservation of these natural features as a condition of site plan approval.
- iii. The arrangement, design and orientation of buildings on the site must maximize privacy and isolate adjacent and nearby land uses from any potential negative impacts of the project.

CERTIFICATE

I, Wendy VanHuis, the Clerk for the Township of Laketown, Allegan, County, Michigan, certify that the foregoing Laketown Township Zoning Text Amendment was adopted at a regular meeting of the Township Board held on _____, 2011. The following members of the Township Board were present at that meeting: _____

_____.

The following members of the Township Board were absent: _____

_____. The Ordinance

was adopted by the Township Board with members of the Board _____

_____ voting in favor and members of the Board

_____ voting

in opposition. Notice of Adoption of the Ordinance was published in the _____

on _____, 2011.

Wendy VanHuis,
Township Clerk