

other support used for the storage of animals or property, or carrying on business activities. When an accessory building is attached to a main building in a substantial manner, such as a common wall or roof, enclosed breezeway or a covered colonnade, the accessory building shall be deemed to have been integrated into the main building and no longer considered an accessory building.

Motion by Commissioner Campeau, seconded by Commissioner Butler, **ADOPTED**, to open the public hearing at 6:08 p.m.

7 AYES

Motion by Commissioner Butler, seconded by Commissioner Lundell, **ADOPTED**, to close the public hearing at 6:12 p.m.

7 AYES

Motion by Commissioner Josephson, seconded by Commissioner Campeau, to approve the new language for Article II, Definitions, Section 2.02 Definitions A – Accessory Buildings.

ROLL CALL

Commissioner Butler	Yes
Commissioner Campeau	Yes
Commissioner VanOosterhout	Yes
Commissioner Lundell	Yes
Commissioner Huldin	Yes
Commissioner Josephson	Yes
Chairperson Warner	Yes

2. ARTICLE II DEFINITIONS, SECTION 2.04 DEFINITIONS C – COMMERCIAL

The proposed new language for this ordinance is:

This term relates to the use of property in connection with the lodging of transient guests for profit for a rental fee or the purchase, sale, lease, barter, display or exchange of goods, wares, merchandise or personal services or that is used in commerce or the maintenance of service offices or recreation or amusement enterprise or garage/basement/yard sales operating more than six (6) days during any one (1) twelve (12) month period and designed to make a profit. Any rental of a dwelling for a fee if less than thirty (30) consecutive days is considered to be a commercial use, regardless of which zoning district the dwelling lies in.

Motion by Commissioner Campeau, seconded by Commissioner Lundell, **ADOPTED**, to open the public hearing at 6:13 p.m.

7 AYES

Discussion:

1. Peter Johnson – 5200 Lamos Rd. He stated that the Pottery studio is currently not commercial and feels it should be. Planning Commissioners stated that he needed to have this conversation with the Zoning Administrator.
2. Kristen Stolzman -2766 W. River Road. She asked the Planning Commission to explain the old and new language further.
3. Erin Dancik – 6066 Duck Lake Rd. She asked the Planning Commission to explain the old and new language further.

Motion by Commissioner Campeau, seconded by Commissioner Huldin, **ADOPTED**, to close the public hearing at 6:20 p.m.

7 AYES

Motion by Commissioner Lundell, seconded by Commissioner Campeau, **ADOPTED**, to approve the new language for Article II, Definitions, Section 2.04 Definitions C – Commercial.

ROLL CALL

Commissioner Butler	Yes
Commissioner Campeau	Yes
Commissioner VanOosterhout	Yes
Commissioner Lundell	Yes
Commissioner Huldin	Yes
Commissioner Josephson	Yes
Chairperson Warner	Yes

3. ARTICLE II DEFINITIONS, SECTION 2.07 DEFINITIONS F – FLOOR AREA, USABLE (UFA)

The proposed new language for this ordinance is:

That area used for or intended to be used for the sale of merchandise or services, or for use to serve patrons, clients or customers; or area used in a dwelling unit for living purposes. Floor area which is used for or intended to be used principally for the storage or processing of merchandise, for hallways, or for utilities shall be excluded for the computation of usable floor area. For attached garages, floor area which is used for landings, stairways to subfloors/basements shall be excluded for the computation of usable floor area. Measurement of usable floor area shall be the sum of the horizontal areas of the several floors of the building measured from the interior faces of the exterior walls.

Motion by Commissioner Lundell, seconded by Commissioner Butler, **ADOPTED**, to open the public hearing at 6:22 p.m.

7 AYES

Discussion:

1. Jeff Marcinkowski -3744 Jay Rd. He questioned current UFA measurements on exterior. He asked what will be used in new language? Mike Baker stated that assessors currently use attached walls.

Motion by Commissioner Campeau, seconded by Commissioner Lundell, **ADOPTED**, to close the public hearing at 6:30 p.m.

7 AYES

Motion by Commissioner Campeau, seconded by Commissioner Huldin, **ADOPTED**, to approve the new language as presented for Article II Definitions, Section 2.07 Definitions F-Floor Area, Usable (UFA).

ROLL CALL

Commissioner Butler	Yes
Commissioner Campeau	Yes
Commissioner VanOosterhout	Yes
Commissioner Lundell	Yes
Commissioner Huldin	Yes
Commissioner Josephson	Yes
Chairperson Warner	Yes

4. ARTICLE II DEFINITIONS, SECTION 2.19 DEFINITIONS S – SETBACK LINES

The proposed new language for this ordinance is:

Imaginary lines drawn parallel to the respective lot lines which establish the minimum distance from the lot lines which any portion of a structure may be placed as defined for each zoning district and Article III – General Provisions, Sections 3.07 and 3.08.

- A. Front Setback Line. The line marking the minimum setback distance from the front lot line or road right-of-way line, whichever is closer.
- B. Rear Setback Line. The line marking the minimum setback distance from the rear lot line or road right-of-way line, whichever is closer.
- C. Side Setback Line. The line marking the minimum setback distance from the side lot lines or road right-of-way line, whichever is closer.

Motion by Commissioner Lundell, seconded by Commissioner Butler, **ADOPTED**, to open the public hearing at 6:34 p.m.

7 AYES

Motion by Commissioner Butler, seconded by Commissioner Campeau, **ADOPTED**, to close the public hearing at 6:39 p.m.

7 AYES

Motion by Commissioner Campeau, seconded by Commissioner Lundell, **ADOPTED**, to approve the new language for Article II Definitions, Section 2.19 Definitions S – Setback Lines.

ROLL CALL

Commissioner Butler	Yes
Commissioner Campeau	Yes
Commissioner VanOosterhout	Yes
Commissioner Lundell	Yes
Commissioner Huldin	Yes
Commissioner Josephson	Yes
Chairperson Warner	Yes

5. ARTICLE II DEFINITIONS, SECTION 2.19 DEFINITIONS S – STRUCTURES PERMANENT

The proposed new language for this ordinance is:

Any structure which is not intended to be readily movable or which is anchored to the ground through the use of a permanent subsurface foundation (regardless of the material used) or concrete slab-on-grade.

Motion by Commissioner Lundell, seconded by Commissioner Josephson, **ADOPTED**, to open the public hearing at 6:42 P.M.

7 AYES

Discussion:

1. Cameron Stolzman -2766 W River Road. He asked for further explanation of a permanent structure.

Motion by Commissioner Huldin, seconded by Commissioner Lundell, **ADOPTED**, to close the public hearing at 6:45 p.m.

7 AYES

Motion by Commissioner Butler, seconded by Commissioner Campeau, **ADOPTED**, to approve the new language for Article 2 Definitions, Section 2.19 Definitions S – Structures Permanent.

ROLL CALL

Commissioner Butler	Yes
Commissioner Campeau	Yes
Commissioner VanOosterhout	Yes
Commissioner Lundell	Yes
Commissioner Huldin	Yes
Commissioner Josephson	Yes
Chairperson Warner	Yes

6. ARTICLE II DEFINITIONS, SECTION 2.19 DEFINITIONS S – STRUCTURES TEMPORARY

The proposed new language for this ordinance is:

Any structure which is readily movable or which is anchored to the ground through the use of a readily removable subsurface foundation, regardless of the material used. Temporary structures may include such structures as cargo/shipping containers being used for storage, shelters with flexible walls or roof, tents, plastic sheds, prefabricated play equipment, kit structures or other similar structures.

Motion by Commissioner Butler, seconded by Commissioner Lundell, **ADOPTED**, to open the public hearing at 6:47 p.m.

7 AYES

Motion by Commissioner Josephson, seconded by Commissioner Campeau, **ADOPTED**, to close the public hearing at 6:48 p.m.

7 AYES

Motion by Commissioner Campeau, seconded by Commissioner Huldin, **ADOPTED**, to approve the new language for Article II Definitions, Section 2.19 Definitions S – Structures Temporary.

ROLL CALL

Commissioner Butler	Yes
Commissioner Campeau	Yes
Commissioner VanOosterhout	Yes
Commissioner Lundell	Yes
Commissioner Huldin	Yes
Commissioner Josephson	Yes
Chairperson Warner	Yes

7. ARTICLE II DEFINITIONS, SECTION 2.23 DEFINITIONS Y – YARD

The proposed new language for this ordinance is:

A yard is an open space on the same land with a building or group of buildings, which open space lies between the building or group of buildings and the nearest lot line and is unoccupied by any structure and unobstructed from the ground upward, except as provided herein.

- A. A *Front Yard* is the open space extending from side lot line to side lot line, the depth of which is measured at right angles to the front lot line from any point on a building.
- B. A *Rear Yard* is the open space extending from side lot line to side lot line, the depth of which is measured at right angles to the rear lot line from any point on a building.
- C. A *Side Yard* is an open unoccupied space between the main building and the side lot lines extending from the front lot line to the rear lot line. The width of the side yard shall be measured horizontally from and at right angles to the side lot line from the point on the building nearest to the side lot line.

Motion by Commissioner Lundell, seconded by Commissioner Campeau, **ADOPTED**, to open the public hearing at 6:53 p.m.

7 AYES

Motion by Commissioner Josephson, seconded by Commissioner Huldin, **ADOPTED**, to close the public hearing at 6:54 p.m.

7 AYES

Motion by Commissioner Huldin, seconded by Commissioner Campeau, **ADOPTED**, to approve the new language for Article II Definitions, Section 2.23 Definitions Y – Yard.

ROLL CALL

Commissioner Butler	Yes
Commissioner Campeau	Yes
Commissioner VanOosterhout	Yes
Commissioner Lundell	Yes
Commissioner Huldin	Yes
Commissioner Josephson	Yes
Chairperson Warner	Yes

8. ARTICLE III GENERAL PROVISIONS, SECTION 3.08 (LETTER B) ACCESSORY BUILDING & USES

The proposed new language for this ordinance is:

In addition to the accessory buildings and structures permitted herein, each single-family and each two-family dwelling may provide one garage for use by the occupants of each dwelling unit. The garage may be attached to the dwelling or detached from the dwelling. The

maximum size of such garage shall not exceed twelve-hundred (1,200) square feet of usable ground floor area for attached garages (see Usable Floor Area) or exceed a maximum footprint of twelve-hundred (1,200) square feet including any cantilevered or open-sided lean-to for detached garages.

Motion by Commissioner Butler, seconded by Commissioner Lundell, **ADOPTED**, to open the public hearing at 6:56 p.m.

7 AYES

Discussion:

1. Kristen Stolzman – 2766 W River Road. She requested the Commission to clarify language proposed in regard to detached and attached garage space.

Motion by Commissioner Butler, seconded by Commissioner Lundell, **ADOPTED**, to close the public hearing at 7:04 p.m.

7 AYES

Motion by Commissioner Huldin, seconded by Commissioner Campeau, **ADOPTED**, to approve the new language for Article III General Provisions, Section 3.08 (Letter B) Accessory Buildings & Uses.

ROLL CALL

Commissioner Butler	Yes
Commissioner Campeau	Yes
Commissioner VanOosterhout	Yes
Commissioner Lundell	Yes
Commissioner Huldin	Yes
Commissioner Josephson	Yes
Chairperson Warner	Yes

9. ARTICLE III GENERAL PROVISIONS, SECTION 3.08 (LETTER H) ACCESSORY BUILDING SIZES, HEIGHTS AND SETBACKS.

The proposed new language for this ordinance is:

The total area for all accessory buildings shall not exceed the maximum footprint area, including any cantilevered or open-sided lean-to, noted below, as required by Section 3.08 H. (2.) herein, except that in no case shall the total square footage of all accessory buildings exceed twelve-thousand and ninety (12,090) square feet.

MAXIMUM ACCESSORY BUILDING FOOTPRINT SIZE FORMULA						
Lot Size (acres)	1 Acre (43,560)	= Subtotal-1	Multiplier 1.25% (.0125)	= Subtotal-2	+ 1,200 Sqft	Total SQFT
A	x B	= C	x D	= F	+ G	= Total SQFT
Example						
4.25 acres	x 43,560	= 185,130	x 0.0125	= 2,314	+ 1,200	= 3,514 SQFT

MAXIMUM ACCESSORY BUILDING HEIGHT	
Building Footprint Size	Maximum Building Height
Less than 2,400 square feet	24 feet
Greater Than 2,400 square feet	35 feet

ACCESSORY BUILDING SIZE AND REAR YARD SETBACK		
Building Footprint Size	Minimum Building Setback	
	Side	Rear
100 square feet or less	10 feet	5 feet
Less than 1,200 square feet	10 feet	10 feet
1,200 to less than 1,500 square feet	15 feet	15 feet
1,500 to less than 2,400 square feet	25 feet	25 feet
Greater than 2,400	50 feet	50 feet

Motion by Commissioner Huldin, seconded by Commissioner Campeau, **ADOPTED**, to open the public hearing at 7:06 p.m.

7 AYES

Discussion:

1. Cameron Stolzman – 2766 W River Road. He questioned the height requirements and lean to requirements of this ordinance. He also questioned stopping at 20 acres for max size.
2. Commissioner VanOosterhout questioned the 20-acre max.

3. Pat Whitener – 3293 W Bard Road stated she was pleased with the new language for this ordinance.

Motion by Commissioner Butler, seconded by Commissioner Lundell, **ADOPTED**, to close the public hearing at 7:21 p.m.

7 AYES

Motion by Commissioner Huldin, seconded by Commissioner Butler, **ADOPTED**, to approve the new language for Article III General Provisions, Section 3.08 (Letter H) Accessory Building Sizes, Heights, and Setbacks.

ROLL CALL

Commissioner Butler	Yes
Commissioner Campeau	Yes
Commissioner VanOosterhout	Yes
Commissioner Lundell	Yes
Commissioner Huldin	Yes
Commissioner Josephson	Yes
Chairperson Warner	Yes.

10. ARTICLE III GENERAL PROVISIONS, SECTION 3.09 REGULATIONS APPLICABLE TO ALL SINGLE-FAMILY DWELLINGS

The proposed new language for this ordinance is:

1. Manufactured homes are only permitted in a manufactured Home Park (MHP) licensed by the Michigan Mobile Home Commission and approved by the Township or as Temporary Dwelling for Residential Purpose approved by the Zoning Administrator.
2. The manufactured home must either be:
 - a. New and certified by the manufacturer and/or appropriate inspection agency as meeting the Mobile Home Construction and Safety Standards of the U.S. Department of Housing and Urban Development of 1976, as amended, or any similar successor or replacement standards which may be promulgated; or
 - b. Used and certified by the manufacturer and/or appropriate inspection agency as meeting the standards referenced in subsection (a) above, and found, on inspection by the Building Inspector or his designee, to be in excellent condition and safe and fit for residential occupancy.

Motion by Commissioner Campeau, seconded by Commissioner Huldin, **ADOPTED**, to open the public hearing at 7:24 p.m.

7 AYES

Discussion:

1. Jeff Marcinkowski – 3744 Jay Rd. He questioned the Commission as to what the definition of single family is in the ordinances. Commissioner Lundell read the definition of family as stated in ordinance book.

Motion by Commissioner Butler, seconded by Commissioner Lundell, **ADOPTED**, to close the public hearing at 7:32 p.m.

7 AYES

Motion by Commissioner Josephson, seconded by Commissioner Campeau, **ADOPTED**, to approve the new language for Article III General Provisions, Section 3.09 Regulations Applicable to All Single-Family Dwellings.

ROLL CALL

Commissioner Butler	Yes
Commissioner Campeau	Yes
Commissioner VanOosterhout	Yes
Commissioner Lundell	Yes
Commissioner Huldin	Yes
Commissioner Josephson	Yes
Chairperson Warner	Yes

11. ARTICLE III GENERAL PROVISIONS, SECTION 3.21 (LETTER A) – HOME OCCUPATIONS

The proposed new language for this ordinance is:

The resident occupant(s) shall be actively engaged in the home occupation. Non-resident people may also be employed in the home occupation.

Motion by Commissioner Josephson, seconded by Commissioner Campeau, **ADOPTED**, to open the public hearing at 7:34 p.m.

7 AYES

Motion by Commissioner Lundell, seconded by Commissioner Huldin, **ADOPTED**, to close the public hearing at 7:37 p.m.

7 AYES

Motion by Commissioner Huldin, seconded by Commissioner Lundell, ADOPTED, to approve the new language for Article III General Provisions, Section 3.21 (Letter A) – Home Occupations.

ROLL CALL

Commissioner Butler	Yes
Commissioner Campeau	Yes
Commissioner VanOosterhout	Yes
Commissioner Lundell	Yes
Commissioner Huldin	Yes
Commissioner Josephson	Yes
Chairperson Warner	Yes

12. ARTICLE III GENERAL PROVISIONS, SECTION 3.31 (LETTER A) – AVERAGE SETBACK LINES (TO INCLUDE 3 DESIGNATIONS)

The proposed new language for this ordinance is:

Article III – General Provisions

Section 3.31 A.

Average Setback Lines

Front (Non-Lakefront Lots). When the required front yard setback cannot be met and there are existing principal buildings within two-hundred (200) feet on each side of a proposed building location, the required setback line shall be determined as the average distance of the nearest principal building on each side located within two-hundred (200) feet on the same side of the street. If there is an existing principal building within two-hundred (200) feet of the proposed building on only one (1) side, the required setback line shall be the average of the distance of the nearest principal building within two-hundred (200) feet and the otherwise required setback. If there are no principal buildings within two-hundred (200) feet on either side of the proposed building, the proposed building shall not be located closer than fifty (50) feet to the right-of-way of an arterial street or thirty-five (35) feet to the right-of-way line of a residential street. All setback measurements shall be taken at right angles to the right-of-way.

Article III – General Provisions

Section 3.31 B.

Average Setback Lines

Front (Lakefront Lots on Arterial Streets). For lakefront lots served by arterial streets the front yard setback for any building, including accessory buildings, is one-hundred (100) feet. When the required front yard setback cannot be met and there are existing buildings within two-hundred (200) feet on each side of a proposed building location, the required setback line shall be determined as the average setback of the nearest building on each side, located within two-hundred (200) feet and on the same side of the street. If there is an existing building within two-hundred (200) feet of the proposed building location on only one (1) side,

the proposed building setback shall be the average of the setback of the nearest building within two hundred (200) feet and the otherwise required setback. If there are no existing structures within two-hundred (200) feet of the proposed building location on the same side of the street, the proposed building shall not be located closer to the street right-of-way than fifty (50) feet. All setback measurements shall be taken at right angles to the right-of-way line.

Article III – General Provisions

Section 3.31 C.

Average Setback Lines

Front (Lakefront Lots on Residential Streets). For lakefront lots served by residential streets the front yard setback for any building, including accessory buildings, is fifty (50) feet. When the required front yard setback cannot be met and there are existing buildings within two-hundred (200) feet on each side of a proposed building location, the required setback line shall be determined as the average setback of the nearest building on each side, located within two-hundred (200) feet and on the same side of the street. If there is an existing building within two-hundred (200) feet of the proposed building location on only one (1) side, the proposed building setback shall be the average of the setback of the nearest building within two hundred (200) feet and the otherwise required setback. If there are no existing structures within two-hundred (200) feet of the proposed building location on the same side of the street, the proposed building shall not be located closer to the street right-of-way than thirty-five (35) feet. All setback measurements shall be taken at right angles to the right-of-way line.

Motion by Commissioner Butler, seconded by Commissioner Lundell, **ADOPTED**, to open the public hearing at 7:38 p.m.

7 AYES

Motion by Commissioner Huldin, seconded by Commissioner Butler, **ADOPTED**, to close the public hearing at 7:47 p.m.

7 AYES

Motion by Commissioner Josephson, seconded by Commissioner Campeau, **ADOPTED**, to approve the new language for Article III General Provisions, Section 3.31 (Letter A) – Average Setback Lines (To Include 3 Designations).

ROLL CALL

Commissioner Butler	Yes
Commissioner Campeau	Yes
Commissioner VanOosterhout	Yes
Commissioner Lundell	Yes
Commissioner Huldin	Yes

Commissioner Josephson
Chairperson Warner

Yes
Yes

13. ARTICLE III, SECTION 3.38 AUTHORITY TO IMPOSE A MORATORIUM

The proposed new language for this ordinance is:

Section I

AMENDMENT OF ARTICLE III

The Fruitland Township Zoning Ordinance is hereby amended by adding a new section to Article III, "General Provisions", as follows:

Section 3.38 AUTHORITY TO IMPOSE A MORATORIUM

The Township Planning Commission has the authority to recommend the establishment of a temporary moratorium as to the application of provisions of the Township Zoning Ordinance to the Township Board, by majority vote of the Planning Commission. Said recommendation shall contain findings supporting the need for a temporary moratorium.

- A. Upon such Planning Commission recommendation, the Township Board may impose A temporary moratorium as to the application of the provisions of the Township Zoning Ordinance by ordinance or resolution of the Township Board. The Township Board moratorium shall contain findings supporting the need for a temporary moratorium.
- B. Such a temporary moratorium shall be for a set amount of time but may be extended by resolution of the Township Board to allow additional time for Township review and consideration of the application, revision, review or repeal/replacement of zoning ordinance provisions. If an extension is adopted, the Township will post notice of the extension on the Township website.

Motion by Commissioner Campeau, seconded by Commissioner Josephson, **ADOPTED**, open the public hearing at 7:50 p.m.

7 AYES

Motion by Commissioner Lundell, seconded by Commissioner Butler, **ADOPTED**, to close the public hearing at 7:53 p.m.

7 AYES

Motion by Commissioner Josephson, seconded by Commissioner Huldin, **ADOPTED**, to approve language for Article III, Section 3.38 Authority to Impose a Moratorium.

ROLL CALL

Commissioner Butler	Yes
Commissioner Campeau	Yes
Commissioner VanOosterhout	Yes
Commissioner Lundell	Yes
Commissioner Huldin	Yes
Commissioner Josephson	Yes
Chairperson Warner	Yes

14. ARTICLE XXVIII, DATA CENTER MORATORIUM, SECTION 28.01 FINDINGS

The proposed new language for this ordinance is:

SECTION II
AMENDMENT TO ADD NEW ARTICLE

The Fruitland Township Zoning Ordinance is hereby amended by adding a new article as follows:

Article XXVIII DATA CENTER MORATORIUM ORDINANCE

SECTION 28.01 FINDINGS

In accordance with the Michigan Zoning Enabling Act, PA 110 of 2006, as amended, the Fruitland Township Board has determined the following:

- A. The approval of data centers may result in or produce negative impacts on permitted land uses and development and may harm the public health, safety and general welfare of property owners and residents of the Township.
- B. Significant public health, safety, and welfare concerns are being raised by the public about the impacts of data centers.
- C. The Township has a legitimate public purpose in assessing the regulation of the establishment and use of data centers within the Township to ensure that data centers do not interfere with other land uses, or have substantial negative impacts on the environment, public health, and safety.
- D. Adopting a temporary moratorium is reasonable and necessary for, among other reasons, the following:

1. Michigan courts have recognized that a moratorium is a common and legitimate tool to preserve the status quo while formulating a development strategy.
 2. The adoption of a temporary moratorium would allow the Township Board and Planning Commission adequate time to study the public health, safety, and welfare concerns regarding data centers and allow for any needed Zoning Ordinance amendment and implementation process to occur, including attention to and consideration of citizen input and involvement, public debate, and full consideration of all issues and points of view.
- E. It is desirable and in the public interest for the reasons set forth above that the Board adopt a temporary moratorium for data centers.

SECTION 28.02 DATA CENTER MORATORIUM; TERM

A temporary moratorium is imposed upon the acceptance and/or processing of any applications for data centers. The data center moratorium imposed by this Ordinance will remain in effect for six (6) months following the adoption of this Ordinance, or until amendments to the Zoning Ordinance regarding data centers become effective, whichever occurs first.

SECTION 28.03 EXTENSION

Before this moratorium expires, the Township Board may extend the moratorium by resolution as appropriate to allow additional time for Township review and consideration of the application, revision, review or repeal/replacement of zoning ordinance provisions. If an extension is adopted, the Township will post notice of the extension on the Township website.

SECTION III

SEVERABILITY

The provisions of this ordinance are hereby declared to be severable. If any clause, sentence, word, section or provision is hereafter declared void or unenforceable for any reason by a court of competent jurisdiction, it shall not affect the remainder of such ordinance which shall continue in full force and effect.

SECTION IV

REPEAL

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION V

EFFECTIVE DATE

This Ordinance shall take effect eight (8) days after publication.

Motion by Commissioner Campeau, seconded by Commissioner Butler, **ADOPTED**, to open the public hearing at 7:56 p.m.

7 AYES

Discussion:

Planning Commission members discussed a 6-month moratorium on data centers in order to be proactive rather than reactive.

1. Commissioner VanOosterhout questioned if this time limit was acceptable with the Township Attorney and whether the Commission would be ready to move on this. Chairperson Warner stated yes to both comments.
2. Cameron Stolzman 2766 W River Road questioned why a moratorium vs. just deny, and whether the Commission is ready. Commissioner Campeau explained the reason for a moratorium, and they are not ready right now.
3. Commissioner Lundell questioned the wording on Section 28.

Motion by Commissioner Campeau, seconded by Commissioner Lundell, **ADOPTED**, to close the public hearing at 8:12 p.m.

7 AYES

Motion by Commissioner Josephson, seconded by Commissioner Campeau, **ADOPTED**, to approve the additional language for Article XXVIII, Data Center Moratorium, Section 28.01 Findings.

ROLL CALL

Commissioner Butler	Yes
Commissioner Campeau	Yes
Commissioner VanOosterhout	Yes
Commissioner Lundell	Yes
Commissioner Huldin	Yes
Commissioner Josephson	Yes
Chairperson Warner	Yes

15. LANGUAGE FOR ELECTRIC CAR CHARGING STATIONS OLD BUSINESS

The proposed new language for this ordinance is:

ELECTRIC VEHICLE CHARGING STATIONS

A. Purpose.

The purpose of this section is to facilitate the installation and operation of electric vehicle charging stations as an accessory use to promote sustainable transportation options while Ensuring compatibility with surrounding land uses, protecting public health and safety, and minimizing impacts on the character of the Township.

B. Definitions.

For the purposes of this section, the following terms shall have the meanings set forth below. These definitions shall be incorporated into ARTICLE II DEFINITIONS of this Ordinance.

1. **ELECTRIC VEHICLE (EV).** A vehicle that operates, either partially or wholly, on electrical energy from the electrical grid or an off-board source that is stored on-board for motive purpose, including battery electric vehicles and plug-in hybrid electric vehicles.
2. **ELECTRIC VEHICLE CHARGING STATION (EVCS).** A public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle.
3. **LEVEL 1 CHARGING.** A slow charging system that uses 120-volt alternating-current electric supply to supply energy to an electric vehicle's on-board charger.
4. **LEVEL 2 CHARGING.** A medium charging system that uses a 240-volt alternating-current electric supply to supply energy to an electric vehicle's on-board charger.

5. **LEVEL 3 CHARGING.** A fast-charging system that uses 480-volt or higher three-phase circuit direct-current electric supply to supply energy to an electric vehicle's on-board charger.

C. Permitted Uses.

1. Level 1 and Level 2 EVCS for private, non-revenue generating-use shall be permitted as an accessory use in all zoning districts, subject to the standards of this section, when accessory to a principal permitted use or special land use.
2. Level 3 EVCS shall be permitted as an accessory use only in Neighborhood Commercial District or as special land use in other districts where approved by the Planning Commission pursuant to ARTICLE XIV SPECIAL LAND USES, subject to the standards of this section.
3. EVCS shall not be considered a principal use unless specifically approved as a special land use in Neighborhood Commercial District.

D. General Standards.

1. **Location.** EVCS shall be located in side or rear yards where feasible and shall not be placed in required front yard setbacks. In non-residential districts, EVCS may be located in parking areas but shall not interfere with pedestrian or vehicular circulation.
2. **Number.** There shall be no limit on the number of EVCS installed for private use on a residential property.
3. **Parking.** Spaces equipped with Level 3 EVCS shall not count towards the minimum parking requirements of this Ordinance. Such spaces may be reserved for electric vehicle use, with appropriate signage.
4. **Equipment and Installation.** ALL EVCS equipment shall be installed in accordance with the Michigan Electrical Code and shall include protective bollards or curbs to prevent vehicle contact. Equipment shall not exceed eight (8) feet in height.
5. **Signage.** Signage for EVCS shall be limited to identification of the charging station, instructions for use, and safety warnings. Signs shall not exceed four (4) square feet in area and shall comply with ARTICLE XII SIGNS.
6. **Lighting.** Any lighting associated with EVCS shall be shielded to prevent glare onto adjacent properties and shall comply with SECTION 3.16 EXTERIOR LIGHTING.
7. **Accessibility.** Publicly accessible EVCS shall comply with applicable Americans with Disabilities ACT (ADA) requirements for accessible parking spaces.
8. **Maintenance.** Level 3 EVCS shall be maintained in good working order. Abandoned or inoperable stations shall have repair initiated or equipment removed, at the owner's sole cost and expense within sixty (60) days of written notice from Township officials.

- E. Site Plan Review.** Installation of Level 3 EVCS or any EVCS as a principal use shall require site plan approval pursuant to ARTICLE XIII SITE PLAN REVIEW. The site plan shall include details on location, equipment specifications, electrical service, and traffic impact.

- F. Nonconformance.** Nothing in this section shall be deemed to allow the expansion of a nonconforming use or structure unless otherwise permitted by ARTICLE IV NONCONFORMING USES AND STRUCTURES.

Motion by Commissioner Campeau, seconded by Commissioner Butler, **ADOPTED**, to open the public hearing at 8:15 p.m.

7 AYES

Motion by Commissioner Campeau, seconded by Commissioner Josephson, **ADOPTED**, to close the public hearing at 8:23 p.m.

7 AYES

Motion by Commissioner Butler, seconded by Commissioner Lundell, **ADOPTED**, to approve the language for the new ordinance for Electric Car Charging Stations.

ROLL CALL

Commissioner Butler	Yes
Commissioner Campeau	Yes
Commissioner VanOosterhout	Yes
Commissioner Lundell	Yes
Commissioner Huldin	Yes
Commissioner Josephson	Yes
Chairperson Warner	Yes

OLD BUSINESS

1. Discussion of the master plan.

The housing 101 flywheel public meeting is being rescheduled to August 12th or 13th. Final plans will be announced.

2. Short-term rentals.

The language for short-term rentals has been sent to the Township Attorney. There has been no answer as of this meeting.

PLANNING/ZONING UPDATES

There will be a ZBA meeting in July and August.

COMMISSIONERS COMMENTS

Welcome Chris VanOosterhout to the Planning Commission.

PUBLIC COMMENT

1. Pat DeHerder – 6005 Duck Lake Rd. stated thank you to Board Chair.
2. Jeff Marcinkowski – 3744 Jay Rd. stated the Planning Commission should send email to the Township Board to be able to project the paperwork on back wall.

ADJOURNMENT

Motion by Commissioner Lundell, seconded by Commissioner Butler, **ADOPTED**, to adjourn the meeting at 8:30 p.m.

Respectfully submitted,

Anne Stewart
Recording Secretary