

City of Chelsea Planning Commission

AGENDA

Tuesday, May 16, 2023 at 7:00 PM
Chelsea City Council Chambers
311 S. Main Street

Remote option available for members of the public, commissioners must attend in person.

1. Call to Order
2. Approval of the Agenda
3. Approval of the Meeting Minutes
 - a. Approval of the meeting minutes for April 18, 2023
4. Public Comment (non-agenda items only)
 - 5 minutes per speaker
 - Speakers are not permitted to grant their reserved time to an alternate speaker
 - Accommodations can be made for persons needing assistance while addressing council
5. Public Hearing
 - a. Zoning Text Amendment for Public Noticing Requirements (Sections 10.02, 12.02, and 14.05)
6. Old Business
7. New Business
 - a. Zoning Text Amendment for Public Noticing Requirements (Sections 10.02, 12.02, and 14.05)
 - b. Planning Commission evaluation and scoring of Gestamp Final Site Plan for Industrial Facilities Tax (IFT) Exemption Application
8. Discussion
 - a. Staff Report
 - i. Upcoming Agenda Items
 - ii. Local Updates
 - b. Commissioner Reports
9. Public Comment (agenda items)
10. Adjournment

Zoom Information:

Topic: Planning Commission Meeting – May 16, 2023

When: May 16, 2023 07:00 PM Eastern Time (US and Canada)

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/86258108826?pwd=M3FQQTg2NTZ5M3poU3F6aUFGTTJjZz09>

Passcode: 749182

Or One tap mobile :

+13017158592,,86258108826#,,,,*749182# US (Washington DC)

+13052241968,,86258108826#,,,,*749182# US

Item 3a
April 18, 2023
Meeting Minutes

PLANNING COMMISSION MINUTES
APRIL 18, 2023
CHELSEA MUNICIPAL BUILDING COUNCIL CHAMBERS
311 S. MAIN STREET, CHELSEA, MI

CALL TO ORDER

Chair Robinson called the meeting to order at 7:00 pm.

Present: Claire Robinson (Chair), Vincent Elie (Vice Chair), Sarah Haselschwardt (Secretary), Julianne Chard, Heather Hunnell, Marcia White, Jamie Lane, Wade Lehmann, Laura Baker

Absent: None

Others Present: David Straub (M/I Homes), Adrianna Jordan (Community Development Director), Kate Mehuron (City Council Liaison) and Rachel Kapolka (Assistant Clerk).

APPROVAL OF THE AGENDA

MOVED by White, SECONDED by Lane to approve the agenda for April 18, 2023. All Ayes. Motion Carried.

APPROVAL OF THE MEETING MINUTES

MOVED by Elie, SECONDED by White to approve the meeting minutes for March 21, 2023. All Ayes. Motion Carried.

MOVED by White, SECONDED by Lane to approve the work session minutes for April 4, 2023. All Ayes. Motion Carried.

PUBLIC COMMENT (non-agenda items only)

Jason Eyster presented on the upcoming musical, The Only Man in Town premiering in June at CHS.

PUBLIC HEARING

None

OLD BUSINESS

- a. Heritage Farms – APN 06-07-06-360-006 – Phase 1 Revised Final Site Plans
 - a. Staff Report – Adrianna Jordan
 - i. Six phase 231-unit condo with 48 units proposed in Phase 1.

- ii. Revised Phase 1 Final Site Plans dated 4/14/23 were received and reviewed:
 1. Frontage Landscaping (Sec. 7.04) – proposing 110 street trees. The requirement is met.
 2. Site Landscaping (Sec. 7.05) – proposing 250 trees/417 shrubs. The requirement is met.
 3. Buffering from Residential Uses (Sec. 7.08) – proposed plant list notes trees will be eight feet tall.
 4. Stormwater Basin Landscaping (Sec. 7.10) – site plans meet requirement.
 5. Installation and Maintenance (Sec 7.12) – proposing gator bags for hydration.
 6. Preservation and Mitigation (Sec. 7.13) – 125 preservation credits-39 additional trees are required and proposed. The requirement is met.
- iii. Reviewed conditions noted in staff report.
- b. David Straub (M/I Homes) thanked Ms. Jordan and the Planning Commission. Hoping to break ground early to mid summer.

MOVED by Chard, SECONDED by Elie to approve with the conditions details in the staff review letter the Revised Final Site Plans for SP23-02 for Phase 1 of the Heritage Farms development located on APN 06-07-06-360-006. All Ayes. Motion Carried.

NEW BUSINESS

None

DISCUSSION

1. Staff Report – Adrianna Jordan
 - a. Upcoming Agenda items
 - i. May 16th meeting– Public Noticing Hearing and Gestamp
 - ii. May work session – Canceled
 - b. Local Updates
 - i. Economic Development Town Hall – this Sunday, April 21, 2023
 - ii. Public Safety Strategic Planning Meeting – April 20, 2023
 - iii. CAPT/DART – Washtenaw Housing Group – discussion on attainable/ affordable homes for workforce.
 - iv. City accepted the Trail Town Award for Chelsea
2. Committee Reports
 - a. Transportation Working Group – Julianne Chard
 - i. Speed humps are back up on Washington
 - ii. Looking into speed tables

- b. ZBA – none
- c. Council Member Mehuron – The City has partnered with Huron Waterloo Pathways Initiative on improvements at Timbertown. An MOU was announced between the City of Chelsea and HWPI for the upcoming Timbertown Park Project.

PUBLIC COMMENT (agenda items)

None

ADJOURNMENT

MOVED by Elie, SECONDED by White to adjourn the meeting. All Ayes. Motion Carried.

Meeting adjourned at 7:23 p.m.

Respectfully Submitted,

Rachel Kapolka (Assistant Clerk)

Item 7a
Public Noticing Requirements
Zoning Text Amendments
(Sections 10.02, 12.02, and 14.05)



May 11, 2023

Planning Commission
 City of Chelsea
 305 S. Main St. Suite 100, Chelsea, MI 48118

Subject: Proposed Text Amendments: Public Noticing

Dear Commissioners:

The text amendments in your May 16, 2023 Planning Commission packet propose changes to the public noticing requirements for site plan reviews in an effort to better match our local requirements to the Michigan Zoning Enabling Act (MZEA). These proposed amendments were previously discussed by the Planning Commission at the April 4, 2023 work session. Revising these requirements by removing public noticing for site plans that are permitted by right would potentially allow Community Development Staff to expedite site plans that require Planning Commission review, better streamline staff workload, and reduce the city's annual public noticing costs by thousands of dollars. Prior to the adoption of the current Zoning Ordinance on May 17, 2021, public noticing was not required for final site plans. Bringing the ordinance in line with the state requirements also involves amending the Cluster Development ordinance to require a Public Hearing. Currently, public hearings on Cluster Developments are only conducted if requested by a resident. This does not meet the minimum MZEA requirements because the MZEA treats Cluster Developments as a type of PUD.

For your convenience I have put together the following comparison table of MZEA noticing requirements, the City of Chelsea's current public noticing requirements, and the City of Chelsea's proposed noticing requirements with changes in bold:

Action Type	MZEA Reqs.	Current City Reqs.	Proposed City Reqs.
Preliminary Site Plan	Not Required	Required**	Not Required
Final Site Plan	Not Required	Required**	Not Required
Special Land Use	Required**	Required*	Required*
PUD Area Plan	Required*	Required*	Required*
PUD Final Site Plan	Not Required	Required**	Not Required
Cluster Development	Required*	Required**	Required*
Text Amendment	Required*	Required*	Required*
Map Amendment	Required*	Required*	Required*
Variance	Required*	Required*	Required*
Zoning Interpretation	Required*	Required*	Required*
Administrative Decision Appeal	Required*	Required*	Required*
Waiver	Not Required	Not Required	Not Required

*And Public Hearing required

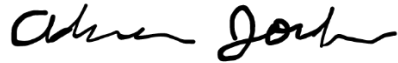
**Public Hearing only required if requested in writing by resident within 300'

RECOMMENDATION

Staff recommends that the Planning Commission recommend City Council approval of the proposed public noticing text amendments to Section 10.02.G, Section 12.02, and Section 14.05 of the City of Chelsea Zoning Ordinance at the May 16, 2023 Planning Commission meeting.

If you have any questions, please do not hesitate to contact me.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Adrianna Jordan". The signature is fluid and cursive, with the first name being more prominent than the last.

Adrianna Jordan, AICP
Community Development Director

PROPOSED PUBLIC NOTICING TEXT AMENDMENTS – MARK-UP – 3.27.23

ARTICLE 10: OPTIONAL DEVELOPMENT STANDARDS

SECTION 10.02

Cluster Development

G. Review Procedures.

~~(1)~~ *Public Hearing.* At least one public hearing on the Cluster Development shall be held by the Planning Commission, with notice being given in accordance with **Section 14.05A**.

~~(4)(2)~~ *Planning Commission Review.* The Planning Commission shall review the Site Plan and open space preservation plan in accordance with the requirements of this Section. If a Site Plan for a Cluster Development satisfies all applicable requirements of this Section, the Planning Commission shall recommend the plan to City Council for approval.

~~(2)(3)~~ *City Council Approval.* The City Council shall review the Cluster Development Site Plan and open space agreement and approve, approve with conditions, or deny the Cluster Development. The City Council may require performance guarantees in accordance with **Section 14.07** for any public improvements associated with the Cluster Development. Once approved by City Council, the open space agreement shall be recorded with the Washtenaw County Register of Deeds.

~~(3)(4)~~ *Final Plan/Plat Approval.* Within a period of two (2) years following approval of the Cluster Development Plan by City Council, final plats and/or Final Site Plans shall be submitted. Final Site Plans shall comply with the standards of **ARTICLE 12** and final plats shall comply with the City of Chelsea Subdivision approval process provided in the Code of Ordinances.

~~(4)(5)~~ *Site Condominium Approval.* If the Cluster Development is proposed as a Site Condominium Development, the applicant shall demonstrate compliance with all requirements of **Section 10.03**, as applicable, before the City Council may approve the Cluster Development Plan. Final Site Plan approval for Site Condominium Cluster Developments shall also comply will all standards of **Section 10.03**, as applicable.

ARTICLE 12: SITE PLAN REVIEW

SECTION 12.02

Application Procedures

A. Site Plan Application Requirements. Every site plan required by this Zoning Ordinance shall be in accordance with the requirements of this Article to ensure that a proposed use or activity is in compliance with local, state, and federal statutes.

~~**B. Public Notice.**~~ Upon receipt of an application for site plan approval, public notice shall be given in accordance with **Section 14.05B**.

~~**C.B. Reviewing Authority.**~~ The Planning Commission shall have authority to review and approve, approve with conditions, or deny Preliminary and Final Site Plans.

D.C. Conditions of Approval. Approval of site plans may be subject to conditions imposed by the Planning Commission which are deemed reasonably necessary to meet the purpose, intent, or requirements of this Ordinance or to protect public health, safety, and welfare.

E.D. Record of Approval. The Site Plan, as approved, shall become part of the record of approval, and subsequent actions relating to the activity authorized shall be consistent with the approved site plan, unless a change conforming to the zoning ordinance receives the mutual agreement of the landowner and the Planning Commission.

F.E. Phasing of Development. The applicant may divide the proposed development into two or more phases. In such cases, the Preliminary Site Plan shall cover the entire property involved and shall clearly indicate the location, size and character of each phase. A Final Site Plan shall be submitted for review and approval for each phase.

ARTICLE 14: ADMINISTRATION AND ENFORCEMENT

SECTION 14.05

Public Notice Requirements

- A. Public Hearings.** The body charged with conducting a public hearing required by this Ordinance shall, upon receipt of a completed application, select a reasonable time and place for such hearing. Such hearings shall be subject to the procedures set forth in the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended, and the provisions of this Ordinance.
- (1) **Publication in a Newspaper of General Circulation.** Notice of the request shall be published in a newspaper of general circulation not less than 15 days before the date of the public hearing.
 - (2) **Personal and Mailed Notice.** All notice delivered by mail or personal delivery must be given not less than 15 days before the date of the public hearing. Notice shall be deemed given when personally delivered or when deposited during normal business hours for delivery with the United States Postal Service or other public or private delivery service. If the name of the occupant is not known, the term "occupant" may be used for the intended recipient of the notice.
 - a) Notice shall be sent by mail or personal delivery to the owners of property for which approval is being considered.
 - b) Notice shall be sent to all persons to whom real property is assessed within 300 feet of the property, regardless of municipal jurisdiction.
 - c) Notice shall be given to the occupants of all structures within 300 feet of the property regardless of municipal jurisdiction. Notification need not be given to more than one (1) occupant of a structure, except that if a structure contains more than one (1) dwelling unit or spatial area leased by different persons, one (1) occupant of each unit or spatial area shall be given notice. If a single structure contains more than four (4) dwelling units or other distinct spatial areas owned or leased by different persons, notice may be given to the manager or owner of the structure who shall be requested to post the notice at the primary entrance(s) to the structure.
 - d) The City shall prepare a list of property owners and occupants to whom notice was mailed.
 - (3) **Content.** Any notice published in a newspaper and/or delivered by mail for a public hearing shall:
 - a) Describe the nature of the request.
 - b) Indicate the property that is the subject of the request.
 - c) Include a listing of all existing street addresses within the property. If no such addresses exist, other means of identifying the property may be used.
 - d) State when and where the public hearing will occur.

e) State when and where written comments may be submitted concerning the request.

~~**B. Site Plan Approval.** Upon receipt of an application for Site Plan Approval, one (1) notice that a request for a Site Plan Approval has been received shall be published in a newspaper which circulates in the City not less than 15 days prior to the meeting at which the plan will be reviewed. The notice shall:~~

~~(1) Indicate the property which is the subject of the site plan approval request.~~

~~(2) Describe the improvements and/or alterations shown on the Site Plan Approval request.~~

~~(3) State when and where the application(s) will be considered.~~

~~(4) State when and where written comments may be submitted concerning the application.~~

~~(5) Indicate that a public hearing on the Site Plan Approval will be held if requested in writing by any person who owns or occupies property within 300 feet of the boundary of the site under review.~~

PROPOSED PUBLIC NOTICING TEXT AMENDMENTS – CLEAN COPY – 3.27.23

ARTICLE 10: OPTIONAL DEVELOPMENT STANDARDS

SECTION 10.02

Cluster Development

G. Review Procedures.

- (1) *Public Hearing.* At least one public hearing on the Cluster Development shall be held by the Planning Commission, with notice being given in accordance with [Section 14.05A](#).
- (2) *Planning Commission Review.* The Planning Commission shall review the Site Plan and open space preservation plan in accordance with the requirements of this Section. If a Site Plan for a Cluster Development satisfies all applicable requirements of this Section, the Planning Commission shall recommend the plan to City Council for approval.
- (3) *City Council Approval.* The City Council shall review the Cluster Development Site Plan and open space agreement and approve, approve with conditions, or deny the Cluster Development. The City Council may require performance guarantees in accordance with [Section 14.07](#) for any public improvements associated with the Cluster Development. Once approved by City Council, the open space agreement shall be recorded with the Washtenaw County Register of Deeds.
- (4) *Final Plan/Plat Approval.* Within a period of two (2) years following approval of the Cluster Development Plan by City Council, final plats and/or Final Site Plans shall be submitted. Final Site Plans shall comply with the standards of [ARTICLE 12](#) and final plats shall comply with the City of Chelsea Subdivision approval process provided in the Code of Ordinances.
- (5) *Site Condominium Approval.* If the Cluster Development is proposed as a Site Condominium Development, the applicant shall demonstrate compliance with all requirements of [Section 10.03](#), as applicable, before the City Council may approve the Cluster Development Plan. Final Site Plan approval for Site Condominium Cluster Developments shall also comply will all standards of [Section 10.03](#), as applicable.

ARTICLE 12: SITE PLAN REVIEW

SECTION 12.02

Application Procedures

- A. Site Plan Application Requirements.** Every site plan required by this Zoning Ordinance shall be in accordance with the requirements of this Article to ensure that a proposed use or activity is in compliance with local, state, and federal statutes.
- B. Reviewing Authority.** The Planning Commission shall have authority to review and approve, approve with conditions, or deny Preliminary and Final Site Plans.
- C. Conditions of Approval.** Approval of site plans may be subject to conditions imposed by the Planning Commission which are deemed reasonably necessary to meet the purpose, intent, or requirements of this Ordinance or to protect public health, safety, and welfare.

- D. Record of Approval.** The Site Plan, as approved, shall become part of the record of approval, and subsequent actions relating to the activity authorized shall be consistent with the approved site plan, unless a change conforming to the zoning ordinance receives the mutual agreement of the landowner and the Planning Commission.
- E. Phasing of Development.** The applicant may divide the proposed development into two or more phases. In such cases, the Preliminary Site Plan shall cover the entire property involved and shall clearly indicate the location, size and character of each phase. A Final Site Plan shall be submitted for review and approval for each phase.

ARTICLE 14: ADMINISTRATION AND ENFORCEMENT

SECTION 14.05

Public Notice Requirements

- A. Public Hearings.** The body charged with conducting a public hearing required by this Ordinance shall, upon receipt of a completed application, select a reasonable time and place for such hearing. Such hearings shall be subject to the procedures set forth in the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended, and the provisions of this Ordinance.
- (1) *Publication in a Newspaper of General Circulation.* Notice of the request shall be published in a newspaper of general circulation not less than 15 days before the date of the public hearing.
 - (2) *Personal and Mailed Notice.* All notice delivered by mail or personal delivery must be given not less than 15 days before the date of the public hearing. Notice shall be deemed given when personally delivered or when deposited during normal business hours for delivery with the United States Postal Service or other public or private delivery service. If the name of the occupant is not known, the term "occupant" may be used for the intended recipient of the notice.
 - a) Notice shall be sent by mail or personal delivery to the owners of property for which approval is being considered.
 - b) Notice shall be sent to all persons to whom real property is assessed within 300 feet of the property, regardless of municipal jurisdiction.
 - c) Notice shall be given to the occupants of all structures within 300 feet of the property regardless of municipal jurisdiction. Notification need not be given to more than one (1) occupant of a structure, except that if a structure contains more than one (1) dwelling unit or spatial area leased by different persons, one (1) occupant of each unit or spatial area shall be given notice. If a single structure contains more than four (4) dwelling units or other distinct spatial areas owned or leased by different persons, notice may be given to the manager or owner of the structure who shall be requested to post the notice at the primary entrance(s) to the structure.
 - d) The City shall prepare a list of property owners and occupants to whom notice was mailed.
 - (3) *Content.* Any notice published in a newspaper and/or delivered by mail for a public hearing shall:
 - a) Describe the nature of the request.
 - b) Indicate the property that is the subject of the request.
 - c) Include a listing of all existing street addresses within the property. If no such addresses exist, other means of identifying the property may be used.
 - d) State when and where the public hearing will occur.
 - e) State when and where written comments may be submitted concerning the request.

MICHIGAN ZONING ENABLING ACT
Act 110 of 2006

AN ACT to codify the laws regarding local units of government regulating the development and use of land; to provide for the adoption of zoning ordinances; to provide for the establishment in counties, townships, cities, and villages of zoning districts; to prescribe the powers and duties of certain officials; to provide for the assessment and collection of fees; to authorize the issuance of bonds and notes; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.

History: 2006, Act 110, Eff. July 1, 2006.

The People of the State of Michigan enact:

ARTICLE I
GENERAL PROVISIONS

125.3101 Short title.

Sec. 101. This act shall be known and may be cited as the "Michigan zoning enabling act".

History: 2006, Act 110, Eff. July 1, 2006.

125.3102 Definitions.

Sec. 102. As used in this act:

(a) "Agricultural land" means substantially undeveloped land devoted to the production of plants and animals useful to humans, including, but not limited to, forage and sod crops, grains, feed crops, field crops, dairy products, poultry and poultry products, livestock, herbs, flowers, seeds, grasses, nursery stock, fruits, vegetables, Christmas trees, and other similar uses and activities.

(b) "Airport" means an airport licensed under section 86 of the aeronautics code of the state of Michigan, 1945 PA 327, MCL 259.86.

(c) "Airport approach plan" and "airport layout plan" mean a plan, or an amendment to a plan, filed with the zoning commission under section 151 of the aeronautics code of the state of Michigan, 1945 PA 327, MCL 259.151.

(d) "Airport manager" means that term as defined in section 2 of the aeronautics code of the state of Michigan, 1945 PA 327, MCL 259.2.

(e) "Airport zoning regulations" means airport zoning regulations under the airport zoning act, 1950 (Ex Sess) PA 23, MCL 259.431 to 259.465, for an airport hazard area that lies in whole or part in the area affected by a zoning ordinance under this act.

(f) "Conservation easement" means that term as defined in section 2140 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.2140.

(g) "Coordinating zoning committee" means a coordinating zoning committee as described under section 307.

(h) "Development rights" means the rights to develop land to the maximum intensity of development authorized by law.

(i) "Development rights ordinance" means an ordinance, which may comprise part of a zoning ordinance, adopted under section 507.

(j) "Family child care home" and "group child care home" mean those terms as defined in section 1 of 1973 PA 116, MCL 722.111, and only apply to the bona fide private residence of the operator of the family or group child care home.

(k) "Greenway" means a contiguous or linear open space, including habitats, wildlife corridors, and trails, that links parks, nature reserves, cultural features, or historic sites with each other, for recreation and conservation purposes.

(l) "Improvements" means those features and actions associated with a project that are considered necessary by the body or official granting zoning approval to protect natural resources or the health, safety, and welfare of the residents of a local unit of government and future users or inhabitants of the proposed project or project area, including roadways, lighting, utilities, sidewalks, screening, and drainage. Improvements do not include the entire project that is the subject of zoning approval.

(m) "Intensity of development" means the height, bulk, area, density, setback, use, and other similar characteristics of development.

(n) "Legislative body" means the county board of commissioners of a county, the board of trustees of a township, or the council or other similar elected governing body of a city or village.

(o) "Local unit of government" means a county, township, city, or village.

(p) "Other eligible land" means land that has a common property line with agricultural land from which development rights have been purchased and is not divided from that agricultural land by a state or federal limited access highway.

(q) "Person" means an individual, partnership, corporation, association, governmental entity, or other legal entity.

(r) "Population" means the population according to the most recent federal decennial census or according to a special census conducted under section 7 of the Glenn Steil state revenue sharing act of 1971, 1971 PA 140, MCL 141.907, whichever is later.

(s) "Qualified residential treatment program" means that term as defined in section 1 of 1973 PA 116, MCL 722.111.

(t) "Site plan" includes the documents and drawings required by the zoning ordinance to ensure that a proposed land use or activity is in compliance with local ordinances and state and federal statutes.

(u) "State licensed residential facility" means a structure constructed for residential purposes that is licensed by the state under the adult foster care facility licensing act, 1979 PA 218, MCL 400.701 to 400.737, or 1973 PA 116, MCL 722.111 to 722.128, and provides residential services for 6 or fewer individuals under 24-hour supervision or care.

(v) "Undeveloped state" means a natural state preserving natural resources, natural features, scenic or wooded conditions, agricultural use, open space, or a similar use or condition. Land in an undeveloped state does not include a golf course but may include a recreational trail, picnic area, children's play area, greenway, or linear park. Land in an undeveloped state may be, but is not required to be, dedicated to the use of the public.

(w) "Zoning commission" means a zoning commission as described under section 301.

(x) "Zoning jurisdiction" means the area encompassed by the legal boundaries of a city or village or the area encompassed by the legal boundaries of a county or township outside the limits of incorporated cities and villages. The zoning jurisdiction of a county does not include the areas subject to a township zoning ordinance.

History: 2006, Act 110, Eff. July 1, 2006;—Am. 2007, Act 219, Imd. Eff. Dec. 28, 2007;—Am. 2008, Act 12, Imd. Eff. Feb. 29, 2008;—Am. 2022, Act 206, Imd. Eff. Oct. 7, 2022.

125.3103 Notice; publication; mail or personal delivery; requirements.

Sec. 103. (1) Except as otherwise provided under this act, if a local unit of government conducts a public hearing required under this act, the local unit of government shall publish notice of the hearing in a newspaper of general circulation in the local unit of government not less than 15 days before the date of the hearing.

(2) Notice required under this act shall be given as provided under subsection (3) to the owners of property that is the subject of the request. Notice shall also be given as provided under subsection (3) to all persons to whom real property is assessed within 300 feet of the property that is the subject of the request and to the occupants of all structures within 300 feet of the subject property regardless of whether the property or structure is located in the zoning jurisdiction. Notification need not be given to more than 1 occupant of a structure, except that if a structure contains more than 1 dwelling unit or spatial area owned or leased by different persons, 1 occupant of each unit or spatial area shall be given notice. If a single structure contains more than 4 dwelling units or other distinct spatial areas owned or leased by different persons, notice may be given to the manager or owner of the structure, who shall be requested to post the notice at the primary entrance to the structure.

(3) The notice under subsection (2) is considered to be given when personally delivered or when deposited during normal business hours for delivery with the United States postal service or other public or private delivery service. The notice shall be given not less than 15 days before the date the request will be considered. If the name of the occupant is not known, the term "occupant" may be used for the intended recipient of the notice.

(4) A notice under this section shall do all of the following:

(a) Describe the nature of the request.

(b) Indicate the property that is the subject of the request. The notice shall include a listing of all existing street addresses within the property. Street addresses do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used.

(c) State when and where the request will be considered.

(d) Indicate when and where written comments will be received concerning the request.

History: 2006, Act 110, Eff. July 1, 2006;—Am. 2008, Act 12, Imd. Eff. Feb. 29, 2008.

ARTICLE II
ZONING AUTHORIZATION AND INITIATION

125.3201 Regulation of land development and establishment of districts; provisions; uniformity of regulations; designations; limitations.

Sec. 201. (1) A local unit of government may provide by zoning ordinance for the regulation of land development and the establishment of 1 or more districts within its zoning jurisdiction which regulate the use of land and structures to meet the needs of the state's citizens for food, fiber, energy, and other natural resources, places of residence, recreation, industry, trade, service, and other uses of land, to ensure that use of the land is situated in appropriate locations and relationships, to limit the inappropriate overcrowding of land and congestion of population, transportation systems, and other public facilities, to facilitate adequate and efficient provision for transportation systems, sewage disposal, water, energy, education, recreation, and other public service and facility requirements, and to promote public health, safety, and welfare.

(2) Except as otherwise provided under this act, the regulations shall be uniform for each class of land or buildings, dwellings, and structures within a district.

(3) A local unit of government may provide under the zoning ordinance for the regulation of land development and the establishment of districts which apply only to land areas and activities involved in a special program to achieve specific land management objectives and avert or solve specific land use problems, including the regulation of land development and the establishment of districts in areas subject to damage from flooding or beach erosion.

(4) A local unit of government may adopt land development regulations under the zoning ordinance designating or limiting the location, height, bulk, number of stories, uses, and size of dwellings, buildings, and structures that may be erected or altered, including tents and recreational vehicles.

History: 2006, Act 110, Eff. July 1, 2006.

125.3202 Zoning ordinance; determination by local legislative body; amendments or supplements; notice of proposed rezoning.

Sec. 202. (1) The legislative body of a local unit of government may provide by ordinance for the manner in which the regulations and boundaries of districts or zones shall be determined and enforced or amended or supplemented. Amendments or supplements to the zoning ordinance shall be adopted in the same manner as provided under this act for the adoption of the original ordinance.

(2) Except as provided in subsection (3), the zoning commission shall give a notice of a proposed rezoning in the same manner as required under section 103.

(3) For any group of adjacent properties numbering 11 or more that is proposed for rezoning, the requirements of section 103(2) and the requirement of section 103(4)(b) that street addresses be listed do not apply to that group of adjacent properties.

(4) An amendment to a zoning ordinance by a city or village is subject to a protest petition under section 403.

(5) An amendment to conform a provision of the zoning ordinance to the decree of a court of competent jurisdiction as to any specific lands may be adopted by the legislative body and the notice of the adopted amendment published without referring the amendment to any other board or agency provided for under this act.

History: 2006, Act 110, Eff. July 1, 2006;—Am. 2008, Act 12, Imd. Eff. Feb. 29, 2008.

125.3203 Zoning ordinance; plan; incorporation of airport layout plan or airport approach plan; zoning ordinance adopted before or after March 28, 2001; applicability of public transportation facilities.

Sec. 203. (1) A zoning ordinance shall be based upon a plan designed to promote the public health, safety, and general welfare, to encourage the use of lands in accordance with their character and adaptability, to limit the improper use of land, to conserve natural resources and energy, to meet the needs of the state's residents for food, fiber, and other natural resources, places of residence, recreation, industry, trade, service, and other uses of land, to ensure that uses of the land shall be situated in appropriate locations and relationships, to avoid the overcrowding of population, to provide adequate light and air, to lessen congestion on the public roads and streets, to reduce hazards to life and property, to facilitate adequate provision for a system of transportation including, subject to subsection (5), public transportation, sewage disposal, safe and adequate water supply, education, recreation, and other public requirements, and to conserve the expenditure of funds for public improvements and services to conform with the most advantageous uses of land, resources, and

properties. A zoning ordinance shall be made with reasonable consideration of the character of each district, its peculiar suitability for particular uses, the conservation of property values and natural resources, and the general and appropriate trend and character of land, building, and population development.

(2) If a local unit of government adopts or revises a plan required under subsection (1) after an airport layout plan or airport approach plan has been filed with the local unit of government, the local unit of government shall incorporate the airport layout plan or airport approach plan into the plan adopted under subsection (1).

(3) In addition to the requirements of subsection (1), a zoning ordinance adopted after March 28, 2001 shall be adopted after reasonable consideration of both of the following:

(a) The environs of any airport within a district.

(b) Comments received at or before a public hearing under section 306 from the airport manager of any airport.

(4) If a zoning ordinance was adopted before March 28, 2001, the zoning ordinance is not required to be consistent with any airport zoning regulations, airport layout plan, or airport approach plan. A zoning ordinance amendment adopted or variance granted after March 28, 2001 shall not increase any inconsistency that may exist between the zoning ordinance or structures or uses and any airport zoning regulations, airport layout plan, or airport approach plan. This section does not limit the right to petition for submission of a zoning ordinance amendment to the electors under section 402 or the right to file a protest petition under section 403.

(5) The reference to public transportation facilities in subsection (1) only applies to a plan that is adopted or substantively amended more than 90 days after the effective date of the amendatory act that added this subsection.

History: 2006, Act 110, Eff. July 1, 2006;—Am. 2010, Act 305, Imd. Eff. Dec. 17, 2010.

125.3204 Single-family residence; instruction in craft or fine art as home occupation.

Sec. 204. A zoning ordinance adopted under this act shall provide for the use of a single-family residence by an occupant of that residence for a home occupation to give instruction in a craft or fine art within the residence. This section does not prohibit the regulation of noise, advertising, traffic, hours of operation, or other conditions that may accompany the use of a residence under this section.

History: 2006, Act 110, Eff. July 1, 2006.

125.3205 Zoning ordinance subject to certain acts; regulation or control of oil or gas wells; prohibition; extraction of valuable natural resource; challenge to zoning decision; serious consequences resulting from extraction; factors; regulations not limited.

Sec. 205. (1) A zoning ordinance is subject to all of the following:

(a) The electric transmission line certification act, 1995 PA 30, MCL 460.561 to 460.575.

(b) The regional transit authority act, 2012 PA 387, MCL 124.541 to 124.558.

(c) The small wireless communications facilities deployment act.

(2) A county or township shall not regulate or control the drilling, completion, or operation of oil or gas wells or other wells drilled for oil or gas exploration purposes and shall not have jurisdiction with reference to the issuance of permits for the location, drilling, completion, operation, or abandonment of such wells.

(3) An ordinance shall not prevent the extraction, by mining, of valuable natural resources from any property unless very serious consequences would result from the extraction of those natural resources. Natural resources shall be considered valuable for the purposes of this section if a person, by extracting the natural resources, can receive revenue and reasonably expect to operate at a profit.

(4) A person challenging a zoning decision under subsection (3) has the initial burden of showing that there are valuable natural resources located on the relevant property, that there is a need for the natural resources by the person or in the market served by the person, and that no very serious consequences would result from the extraction, by mining, of the natural resources.

(5) In determining under this section whether very serious consequences would result from the extraction, by mining, of natural resources, the standards set forth in *Silva v Ada Township*, 416 Mich 153 (1982), shall be applied and all of the following factors may be considered, if applicable:

(a) The relationship of extraction and associated activities with existing land uses.

(b) The impact on existing land uses in the vicinity of the property.

(c) The impact on property values in the vicinity of the property and along the proposed hauling route serving the property, based on credible evidence.

(d) The impact on pedestrian and traffic safety in the vicinity of the property and along the proposed hauling route serving the property.

(e) The impact on other identifiable health, safety, and welfare interests in the local unit of government.

(f) The overall public interest in the extraction of the specific natural resources on the property.

(6) Subsections (3) to (5) do not limit a local unit of government's reasonable regulation of hours of operation, blasting hours, noise levels, dust control measures, and traffic, not preempted by part 632 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.63201 to 324.63223. However, such regulation shall be reasonable in accommodating customary mining operations.

(7) This act does not limit state regulatory authority under other statutes or rules.

History: 2006, Act 110, Eff. July 1, 2006;—Am. 2011, Act 113, Imd. Eff. July 20, 2011;—Am. 2012, Act 389, Eff. Mar. 28, 2013;—Am. 2018, Act 366, Eff. Mar. 12, 2019.

125.3205a Amateur radio service station antenna structures.

Sec. 205a. (1) 47 CFR 97.15 provides that owners of certain amateur radio service station antenna structures more than 60.96 meters (200 feet) above ground level at the site or located near or at a public use airport must notify the federal aviation administration and register with the federal communications commission as required by 47 CFR part 17.

(2) An amateur radio service station antenna structure may be erected at heights and dimensions sufficient to accommodate amateur radio service communications. Regulation of an amateur radio service station antenna structure by a local unit of government must not preclude amateur radio service communications. Rather, it must reasonably accommodate those communications and must constitute the minimum practicable regulation to accomplish the local unit of government's legitimate purpose.

(3) To obtain information about the regulation of amateur radio service station antenna structures, a person may contact any advisory board that is jointly established by the Michigan section of the American radio relay league and 1 or more state organizations representing local units of government.

History: Add. 2014, Act 556, Imd. Eff. Jan. 15, 2014.

125.3205d Zoning ordinance; prohibition or regulation of commemorative signs.

Sec. 205d. (1) A zoning ordinance shall not regulate or prohibit a sign that is located on or within a building and that commemorates any of the following:

(a) Any of the following who die in the line of duty:

(i) Police officers.

(ii) Firefighters.

(iii) Medical first responders.

(iv) Members of the United States Armed Forces.

(v) Corrections officers.

(b) Veterans of the United States Armed Forces.

(2) As used in this section, "medical first responder" means that term as defined in section 20906 of the public health code, 1978 PA 368, MCL 333.20906.

History: Add. 2018, Act 506, Eff. Mar. 28, 2019.

125.3206 Residential use of property; adult foster care facilities; family, group child care homes, or qualified residential treatment programs.

Sec. 206. (1) Except as provided in subsection (2), each of the following is a residential use of property for the purposes of zoning and a permitted use in all residential zones and is not subject to a special use or conditional use permit or procedure different from those required for other dwellings of similar density in the same zone:

(a) A state licensed residential facility.

(b) A facility in use as described in section 3(4)(k) of the adult foster care facility licensing act, 1979 PA 218, MCL 400.703.

(c) A qualified residential treatment program that provides services for 10 or fewer individuals.

(2) Subsection (1) does not apply to adult foster care facilities licensed by a state agency for care and treatment of persons released from or assigned to adult correctional institutions.

(3) For a county or township, a family child care home is a residential use of property for the purposes of zoning and a permitted use in all residential zones and is not subject to a special use or conditional use permit or procedure different from those required for other dwellings of similar density in the same zone.

(4) For a county or township, a group child care home shall be issued a special use permit, conditional use permit, or other similar permit if the group child care home meets all of the following standards:

(a) Is located not closer than 1,500 feet to any of the following:

(i) Another licensed group child care home.

(ii) An adult foster care small group home or large group home licensed under the adult foster care facility licensing act, 1979 PA 218, MCL 400.701 to 400.737.

(iii) A facility offering substance use disorder services to 7 or more people that is licensed under part 62 of the public health code, 1978 PA 368, MCL 333.6230 to 333.6251.

(iv) A community correction center, resident home, halfway house, or other similar facility that houses an inmate population under the jurisdiction of the department of corrections.

(b) Has appropriate fencing for the safety of the children in the group child care home as determined by the local unit of government.

(c) Maintains the property consistent with the visible characteristics of the neighborhood.

(d) Does not exceed 16 hours of operation during a 24-hour period. The local unit of government may limit but not prohibit the operation of a group child care home between the hours of 10 p.m. and 6 a.m.

(e) Meets regulations, if any, governing signs used by a group child care home to identify itself.

(f) Meets regulations, if any, requiring a group child care home operator to provide off-street parking accommodations for his or her employees.

(5) For a city or village, a group child care home may be issued a special use permit, conditional use permit, or other similar permit.

(6) A licensed or registered family or group child care home that operated before March 30, 1989 is not required to comply with this section.

(7) This section does not prohibit a local unit of government from inspecting a family or group child care home for the home's compliance with and enforcing the local unit of government's zoning ordinance. For a county or township, an ordinance shall not be more restrictive for a family or group child care home than 1973 PA 116, MCL 722.111 to 722.128.

(8) The establishment of any of the facilities listed under subsection (4)(a) after issuance of a special use permit, conditional use permit, or other similar permit pertaining to the group child care home does not affect renewal of that permit.

(9) This section does not prohibit a local unit of government from issuing a special use permit, conditional use permit, or other similar permit to a licensed group child care home that does not meet the standards listed under subsection (4).

(10) The distances required under subsection (4)(a) shall be measured along a road, street, or place maintained by this state or a local unit of government and generally open to the public as a matter of right for the purpose of vehicular traffic, not including an alley.

History: 2006, Act 110, Eff. July 1, 2006;—Am. 2007, Act 219, Imd. Eff. Dec. 28, 2007;—Am. 2018, Act 513, Eff. Mar. 28, 2019;—Am. 2022, Act 206, Imd. Eff. Oct. 7, 2022.

125.3207 Zoning ordinance or decision; effect as prohibiting establishment of land use.

Sec. 207. A zoning ordinance or zoning decision shall not have the effect of totally prohibiting the establishment of a land use within a local unit of government in the presence of a demonstrated need for that land use within either that local unit of government or the surrounding area within the state, unless a location within the local unit of government does not exist where the use may be appropriately located or the use is unlawful.

History: 2006, Act 110, Eff. July 1, 2006.

125.3208 Nonconforming uses or structures.

Sec. 208. (1) If the use of a dwelling, building, or structure or of the land is lawful at the time of enactment of a zoning ordinance or an amendment to a zoning ordinance, then that use may be continued although the use does not conform to the zoning ordinance or amendment. This subsection is intended to codify the law as it existed before July 1, 2006 in section 16(1) of the former county zoning act, 1943 PA 183, section 16(1) of the former township zoning act, 1943 PA 184, and section 3a(1) of the former city and village zoning act, 1921 PA 207, as they applied to counties, townships, and cities and villages, respectively, and shall be construed as a continuation of those laws and not as a new enactment.

(2) The legislative body may provide in a zoning ordinance for the completion, resumption, restoration, reconstruction, extension, or substitution of nonconforming uses or structures upon terms and conditions provided in the zoning ordinance. In establishing terms for the completion, resumption, restoration, reconstruction, extension, or substitution of nonconforming uses or structures, different classes of nonconforming uses may be established in the zoning ordinance with different requirements applicable to each class.

(3) The legislative body may acquire, by purchase, condemnation, or otherwise, private property or an interest in private property for the removal of nonconforming uses and structures. The legislative body may

provide that the cost and expense of acquiring private property may be paid from general funds or assessed to a special district in accordance with the applicable statutory provisions relating to the creation and operation of special assessment districts for public improvements in local units of government. Property acquired under this subsection by a city or village shall not be used for public housing.

(4) The elimination of the nonconforming uses and structures in a zoning district is declared to be for a public purpose and for a public use. The legislative body may institute proceedings for condemnation of nonconforming uses and structures under 1911 PA 149, MCL 213.21 to 213.25.

History: 2006, Act 110, Eff. July 1, 2006;—Am. 2008, Act 12, Imd. Eff. Feb. 29, 2008;—Am. 2010, Act 330, Imd. Eff. Dec. 21, 2010.

125.3209 Township zoning ordinance not subject to county ordinance, rule, or regulation.

Sec. 209. Except as otherwise provided under this act, a township that has enacted a zoning ordinance under this act is not subject to an ordinance, rule, or regulation adopted by a county under this act.

History: 2006, Act 110, Eff. July 1, 2006.

125.3210 Ordinance as controlling.

Sec. 210. Except as otherwise provided under this act, an ordinance adopted under this act shall be controlling in the case of any inconsistencies between the ordinance and an ordinance adopted under any other law.

History: 2006, Act 110, Eff. July 1, 2006.

125.3211 Appointment of zoning commission by legislative body; purposes; petition; initiation of action to formulate zoning commission and zoning ordinance.

Sec. 211. (1) The legislative body may proceed with the adoption of a zoning ordinance containing land development regulations and establishing zoning districts under this act upon appointment of a zoning commission as provided in section 301.

(2) The legislative body may appoint a zoning commission for purposes of formulating a zoning ordinance on its own initiative or upon receipt of a petition requesting that action as provided under subsection (3).

(3) Upon receipt of a petition signed by a number of qualified and registered voters residing in the zoning jurisdiction equal to not less than 8% of the total votes cast within the zoning jurisdiction for all candidates for governor at the last preceding general election at which a governor was elected, filed with the clerk of the local unit of government requesting the legislative body to appoint a zoning commission for purposes of formulating a zoning ordinance, the legislative body, at the next regular meeting, may initiate action to formulate a zoning commission and zoning ordinance under this act.

History: 2006, Act 110, Eff. July 1, 2006.

ARTICLE III ZONING COMMISSION

125.3301 Zoning commission; creation; transfer of powers to planning commission; resolution; membership; terms; successors; vacancy; limitation; removal of member; officers.

Sec. 301. (1) Each local unit of government in which the legislative body exercises authority under this act shall create a zoning commission unless 1 of the following applies:

(a) A county zoning commission created under former 1943 PA 183, a township zoning board created under former 1943 PA 184, or a city or village zoning commission created under former 1921 PA 207 was in existence in the local unit of government as of June 30, 2006. Unless abolished by the legislative body, that existing board or commission shall continue as and exercise the powers and perform the duties of a zoning commission under this act, subject to a transfer of power under subsection (2).

(b) A planning commission was, as of June 30, 2006, in existence in the local unit of government and pursuant to the applicable planning enabling act exercising the powers and performing the duties of a county zoning commission created under former 1943 PA 185, of a township zoning board created under former 1943 PA 184, or of a city or village zoning commission created under former 1921 PA 207. Unless abolished by the legislative body, that existing planning commission shall continue and exercise the powers and perform the duties of a zoning commission under this act.

(c) The local unit of government has created a planning commission on or after July 1, 2006 and transferred the powers and duties of a zoning commission to the planning commission pursuant to the applicable planning enabling act.

(2) Except as otherwise provided under this subsection, if the powers and duties of the zoning commission have been transferred to the planning commission as provided by law, the planning commission shall function as the zoning commission of the local unit of government. By July 1, 2011, the legislative body shall transfer the powers and duties of the zoning commission to the planning commission. Except as provided under this subsection, beginning July 1, 2011, a zoning commission's powers or duties under this act or an ordinance adopted under this act shall only be exercised or performed by a planning commission.

(3) If a zoning commission is created on or after July 1, 2006, the zoning commission shall be created by resolution and be composed of not fewer than 5 or more than 11 members appointed by the legislative body. Not fewer than 2 of the members of a county zoning commission shall be recommended for membership by the legislative bodies of townships that are, or will be, subject to the county zoning ordinance. This requirement may be met as vacancies occur on a county zoning commission that existed on June 30, 2006.

(4) The members of a zoning commission shall be selected upon the basis of the members' qualifications and fitness to serve as members of a zoning commission.

(5) The first zoning commission appointed under subsection (3) shall be divided as nearly as possible into 3 equal groups, with terms of each group as follows:

- (a) One group for 1 year.
- (b) One group for 2 years.
- (c) One group for 3 years.

(6) Upon the expiration of the terms of the members first appointed, successors shall be appointed in the same manner for terms of 3 years each. A member of the zoning commission shall serve until a successor is appointed and has been qualified.

(7) A vacancy on a zoning commission shall be filled for the remainder of the unexpired term in the same manner as the original appointment.

(8) An elected officer of a local unit of government shall not serve simultaneously as a member or an employee of the zoning commission of that local unit of government, except that 1 member of the legislative body may be a member of the zoning commission.

(9) The legislative body shall provide for the removal of a member of a zoning commission for misfeasance, malfeasance, or nonfeasance in office upon written charges and after public hearing.

(10) A zoning commission shall elect from its members a chairperson, a secretary, and other officers and establish such committees it considers necessary and may engage any employees, including for technical assistance, it requires. The election of officers shall be held not less than once in every 2-year period.

History: 2006, Act 110, Eff. July 1, 2006;—Am. 2008, Act 12, Imd. Eff. Feb. 29, 2008.

125.3302 Expenses; compensation.

Sec. 302. Members of the zoning commission may be reimbursed for reasonable expenses actually incurred in the discharge of their duties and may receive compensation as fixed by the legislative body.

History: 2006, Act 110, Eff. July 1, 2006.

125.3303 Planning expert; compensation.

Sec. 303. (1) With the approval of the legislative body, the zoning commission may engage the services of a planning expert. Compensation for the planning expert shall be paid by the legislative body.

(2) The zoning commission shall consider any information and recommendations furnished by appropriate public officials, departments, or agencies.

History: 2006, Act 110, Eff. July 1, 2006.

125.3304 Regular meetings; notice; zoning commission subject to open meetings act.

Sec. 304. The zoning commission shall hold a minimum of 2 regular meetings annually, giving notice of the time and place by publication in a newspaper of general circulation in the zoning jurisdiction. Notice shall be given not less than 15 days before the meeting. The zoning commission is subject to the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

History: 2006, Act 110, Eff. July 1, 2006.

125.3305 Recommendations of zoning commission; adoption and filing.

Sec. 305. The zoning commission shall adopt and file with the legislative body the following recommendations:

- (a) A zoning plan for the areas subject to zoning of the local unit of government.
- (b) The establishment of zoning districts, including the boundaries of those districts.
- (c) The text of a zoning ordinance with the necessary maps and zoning regulations to be adopted for a

zoning district or the zoning jurisdiction as a whole.

(d) The manner of administering and enforcing the zoning ordinance.

History: 2006, Act 110, Eff. July 1, 2006.

125.3306 Recommendations of zoning commission; submission to legislative body; public hearing; notice; examination of proposed text and maps.

Sec. 306. (1) Before submitting its recommendations for a proposed zoning ordinance to the legislative body, the zoning commission shall hold at least 1 public hearing. Notice of the time and place of the public hearing shall be given in the same manner as required under section 103(1) for the initial adoption of a zoning ordinance or section 202 for any other subsequent zoning text or map amendments.

(2) Notice of the time and place of the public hearing shall also be given by mail to each electric, gas, and pipeline public utility company, each telecommunication service provider, each railroad operating within the district or zone affected, and the airport manager of each airport, that registers its name and mailing address with the clerk of the legislative body for the purpose of receiving the notice of public hearing.

(3) The notices required under this section shall include the places and times at which the proposed text and any maps of the zoning ordinance may be examined.

History: 2006, Act 110, Eff. July 1, 2006.

125.3307 Review and recommendations after hearing; submission to township; submission to coordinating zoning committee; waiver of right to review.

Sec. 307. (1) Following the hearing required in section 306, a township shall submit for review and recommendation the proposed zoning ordinance, including any zoning maps, to the zoning commission of the county in which the township is situated if a county zoning commission has been appointed as provided under this act.

(2) If there is not a county zoning commission or county planning commission, the proposed zoning ordinance shall be submitted to the coordinating zoning committee. The coordinating zoning committee shall be composed of either 3 or 5 members appointed by the legislative body of the county for the purpose of coordinating the zoning ordinances proposed for adoption under this act with the zoning ordinances of a township, city, or village having a common boundary with the township.

(3) The county will have waived its right for review and recommendation of an ordinance if the recommendation of the county zoning commission, planning commission, or coordinating zoning committee has not been received by the township within 30 days from the date the proposed ordinance is received by the county.

(4) The legislative body of a county by resolution may waive its right to review township ordinances and amendments under this section.

History: 2006, Act 110, Eff. July 1, 2006.

125.3308 Summary of public hearing comments; transmission to legislative body by zoning commission; report.

Sec. 308. (1) Following the required public hearing under section 306, the zoning commission shall transmit a summary of comments received at the hearing and its proposed zoning ordinance, including any zoning maps and recommendations, to the legislative body of the local unit of government.

(2) Following the enactment of the zoning ordinance, the zoning commission shall at least once per year prepare for the legislative body a report on the administration and enforcement of the zoning ordinance and recommendations for amendments or supplements to the ordinance.

History: 2006, Act 110, Eff. July 1, 2006.

ARTICLE IV

ZONING ADOPTION AND ENFORCEMENT

125.3401 Public hearing to be held by legislative body; conditions; notice; approval of zoning ordinance and amendments by legislative body; filing; notice of ordinance adoption; notice mailed to airport manager; information to be included in notice; other statutory requirements superseded.

Sec. 401. (1) After receiving a zoning ordinance under section 308(1) or an amendment under sections 202 and 308(1), the legislative body may hold a public hearing if it considers it necessary or if otherwise required.

(2) Notice of a public hearing to be held by the legislative body shall be given in the same manner as required under section 103(1) for the initial adoption of a zoning ordinance or section 202 for any zoning text

or map amendments.

(3) The legislative body may refer any proposed amendments to the zoning commission for consideration and comment within a time specified by the legislative body.

(4) The legislative body shall grant a hearing on a proposed ordinance provision to an interested property owner who requests a hearing by certified mail, addressed to the clerk of the legislative body. A hearing under this subsection is not subject to the requirements of section 103, except that notice of the hearing shall be given to the interested property owner in the manner required in section 103(3) and (4).

(5) After any proceedings under subsections (1) to (4), the legislative body shall consider and vote upon the adoption of a zoning ordinance, with or without amendments. A zoning ordinance and any amendments shall be approved by a majority vote of the members of the legislative body.

(6) Except as otherwise provided under section 402, a zoning ordinance shall take effect upon the expiration of 7 days after publication as required by subsection (7) or at such later date after publication as may be specified by the legislative body or charter.

(7) Following adoption of a zoning ordinance or any subsequent amendments by the legislative body, the zoning ordinance or subsequent amendments shall be filed with the clerk of the legislative body, and a notice of ordinance adoption shall be published in a newspaper of general circulation in the local unit of government within 15 days after adoption.

(8) A copy of the notice required under subsection (7) shall be mailed to the airport manager of an airport entitled to notice under section 306.

(9) The notice required under this section shall include all of the following information:

(a) In the case of a newly adopted zoning ordinance, the following statement: "A zoning ordinance regulating the development and use of land has been adopted by the legislative body of the [county, township, city, or village] of _____."

(b) In the case of an amendment to an existing zoning ordinance, either a summary of the regulatory effect of the amendment, including the geographic area affected, or the text of the amendment.

(c) The effective date of the ordinance or amendment.

(d) The place where and time when a copy of the ordinance or amendment may be purchased or inspected.

(10) The filing and publication requirements under this section supersede any other statutory or charter requirements relating to the filing and publication of county, township, city, or village ordinances.

History: 2006, Act 110, Eff. July 1, 2006;—Am. 2008, Act 12, Imd. Eff. Feb. 29, 2008.

125.3402 Notice of intent to file petition.

Sec. 402. (1) Within 7 days after publication of a zoning ordinance under section 401, a registered elector residing in the zoning jurisdiction of a county or township may file with the clerk of the legislative body a notice of intent to file a petition under this section.

(2) If a notice of intent is filed under subsection (1), the petitioner shall have 30 days following the publication of the zoning ordinance to file a petition signed by a number of registered electors residing in the zoning jurisdiction not less than 15% of the total vote cast within the zoning jurisdiction for all candidates for governor at the last preceding general election at which a governor was elected, with the clerk of the legislative body requesting the submission of a zoning ordinance or part of a zoning ordinance to the electors residing in the zoning jurisdiction for their approval.

(3) Upon the filing of a notice of intent under subsection (1), the zoning ordinance or part of the zoning ordinance adopted by the legislative body shall not take effect until 1 of the following occurs:

(a) The expiration of 30 days after publication of the ordinance, if a petition is not filed within that time.

(b) If a petition is filed within 30 days after publication of the ordinance, the clerk of the legislative body determines that the petition is inadequate.

(c) If a petition is filed within 30 days after publication of the ordinance, the clerk of the legislative body determines that the petition is adequate and the ordinance or part of the ordinance is approved by a majority of the registered electors residing in the zoning jurisdiction voting on the petition at the next regular election or at any special election called for that purpose. The legislative body shall provide the manner of submitting the zoning ordinance or part of the zoning ordinance to the electors for their approval or rejection and determining the result of the election.

(4) A petition and an election under this section are subject to the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992.

History: 2006, Act 110, Eff. July 1, 2006.

125.3403 Amendment to zoning ordinance; filing of protest petition; vote.

Sec. 403. (1) An amendment to a zoning ordinance by a city or village is subject to a protest petition as

required by this subsection. If a protest petition is filed, approval of the amendment to the zoning ordinance shall require a 2/3 vote of the legislative body, unless a larger vote, not to exceed a 3/4 vote, is required by ordinance or charter. The protest petition shall be presented to the legislative body of the city or village before final legislative action on the amendment and shall be signed by 1 or more of the following:

(a) The owners of at least 20% of the area of land included in the proposed change.

(b) The owners of at least 20% of the area of land included within an area extending outward 100 feet from any point on the boundary of the land included in the proposed change.

(2) Publicly owned land shall be excluded in calculating the 20% land area requirement under subsection (1).

History: 2006, Act 110, Eff. July 1, 2006.

125.3404 Interim zoning ordinance.

Sec. 404. (1) To protect the public health, safety, and general welfare of the inhabitants and the lands and resources of a local unit of government during the period required for the preparation and enactment of an initial zoning ordinance under this act, the legislative body of a local unit of government may direct the zoning commission to submit, within a specified period of time, recommendations as to the provisions of an interim zoning ordinance.

(2) Before presenting its recommendations to the legislative body, the zoning commission of a township shall submit the interim zoning ordinance, or an amendment to the ordinance, to the county zoning commission or the coordinating zoning committee, for the purpose of coordinating the zoning ordinance with the zoning ordinances of a township, city, or village having a common boundary with the township. The ordinance shall be considered approved 15 days from the date the zoning ordinance is submitted to the legislative body.

(3) After approval, the legislative body, by majority vote of its members, may give the interim ordinance or amendments to the interim ordinance immediate effect. An interim ordinance and subsequent amendments shall be filed and published as required under section 401.

(4) The interim ordinance, including any amendments, shall be limited to 1 year from the effective date and to not more than 2 years of renewal thereafter by resolution of the local unit of government.

History: 2006, Act 110, Eff. July 1, 2006.

125.3405 Use and development of land as condition to rezoning.

Sec. 405. (1) An owner of land may voluntarily offer in writing, and the local unit of government may approve, certain use and development of the land as a condition to a rezoning of the land or an amendment to a zoning map.

(2) In approving the conditions under subsection (1), the local unit of government may establish a time period during which the conditions apply to the land. Except for an extension under subsection (4), if the conditions are not satisfied within the time specified under this subsection, the land shall revert to its former zoning classification.

(3) The local government shall not add to or alter the conditions approved under subsection (1) during the time period specified under subsection (2) of this section.

(4) The time period specified under subsection (2) may be extended upon the application of the landowner and approval of the local unit of government.

(5) A local unit of government shall not require a landowner to offer conditions as a requirement for rezoning. The lack of an offer under subsection (1) shall not otherwise affect a landowner's rights under this act, the ordinances of the local unit of government, or any other laws of this state.

History: 2006, Act 110, Eff. July 1, 2006.

125.3406 Zoning permits; fees; effect of delinquent payment of fine, costs, or assessment.

Sec. 406. (1) The legislative body may charge reasonable fees for zoning permits as a condition of granting authority to use, erect, alter, or locate dwellings, buildings, and structures, including tents and recreational vehicles, within a zoning district established under this act.

(2) A zoning ordinance adopted by a city may provide that a person is not eligible to apply for a rezoning, site plan approval, special land use approval, planned unit development approval, variance, or other zoning authorization if the person is delinquent in paying a civil fine, costs, or a justice system assessment imposed by an administrative hearings bureau established in that city pursuant to section 4q of the home rule city act, 1909 PA 279, MCL 117.4q.

(3) A zoning ordinance provision adopted under subsection (2) does not apply to an applicant for a zoning authorization if the applicant became the owner of the property by foreclosure or by taking a deed in lieu of

foreclosure and is 1 of the following:

(a) A government-sponsored enterprise. As used in this subdivision, "government-sponsored enterprise" means that term as defined in 2 USC 622(8), or the Michigan state housing development authority created under the state housing development authority act of 1966, 1966 PA 346, MCL 125.1401 to 125.1499c.

(b) A financial institution. As used in this subdivision, "financial institution" means that term as defined in section 4(c) of the Michigan strategic fund act, 1984 PA 270, MCL 125.2004.

(c) A mortgage servicer, as that term is defined in section 1a of the mortgage brokers, lenders, and servicers licensing act, 1987 PA 173, MCL 445.1651a, that is subject to the mortgage brokers, lenders, and servicers licensing act, 1987 PA 173, MCL 445.1651 to 445.1684.

(d) A credit union service organization that is organized under the laws of this state or the United States.

(4) Subsection (2) does not apply to a zoning authorization if the authorization will correct, in whole or in part, the blight violation that was the subject of the delinquent payment referred to in subsection (2).

History: 2006, Act 110, Eff. July 1, 2006;—Am. 2013, Act 189, Eff. Mar. 14, 2014.

125.3407 Certain violations as nuisance per se.

Sec. 407. Except as otherwise provided by law, a use of land or a dwelling, building, or structure, including a tent or recreational vehicle, used, erected, altered, razed, or converted in violation of a zoning ordinance or regulation adopted under this act is a nuisance per se. The court shall order the nuisance abated, and the owner or agent in charge of the dwelling, building, structure, tent, recreational vehicle, or land is liable for maintaining a nuisance per se. The legislative body shall in the zoning ordinance enacted under this act designate the proper official or officials who shall administer and enforce the zoning ordinance and do 1 of the following for each violation of the zoning ordinance:

(a) Impose a penalty for the violation.

(b) Designate the violation as a municipal civil infraction and impose a civil fine for the violation.

(c) Designate the violation as a blight violation and impose a civil fine or other sanction authorized by law. This subdivision applies only to a city that establishes an administrative hearings bureau pursuant to section 4q of the home rule city act, 1909 PA 279, MCL 117.4q.

History: 2006, Act 110, Eff. July 1, 2006;—Am. 2008, Act 12, Imd. Eff. Feb. 29, 2008.

ARTICLE V SPECIAL ZONING PROVISIONS

125.3501 Submission and approval of site plan; procedures and requirements.

Sec. 501. (1) The local unit of government may require the submission and approval of a site plan before authorization of a land use or activity regulated by a zoning ordinance. The zoning ordinance shall specify the body or official responsible for reviewing site plans and granting approval.

(2) If a zoning ordinance requires site plan approval, the site plan, as approved, shall become part of the record of approval, and subsequent actions relating to the activity authorized shall be consistent with the approved site plan, unless a change conforming to the zoning ordinance is agreed to by the landowner and the body or official that initially approved the site plan.

(3) The procedures and requirements for the submission and approval of site plans shall be specified in the zoning ordinance. Site plan submission, review, and approval shall be required for special land uses and planned unit developments.

(4) A decision rejecting, approving, or conditionally approving a site plan shall be based upon requirements and standards contained in the zoning ordinance, other statutorily authorized and properly adopted local unit of government planning documents, other applicable ordinances, and state and federal statutes.

(5) A site plan shall be approved if it contains the information required by the zoning ordinance and is in compliance with the conditions imposed under the zoning ordinance, other statutorily authorized and properly adopted local unit of government planning documents, other applicable ordinances, and state and federal statutes.

History: 2006, Act 110, Eff. July 1, 2006;—Am. 2008, Act 12, Imd. Eff. Feb. 29, 2008.

125.3502 Special land uses; review and approval; application; notice of request; public hearing; incorporation of decision in statement of findings and conclusions.

Sec. 502. (1) The legislative body may provide in a zoning ordinance for special land uses in a zoning district. A special land use shall be subject to the review and approval of the zoning commission, the planning commission, an official charged with administering the zoning ordinance, or the legislative body as required

by the zoning ordinance. The zoning ordinance shall specify all of the following:

(a) The special land uses and activities eligible for approval and the body or official responsible for reviewing and granting approval.

(b) The requirements and standards for approving a request for a special land use.

(c) The procedures and supporting materials required for the application, review, and approval of a special land use.

(2) Upon receipt of an application for a special land use which requires a discretionary decision, the local unit of government shall provide notice of the request as required under section 103. The notice shall indicate that a public hearing on the special land use request may be requested by any property owner or the occupant of any structure located within 300 feet of the property being considered for a special land use regardless of whether the property or occupant is located in the zoning jurisdiction.

(3) At the initiative of the body or official responsible for approving the special land use or upon the request of the applicant, a real property owner whose real property is assessed within 300 feet of the property, or the occupant of a structure located within 300 feet of the property, a public hearing shall be held before a discretionary decision is made on the special land use request.

(4) The body or official designated to review and approve special land uses may deny, approve, or approve with conditions a request for special land use approval. The decision on a special land use shall be incorporated in a statement of findings and conclusions relative to the special land use which specifies the basis for the decision and any conditions imposed.

History: 2006, Act 110, Eff. July 1, 2006.

125.3503 Planned unit development.

Sec. 503. (1) As used in this section, "planned unit development" includes such terms as cluster zoning, planned development, community unit plan, and planned residential development and other terminology denoting zoning requirements designed to accomplish the objectives of the zoning ordinance through a land development project review process based on the application of site planning criteria to achieve integration of the proposed land development project with the characteristics of the project area.

(2) The legislative body may establish planned unit development requirements in a zoning ordinance that permit flexibility in the regulation of land development, encourage innovation in land use and variety in design, layout, and type of structures constructed, achieve economy and efficiency in the use of land, natural resources, energy, and the provision of public services and utilities, encourage useful open space, and provide better housing, employment, and shopping opportunities particularly suited to the needs of the residents of this state. The review and approval of planned unit developments shall be by the zoning commission, an individual charged with administration of the zoning ordinance, or the legislative body, as specified in the zoning ordinance.

(3) Within a land development project designated as a planned unit development, regulations relating to the use of land, including, but not limited to, permitted uses, lot sizes, setbacks, height limits, required facilities, buffers, open space areas, and land use density, shall be determined in accordance with the planned unit development regulations specified in the zoning ordinance. The planned unit development regulations need not be uniform with regard to each type of land use if equitable procedures recognizing due process principles and avoiding arbitrary decisions are followed in making regulatory decisions. Unless explicitly prohibited by the planned unit development regulations, if requested by the landowner, a local unit of government may approve a planned unit development with open space that is not contiguous with the rest of the planned unit development.

(4) The planned unit development regulations established by the local unit of government shall specify all of the following:

(a) The body or official responsible for the review and approval of planned unit development requests.

(b) The conditions that create planned unit development eligibility, the participants in the review process, and the requirements and standards upon which applicants will be reviewed and approval granted.

(c) The procedures required for application, review, and approval.

(5) Following receipt of a request to approve a planned unit development, the body or official responsible for the review and approval shall hold at least 1 public hearing on the request. A zoning ordinance may provide for preapplication conferences before submission of a planned unit development request and the submission of preliminary site plans before the public hearing. Notification of the public hearing shall be given in the same manner as required under section 103.

(6) Within a reasonable time following the public hearing, the body or official responsible for approving planned unit developments shall meet for final consideration of the request and deny, approve, or approve with conditions the request. The body or official shall prepare a report stating its conclusions, its decision, the

basis for its decision, and any conditions imposed on an affirmative decision.

(7) If amendment of a zoning ordinance is required by the planned unit development regulations of a zoning ordinance, the requirements of this act for amendment of a zoning ordinance shall be followed, except that the hearing and notice required by this section shall fulfill the public hearing and notice requirements of section 306.

(8) If the planned unit development regulations of a zoning ordinance do not require amendment of the zoning ordinance to authorize a planned unit development, the body or official responsible for review and approval shall approve, approve with conditions, or deny a request.

(9) Final approval may be granted on each phase of a multiphased planned unit development if each phase contains the necessary components to insure protection of natural resources and the health, safety, and welfare of the users of the planned unit development and the residents of the surrounding area.

(10) In establishing planned unit development requirements, a local unit of government may incorporate by reference other ordinances or statutes which regulate land development. The planned unit development regulations contained in zoning ordinances shall encourage complementary relationships between zoning regulations and other regulations affecting the development of land.

History: 2006, Act 110, Eff. July 1, 2006.

125.3504 Special land uses; regulations and standards; compliance; conditions; record of conditions.

Sec. 504. (1) If the zoning ordinance authorizes the consideration and approval of special land uses or planned unit developments under section 502 or 503 or otherwise provides for discretionary decisions, the regulations and standards upon which those decisions are made shall be specified in the zoning ordinance.

(2) The standards shall be consistent with and promote the intent and purpose of the zoning ordinance and shall insure that the land use or activity authorized shall be compatible with adjacent uses of land, the natural environment, and the capacities of public services and facilities affected by the land use. The standards shall also insure that the land use or activity is consistent with the public health, safety, and welfare of the local unit of government.

(3) A request for approval of a land use or activity shall be approved if the request is in compliance with the standards stated in the zoning ordinance, the conditions imposed under the zoning ordinance, other applicable ordinances, and state and federal statutes.

(4) Reasonable conditions may be required with the approval of a special land use, planned unit development, or other land uses or activities permitted by discretionary decision. The conditions may include conditions necessary to insure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy, to insure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner. Conditions imposed shall meet all of the following requirements:

(a) Be designed to protect natural resources, the health, safety, and welfare, as well as the social and economic well-being, of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.

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

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

(5) The conditions imposed with respect to the approval of a land use or activity shall be recorded in the record of the approval action and remain unchanged except upon the mutual consent of the approving authority and the landowner. The approving authority shall maintain a record of conditions which are changed.

History: 2006, Act 110, Eff. July 1, 2006.

125.3505 Performance guarantee.

Sec. 505. (1) To ensure compliance with a zoning ordinance and any conditions imposed under a zoning ordinance, a local unit of government may require that a cash deposit, certified check, irrevocable letter of credit, or surety bond acceptable to the local unit of government covering the estimated cost of improvements be deposited with the clerk of the legislative body to insure faithful completion of the improvements. The performance guarantee shall be deposited at the time of the issuance of the permit authorizing the activity or project. The local unit of government may not require the deposit of the performance guarantee until it is

prepared to issue the permit. The local unit of government shall establish procedures by which a rebate of any cash deposits in reasonable proportion to the ratio of work completed on the required improvements shall be made as work progresses.

(2) This section shall not be applicable to improvements for which a cash deposit, certified check, irrevocable bank letter of credit, or surety bond has been deposited under the land division act, 1967 PA 288, MCL 560.101 to 560.293.

History: 2006, Act 110, Eff. July 1, 2006.

125.3506 Open space preservation.

Sec. 506. (1) Subject to subsection (4) and section 402, a qualified local unit of government shall provide in its zoning ordinance that land zoned for residential development may be developed, at the option of the landowner, with the same number of dwelling units on a smaller portion of the land than specified in the zoning ordinance, but not more than 50% for a county or township or 80% for a city or village, that could otherwise be developed, as determined by the local unit of government under existing ordinances, laws, and rules on the entire land area, if all of the following apply:

(a) The land is zoned at a density equivalent to 2 or fewer dwelling units per acre or, if the land is served by a public sewer system, 3 or fewer dwelling units per acre.

(b) A percentage of the land area specified in the zoning ordinance, but not less than 50% for a county or township or 20% for a city or village, will remain perpetually in an undeveloped state by means of a conservation easement, plat dedication, restrictive covenant, or other legal means that runs with the land, as prescribed by the zoning ordinance.

(c) The development does not depend upon the extension of a public sewer or public water supply system, unless development of the land without the exercise of the option provided by this subsection would also depend upon the extension.

(d) The option provided under this subsection has not previously been exercised with respect to that land.

(2) After a landowner exercises the option provided under subsection (1), the land may be rezoned accordingly.

(3) The development of land under subsection (1) is subject to other applicable ordinances, laws, and rules, including rules relating to suitability of groundwater for on-site water supply for land not served by public water and rules relating to suitability of soils for on-site sewage disposal for land not served by public sewers.

(4) Subsection (1) does not apply to a qualified local unit of government if both of the following apply:

(a) On or before October 1, 2001, the local unit of government had in effect a zoning ordinance provision providing for both of the following:

(i) Land zoned for residential development may be developed, at the option of the landowner, with the same number of dwelling units on a smaller portion of the land that, as determined by the local unit of government, could otherwise be developed under existing ordinances, laws, and rules on the entire land area.

(ii) If the landowner exercises the option provided by subparagraph (i), the portion of the land not developed will remain perpetually in an undeveloped state by means of a conservation easement, plat dedication, restrictive covenant, or other legal means that runs with the land.

(b) On or before December 15, 2001, a landowner exercised the option provided under the zoning ordinance provision referred to in subdivision (a) with at least 50% of the land area for a county or township or 20% of the land area for a city or village, remaining perpetually in an undeveloped state.

(5) The zoning ordinance provisions required by subsection (1) shall be cited as the "open space preservation" provisions of the zoning ordinance.

(6) As used in this section, "qualified local unit of government" means a county, township, city, or village that meets all of the following requirements:

(a) Has adopted a zoning ordinance.

(b) Has a population of 1,800 or more.

(c) Has land that is not developed and that is zoned for residential development at a density described in subsection (1)(a).

History: 2006, Act 110, Eff. July 1, 2006.

125.3507 Purchase of development rights program; adoption of ordinance; limitations; agreements with other local governments.

Sec. 507. (1) As used in this section and sections 508 and 509, "PDR program" means a purchase of development rights program.

(2) The legislative body may adopt a development rights ordinance limited to the establishment, financing, and administration of a PDR program, as provided under this section and sections 508 and 509. The PDR

program may be used only to protect agricultural land and other eligible land. This section and sections 508 and 509 do not expand the condemnation authority of a local unit of government as otherwise provided for in this act.

(3) A PDR program shall not acquire development rights by condemnation. This section and sections 508 and 509 do not limit any authority that may otherwise be provided by law for a local unit of government to protect natural resources, preserve open space, provide for historic preservation, or accomplish similar purposes.

(4) A legislative body shall not establish, finance, or administer a PDR program unless the legislative body adopts a development rights ordinance. If the local unit of government has a zoning ordinance, the development rights ordinance may be adopted as part of the zoning ordinance under the procedures for a zoning ordinance under this act. A local unit of government may adopt a development rights ordinance in the same manner as required for a zoning ordinance.

(5) A legislative body may promote and enter into agreements with other local units of government for the purchase of development rights, including cross-jurisdictional purchases, subject to applicable development rights ordinances.

History: 2006, Act 110, Eff. July 1, 2006.

125.3508 PDR program; purchase of development rights by local unit of government; conveyance; notice; requirements for certain purchases.

Sec. 508. (1) A development rights ordinance shall provide for a PDR program. Under a PDR program, the local unit of government purchases development rights, but only from a willing landowner. A development rights ordinance providing for a PDR program shall specify all of the following:

(a) The public benefits that the local unit of government may seek through the purchase of development rights.

(b) The procedure by which the local unit of government or a landowner may by application initiate purchase of development rights.

(c) The development rights authorized to be purchased subject to a determination under standards and procedures required by subdivision (d).

(d) The standards and procedures to be followed by the legislative body for approving, modifying, or rejecting an application to purchase development rights, including the determination of all the following:

(i) Whether to purchase development rights.

(ii) Which development rights to purchase.

(iii) The intensity of development permitted after the purchase on the land from which the development rights are purchased.

(iv) The price at which development rights will be purchased and the method of payment.

(v) The procedure for ensuring that the purchase or sale of development rights is legally fixed so as to run with the land.

(e) The circumstances under which an owner of land from which development rights have been purchased under a PDR program may repurchase those development rights and how the proceeds of the purchase are to be used by the local unit of government.

(2) If the local unit of government has a zoning ordinance, the purchase of development rights shall be consistent with the plan referred to in section 203 upon which the zoning ordinance is based.

(3) Development rights acquired under a PDR program may be conveyed only as provided under subsection (1)(e).

(4) A county shall notify each township, city, or village, and a township shall notify each village, in which is located land from which development rights are proposed to be purchased of the receipt of an application for the purchase of development rights and shall notify each township, city, or village of the disposition of that application.

(5) A county shall not purchase development rights under a development rights ordinance from land subject to a township, city, or village zoning ordinance unless all of the following requirements are met:

(a) The development rights ordinance provisions for the PDR program are consistent with the plan upon which the township, city, or village zoning is based.

(b) The legislative body of the township, city, or village adopts a resolution authorizing the PDR program to apply in the township, city, or village.

(c) As part of the application procedure for the specific proposed purchase of development rights, the township, city, or village provides the county with written approval of the purchase.

History: 2006, Act 110, Eff. July 1, 2006.

125.3509 PDR program; financing sources; bonds or notes; special assessments.

Sec. 509. (1) A PDR program may be financed through 1 or more of the following sources:

- (a) General appropriations by the local unit of government.
- (b) Proceeds from the sale of development rights by the local unit of government subject to section 508(3).
- (c) Grants.
- (d) Donations.
- (e) Bonds or notes issued under subsections (2) to (5).
- (f) General fund revenue.
- (g) Special assessments under subsection (6).
- (h) Other sources approved by the legislative body and permitted by law.

(2) The legislative body may borrow money and issue bonds or notes under the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821, subject to the general debt limit applicable to the local unit of government. The bonds or notes may be revenue bonds or notes, general obligation limited tax bonds or notes, or, subject to section 6 of article IX of the state constitution of 1963, general obligation unlimited tax bonds or notes.

(3) The legislative body may secure bonds or notes issued under this section by mortgage, assignment, or pledge of property, including, but not limited to, anticipated tax collections, revenue sharing payments, or special assessment revenues. A pledge made by the legislative body is valid and binding from the time the pledge is made. The pledge immediately shall be subject to the lien of the pledge without a filing or further act. The lien of the pledge shall be valid and binding as against parties having claims in tort, contract, or otherwise against the local unit of government, irrespective of whether the parties have notice of the lien. Filing of the resolution, the trust agreement, or another instrument by which a pledge is created is not required.

(4) Bonds or notes issued under this section are exempt from all taxation in this state except inheritance and transfer taxes, and the interest on the bonds or notes is exempt from all taxation in this state.

(5) The bonds and notes issued under this section may be invested in by the state treasurer and all other public officers, state agencies, and political subdivisions, insurance companies, financial institutions, investment companies, and fiduciaries and trustees and may be deposited with and received by the state treasurer and all other public officers and the agencies and political subdivisions of this state for all purposes for which the deposit of bonds or notes is authorized. The authority granted by this section is in addition to all other authority granted by law.

(6) A development rights ordinance may authorize the legislative body to finance a PDR program by special assessments. In addition to meeting the requirements of section 508, the development rights ordinance shall include in the procedure to approve and establish a special assessment district both of the following:

(a) The requirement that there be filed with the legislative body a petition containing all of the following:

(i) A description of the development rights to be purchased, including a legal description of the land from which the purchase is to be made.

(ii) A description of the proposed special assessment district.

(iii) The signatures of the owners of at least 66% of the land area in the proposed special assessment district.

(iv) The amount and duration of the proposed special assessments.

(b) The requirement that the legislative body specify how the proposed purchase of development rights will specially benefit the land in the proposed special assessment district.

History: 2006, Act 110, Eff. July 1, 2006.

125.3513 Biofuel production facility as permitted use of property; requirements; special land use approval; application; hearing; conditions; applicability of subsections (2) to (5); authority of local unit of government; definitions.

Sec. 513. (1) A biofuel production facility with an annual production capacity of not more than 100,000 gallons of biofuel is a permitted use of property and is not subject to special land use approval if all of the following requirements are met:

(a) The biofuel production facility is located on a farm.

(b) The biofuel production facility is located not less than 100 feet from the boundary of any contiguous property under different ownership than the property on which the biofuel production facility is located and meets all applicable setback requirements of the zoning ordinance.

(c) On an annual basis, not less than 75% of the feedstock for the biofuel production facility is produced on the farm where the biofuel production facility is located, and not less than 75% of the biofuel or another

product or by-product produced by the biofuel production facility is used on that farm.

(2) Subject to subsections (6) and (7), each of the following is a permitted use of property if it receives special land use approval under subsections (3) to (5):

(a) A biofuel production facility with an annual production capacity of not more than 100,000 gallons of biofuel that meets the requirements of subsection (1)(a) and (b) but that does not meet the requirements of subsection (1)(c).

(b) A biofuel production facility with an annual production capacity of more than 100,000 gallons but not more than 500,000 gallons of biofuel that meets the requirements of subsection (1)(a) and (b).

(3) An application for special land use approval for a biofuel production facility described in subsection (2) shall include all of the following:

(a) A site plan as required under section 501, including a map of the property and existing and proposed buildings and other facilities.

(b) A description of the process to be used to produce biofuel.

(c) The number of gallons of biofuel anticipated to be produced annually.

(d) An emergency access and fire protection plan that has been reviewed and approved by the appropriate responding police and fire departments.

(e) For an ethanol production facility that will produce more than 10,000 proof gallons annually, completed United States department of the treasury, alcohol and tobacco tax and trade bureau, forms 5000.29 (environmental information) and 5000.30 (supplemental information on water quality considerations under 33 USC 1341(a)), or successor forms, required to implement regulations under the national environmental policy act of 1969, 42 USC 4321 to 4347, and the federal water pollution control act, 33 USC 1251 to 1387.

(f) Information that demonstrates that the biofuel production facility will comply with the requirements of subsections (2) and (5).

(g) Any additional information requested by the body or official responsible for granting special land use approval and relevant to compliance with a zoning ordinance provision described in section 502(1) or 504.

(4) A local unit of government shall hold a hearing on an application for special land use approval under subsection (2) not more than 60 days after the application is filed. For the purposes of this section, the notice required under section 502(2) shall provide notice of the hearing, rather than notice of a right to request a hearing.

(5) Special land use approval of a biofuel production facility described in subsection (2) shall be made expressly conditional on the facility's meeting all of the following requirements before the facility begins operation and no additional requirements:

(a) Buildings, facilities, and equipment used in the production or storage of biofuel comply with local, state, and federal laws.

(b) The owner or operator of the biofuel production facility provides the local unit of government with proof that all necessary approvals have been obtained from the department of environmental quality and other state and federal agencies that are involved in permitting any of the following aspects of biofuel production:

(i) Air pollution emissions.

(ii) Transportation of biofuel or additional products resulting from biofuel production.

(iii) Use or reuse of additional products resulting from biofuel production.

(iv) Storage of raw materials, fuel, or additional products used in, or resulting from, biofuel production.

(c) The biofuel production facility includes sufficient storage for both of the following:

(i) Raw materials and fuel.

(ii) Additional products resulting from biofuel production or the capacity to dispose of additional products through land application, livestock consumption, sale, or other legal use.

(6) Subsections (2) to (5) do not apply to a biofuel production facility if the zoning ordinance provides different criteria for special land use approval of a biofuel production facility located on a farm. An amendment to a zoning ordinance adopted only to provide such criteria is not subject to a protest petition under section 403.

(7) A local unit of government may authorize a biofuel production facility described in subsection (2) as a permitted use of property not subject to a special land use approval.

(8) This section does not affect the authority of a local unit of government to prohibit or authorize biofuel production facilities that are not located on farms.

(9) As used in this section:

(a) "Biofuel" means any renewable fuel product, whether solid, liquid, or gas, that is derived from recently living organisms or their metabolic by-products and meets applicable quality standards, including, but not limited to, ethanol and biodiesel. Biofuel does not include methane or any other fuel product from an anaerobic digester.

(b) "Ethanol" means a substance that meets the ASTM international standard in effect on the effective date of this section as the D-4806 specification for denatured fuel grade ethanol for blending with gasoline.

(c) "Farm" means that term as defined in section 2 of the Michigan right to farm act, 1981 PA 93, MCL 286.472.

(d) "Proof gallon" means that term as defined in 27 CFR 19.907.

History: Add. 2011, Act 97, Imd. Eff. July 19, 2011.

125.3514 Wireless communications equipment as permitted use of property; application for special land use approval; approval or denial; authorization by local unit of government; definitions; applicability to small cell wireless communications facilities.

Sec. 514. (1) Wireless communications equipment is a permitted use of property and is not subject to special land use approval or any other approval under this act if all of the following requirements are met:

(a) The wireless communications equipment will be collocated on an existing wireless communications support structure or in an existing equipment compound.

(b) The existing wireless communications support structure or existing equipment compound is in compliance with the local unit of government's zoning ordinance or was approved by the appropriate zoning body or official for the local unit of government.

(c) The proposed collocation will not do any of the following:

(i) Increase the overall height of the wireless communications support structure by more than 20 feet or 10% of its original height, whichever is greater.

(ii) Increase the width of the wireless communications support structure by more than the minimum necessary to permit collocation.

(iii) Increase the area of the existing equipment compound to greater than 2,500 square feet.

(d) The proposed collocation complies with the terms and conditions of any previous final approval of the wireless communications support structure or equipment compound by the appropriate zoning body or official of the local unit of government.

(2) Wireless communications equipment that meets the requirements of subsection (1)(a) and (b) but does not meet the requirements of subsection (1)(c) or (d) is a permitted use of property if it receives special land use approval under subsections (3) to (6).

(3) An application for special land use approval of wireless communications equipment described in subsection (2) shall include all of the following:

(a) A site plan as required under section 501, including a map of the property and existing and proposed buildings and other facilities.

(b) Any additional relevant information that is specifically required by a zoning ordinance provision described in section 502(1) or 504.

(4) After an application for a special land use approval is filed with the body or official responsible for approving special land uses, the body or official shall determine whether the application is administratively complete. Unless the body or official proceeds as provided under subsection (5), the application shall be considered to be administratively complete when the body or official makes that determination or 14 business days after the body or official receives the application, whichever is first.

(5) If, before the expiration of the 14-day period under subsection (4), the body or official responsible for approving special land uses notifies the applicant that the application is not administratively complete, specifying the information necessary to make the application administratively complete, or notifies the applicant that a fee required to accompany the application has not been paid, specifying the amount due, the running of the 14-day period under subsection (4) is tolled until the applicant submits to the body or official the specified information or fee amount due. The notice shall be given in writing or by electronic notification. A fee required to accompany any application shall not exceed the local unit of government's actual, reasonable costs to review and process the application or \$1,000.00, whichever is less.

(6) The body or official responsible for approving special land uses shall approve or deny the application not more than 60 days after the application is considered to be administratively complete. If the body or official fails to timely approve or deny the application, the application shall be considered approved and the body or official shall be considered to have made any determination required for approval.

(7) Special land use approval of wireless communications equipment described in subsection (2) may be made expressly conditional only on the wireless communications equipment's meeting the requirements of other local ordinances and of federal and state laws before the wireless communications equipment begins operation.

(8) If a local unit of government requires special land use approval for wireless communications equipment that does not meet the requirements of subsection (1)(a) or for a wireless communications support structure,

subsections (4) to (6) apply to the special land use approval process, except that the period for approval or denial under subsection (6) is 90 days.

(9) A local unit of government may authorize wireless communications equipment as a permitted use of property not subject to a special land use approval.

(10) This section does not apply to an activity or use that is regulated by the small cell wireless communications facilities deployment act.

(11) As used in this section:

(a) "Colocate" means to place or install wireless communications equipment on an existing wireless communications support structure or in an existing equipment compound. "Collocation" has a corresponding meaning.

(b) "Equipment compound" means an area surrounding or adjacent to the base of a wireless communications support structure and within which wireless communications equipment is located.

(c) "Wireless communications equipment" means the set of equipment and network components used in the provision of wireless communications services, including, but not limited to, antennas, transmitters, receivers, base stations, equipment shelters, cabinets, emergency generators, power supply cables, and coaxial and fiber optic cables, but excluding wireless communications support structures.

(d) "Wireless communications support structure" means a structure that is designed to support, or is capable of supporting, wireless communications equipment, including a monopole, self-supporting lattice tower, guyed tower, water tower, utility pole, or building.

History: Add. 2012, Act 143, Imd. Eff. May 24, 2012;—Am. 2018, Act 366, Eff. Mar. 12, 2019.

ARTICLE VI ZONING BOARD OF APPEALS

125.3601 Zoning board of appeals; appointment; procedural rules; membership; composition; alternate member; per diem; expenses; removal; terms of office; vacancies; conduct of meetings; conflict of interest.

Sec. 601. (1) A zoning ordinance shall create a zoning board of appeals. A zoning board of appeals in existence on June 30, 2006 may continue to act as the zoning board of appeals subject to this act. Subject to subsection (2), members of a zoning board of appeals shall be appointed by majority vote of the members of the legislative body serving.

(2) The legislative body of a city or village may act as a zoning board of appeals and may establish rules to govern its procedure as a zoning board of appeals.

(3) A zoning board of appeals shall be composed of not fewer than 5 members if the local unit of government has a population of 5,000 or more or not fewer than 3 members if the local unit of government has a population of less than 5,000. The number of members of the zoning board of appeals shall be specified in the zoning ordinance.

(4) In a county or township, 1 of the regular members of the zoning board of appeals shall be a member of the zoning commission, or of the planning commission if the planning commission is functioning as the zoning commission. In a city or village, 1 of the regular members of the zoning board of appeals may be a member of the zoning commission, or of the planning commission if the planning commission is functioning as the zoning commission, unless the legislative body acts as the zoning board of appeals under subsection (2). A decision made by a city or village zoning board of appeals before February 29, 2008 is not invalidated by the failure of the zoning board of appeals to include a member of the city or village zoning commission or planning commission, as was required by this subsection before that date.

(5) The remaining regular members of a zoning board of appeals, and any alternate members under subsection (7), shall be selected from the electors of the local unit of government residing within the zoning jurisdiction of that local unit of government or, in the case of a county, residing within the county but outside of any city or village. The members selected shall be representative of the population distribution and of the various interests present in the local unit of government.

(6) Subject to subsection (2), 1 regular or alternate member of a zoning board of appeals may be a member of the legislative body. Such a member shall not serve as chairperson of the zoning board of appeals. An employee or contractor of the legislative body may not serve as a member of the zoning board of appeals.

(7) The legislative body may appoint to the zoning board of appeals not more than 2 alternate members for the same term as regular members. An alternate member may be called as specified in the zoning ordinance to serve as a member of the zoning board of appeals in the absence of a regular member if the regular member will be unable to attend 1 or more meetings. An alternate member may also be called to serve as a member for the purpose of reaching a decision on a case in which the member has abstained for reasons of conflict of

interest. The alternate member appointed shall serve in the case until a final decision is made. An alternate member serving on the zoning board of appeals has the same voting rights as a regular member.

(8) A member of the zoning board of appeals may be paid a reasonable per diem and reimbursed for expenses actually incurred in the discharge of his or her duties.

(9) A member of the zoning board of appeals may be removed by the legislative body for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing. A member shall disqualify himself or herself from a vote in which the member has a conflict of interest. Failure of a member to disqualify himself or herself from a vote in which the member has a conflict of interest constitutes malfeasance in office.

(10) The terms of office for an appointed member of the zoning board of appeals shall be 3 years, except for a member serving because of his or her membership on the zoning commission or legislative body, whose term shall be limited to the time he or she is a member of that body. When members are first appointed, appointments may be for less than 3 years to provide for staggered terms. A successor shall be appointed not more than 1 month after the term of the preceding member has expired.

(11) A vacancy on the zoning board of appeals shall be filled for the remainder of the unexpired term in the same manner as the original appointment.

(12) A zoning board of appeals shall not conduct business unless a majority of the regular members of the zoning board of appeals are present.

(13) A member of the zoning board of appeals who is also a member of the zoning commission, the planning commission, or the legislative body shall not participate in a public hearing on or vote on the same matter that the member voted on as a member of the zoning commission, the planning commission, or the legislative body. However, the member may consider and vote on other unrelated matters involving the same property.

History: 2006, Act 110, Eff. July 1, 2006;—Am. 2008, Act 12, Imd. Eff. Feb. 29, 2008;—Am. 2010, Act 330, Imd. Eff. Dec. 21, 2010.

125.3602 Meetings; call of the chairperson; oaths; attendance of witnesses; record of proceedings.

Sec. 602. (1) Meetings of the zoning board of appeals shall be held at the call of the chairperson and at other times as the zoning board of appeals in its rules of procedure may specify. The chairperson or, in his or her absence, the acting chairperson may administer oaths and compel the attendance of witnesses.

(2) The zoning board of appeals shall maintain a record of its proceedings which shall be filed in the office of the clerk of the legislative body.

History: 2006, Act 110, Eff. July 1, 2006.

125.3603 Zoning board of appeals; powers; concurring vote of majority of members.

Sec. 603. (1) The zoning board of appeals shall hear and decide questions that arise in the administration of the zoning ordinance, including the interpretation of the zoning maps, and may adopt rules to govern its procedures sitting as a zoning board of appeals. The zoning board of appeals shall also hear and decide on matters referred to the zoning board of appeals or upon which the zoning board of appeals is required to pass under a zoning ordinance adopted under this act. It shall hear and decide appeals from and review any administrative order, requirement, decision, or determination made by an administrative official or body charged with enforcement of a zoning ordinance adopted under this act. For special land use and planned unit development decisions, an appeal may be taken to the zoning board of appeals only if provided for in the zoning ordinance.

(2) The concurring vote of a majority of the members of the zoning board of appeals is necessary to reverse an order, requirement, decision, or determination of the administrative official or body, to decide in favor of the applicant on a matter upon which the zoning board of appeals is required to pass under the zoning ordinance, or to grant a variance in the zoning ordinance.

History: 2006, Act 110, Eff. July 1, 2006.

125.3604 Zoning board of appeals; procedures.

Sec. 604. (1) An appeal to the zoning board of appeals may be taken by a person aggrieved or by an officer, department, board, or bureau of this state or the local unit of government. In addition, a variance in the zoning ordinance may be applied for and granted under section 4 of the uniform condemnation procedures act, 1980 PA 87, MCL 213.54, and as provided under this act. The zoning board of appeals shall state the grounds of any determination made by the board.

(2) An appeal under this section shall be taken within such time as prescribed by the zoning board of

appeals by general rule, by filing with the body or officer from whom the appeal is taken and with the zoning board of appeals a notice of appeal specifying the grounds for the appeal. The body or officer from whom the appeal is taken shall immediately transmit to the zoning board of appeals all of the papers constituting the record upon which the action appealed from was taken.

(3) An appeal to the zoning board of appeals stays all proceedings in furtherance of the action appealed. However, if the body or officer from whom the appeal is taken certifies to the zoning board of appeals after the notice of appeal is filed that, by reason of facts stated in the certificate, a stay would in the opinion of the body or officer cause imminent peril to life or property, proceedings may be stayed only by a restraining order issued by the zoning board of appeals or a circuit court.

(4) Following receipt of a written request for a variance, the zoning board of appeals shall fix a reasonable time for the hearing of the request and give notice as provided in section 103.

(5) If the zoning board of appeals receives a written request seeking an interpretation of the zoning ordinance or an appeal of an administrative decision, the zoning board of appeals shall conduct a public hearing on the request. Notice shall be given as required under section 103. However, if the request does not involve a specific parcel of property, notice need only be published as provided in section 103(1) and given to the person making the request as provided in section 103(3).

(6) At a hearing under subsection (5), a party may appear personally or by agent or attorney. The zoning board of appeals may reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination and may issue or direct the issuance of a permit.

(7) If there are practical difficulties for nonuse variances as provided in subsection (8) or unnecessary hardship for use variances as provided in subsection (9) in the way of carrying out the strict letter of the zoning ordinance, the zoning board of appeals may grant a variance in accordance with this section, so that the spirit of the zoning ordinance is observed, public safety secured, and substantial justice done. The ordinance shall establish procedures for the review and standards for approval of all types of variances. The zoning board of appeals may impose conditions as otherwise allowed under this act.

(8) The zoning board of appeals of all local units of government shall have the authority to grant nonuse variances relating to the construction, structural changes, or alteration of buildings or structures related to dimensional requirements of the zoning ordinance or to any other nonuse-related standard in the ordinance.

(9) The authority to grant variances from uses of land is limited to the following:

(a) Cities and villages.

(b) Townships and counties that as of February 15, 2006 had an ordinance that uses the phrase "use variance" or "variances from uses of land" to expressly authorize the granting of use variances by the zoning board of appeals.

(c) Townships and counties that granted a use variance before February 15, 2006.

(10) The authority granted under subsection (9) is subject to the zoning ordinance of the local unit of government otherwise being in compliance with subsection (7) and having an ordinance provision that requires a vote of 2/3 of the members of the zoning board of appeals to approve a use variance.

(11) The authority to grant use variances under subsection (9) is permissive, and this section does not require a local unit of government to adopt ordinance provisions to allow for the granting of use variances.

History: 2006, Act 110, Eff. July 1, 2006;—Am. 2008, Act 12, Imd. Eff. Feb. 29, 2008.

125.3605 Decision as final; appeal to circuit court.

Sec. 605. The decision of the zoning board of appeals shall be final. A party aggrieved by the decision may appeal to the circuit court for the county in which the property is located as provided under section 606.

History: 2006, Act 110, Eff. July 1, 2006.

125.3606 Circuit court; review; duties.

Sec. 606. (1) Any party aggrieved by a decision of the zoning board of appeals may appeal to the circuit court for the county in which the property is located. The circuit court shall review the record and decision to ensure that the decision meets all of the following requirements:

(a) Complies with the constitution and laws of the state.

(b) Is based upon proper procedure.

(c) Is supported by competent, material, and substantial evidence on the record.

(d) Represents the reasonable exercise of discretion granted by law to the zoning board of appeals.

(2) If the court finds the record inadequate to make the review required by this section or finds that additional material evidence exists that with good reason was not presented, the court shall order further proceedings on conditions that the court considers proper. The zoning board of appeals may modify its findings and decision as a result of the new proceedings or may affirm the original decision. The

supplementary record and decision shall be filed with the court. The court may affirm, reverse, or modify the decision.

(3) An appeal from a decision of a zoning board of appeals shall be filed within whichever of the following deadlines comes first:

(a) Thirty days after the zoning board of appeals issues its decision in writing signed by the chairperson, if there is a chairperson, or signed by the members of the zoning board of appeals, if there is no chairperson.

(b) Twenty-one days after the zoning board of appeals approves the minutes of its decision.

(4) The court may affirm, reverse, or modify the decision of the zoning board of appeals. The court may make other orders as justice requires.

History: 2006, Act 110, Eff. July 1, 2006;—Am. 2008, Act 12, Imd. Eff. Feb. 29, 2008;—Am. 2010, Act 330, Imd. Eff. Dec. 21, 2010.

125.3607 Party aggrieved by order, determination, or decision; circuit court review; proper party.

Sec. 607. (1) Any party aggrieved by any order, determination, or decision of any officer, agency, board, commission, zoning board of appeals, or legislative body of any local unit of government made under section 208 may obtain a review in the circuit court for the county in which the property is located. The review shall be in accordance with section 606.

(2) Any person required to be given notice under section 604(4) of the appeal of any order, determination, or decision made under section 208 shall be a proper party to any action for review under this section.

History: 2006, Act 110, Eff. July 1, 2006.

ARTICLE VII

STATUTORY COMPLIANCE AND REPEALER

125.3701 Compliance with open meetings act; availability of writings to public.

Sec. 701. (1) All meetings subject to this act shall be conducted in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

(2) A writing prepared, owned, used, in the possession of, or retained as required by this act shall be made available to the public in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

History: 2006, Act 110, Eff. July 1, 2006.

125.3702 Repeal of MCL 125.581 to 125.600, 125.201 to 125.240, and 125.271 to 125.310; construction of section.

Sec. 702. (1) The following acts and parts of acts are repealed:

(a) The city and village zoning act, 1921 PA 207, MCL 125.581 to 125.600.

(b) The county zoning act, 1943 PA 183, MCL 125.201 to 125.240.

(c) The township zoning act, 1943 PA 184, MCL 125.271 to 125.310.

(2) This section does not alter, limit, void, affect, or abate any pending litigation, administrative proceeding, or appeal that existed on June 30, 2006 or any ordinance, order, permit, or decision that was based on the acts repealed under subsection (1). The zoning ordinance need not be readopted but is subject to the requirements of this act, including, but not limited to, the amendment procedures set forth in this act.

History: 2006, Act 110, Eff. July 1, 2006;—Am. 2008, Act 12, Imd. Eff. Feb. 29, 2008.

Item 7b

**Planning Commission evaluation and scoring of
Gestamp Final Site Plan for
Industrial Facilities Tax (IFT) Exemption Application**



May 11, 2023

Planning Commission
City of Chelsea
305 S. Main St. Suite 100, Chelsea, MI 48118

Subject: Gestamp Industrial Facilities Tax Abatement Scoring

Dear Commissioners:

As part of Gestamp's application for an Industrial Facilities Tax (IFT) Exemption, the City of Chelsea Planning Commission is required to score Gestamp's previously approved final site plan for their proposed expansion on the basis of its aesthetic and practical features. Specifically, as noted in Section 4 of the IFT Scoring Evaluation in your packets, the following categories must be scored:

- Building architecture and site compatibility;
- Building exterior and construction materials;
- Landscaping and screening;
- Exterior lighting and identification; and
- Traffic flow, safety, and efficiency.

Points on a scale of 0-7 can be awarded in increments of 0, 3, 4, or 7 for a maximum of 35 points in this section.

After the Planning Commission scores Section 4, the Chelsea Community Development Department will complete scoring of the whole Evaluation Form. Following this, the applicant will file Michigan Department of the Treasury Form 1012 with the Chelsea City Clerk, and a public hearing will be scheduled with the Chelsea City Council for adoption of a resolution approving the application and determining the length of the years for the abatement based on the score from the City's IFT Evaluation Form.

Please let me know if you have any questions,

A handwritten signature in black ink, appearing to read "Adrianna Jordan".

Adrianna Jordan, AICP
Community Development Director

CITY OF CHELSEA
EVALUATION FORM
FOR TAX ABATEMENT REQUEST
UNDER P.A. 198
INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE

Applicant Company Name _____ Gestamp Washtenaw, LLC _____

Date Application Received _____

Company Address _____ 5800 Sibley Road, Chelsea, MI 48118 _____

Applicant Contact Name _____ Scott
Hemmesch _____

Telephone Number _____ 248-817-6206 _____

Type of Development:

Construction of new facility

Restoration, addition or replacement of facility

Previous applications for IFT Certificate in the City of Chelsea:

Date ___ 3-17-2011 ___ S.E.V. _____ Years Granted ___ 12 ___

Date ___ 8-30-2017 ___ S.E.V. ___ \$15,219,15 ___ Years Granted ___ 11 ___

Date _____ S.E.V. _____ Years Granted _____

REQUIREMENTS

1. The substantiated estimated cost of the proposed development must be in excess of 10% of the True Cash Value of the property at commencement.
2. The State Equalized Valuation of the proposed development application must meet or exceed 15% of the total projected permanent, full-time jobs (not including construction) for one year multiplied by wages. Formula: Added S.E.V. must be equal to or greater than # of new jobs X wages X 15%.
3. The application must relate to a construction, restoration or replacement program which, when completed, constitutes a qualified facility within the meaning of Act 198, and which shall be situated within a plant rehabilitation district or an industrial development district duly established in and by the City of Chelsea.
4. The commencement of the restoration, replacement or construction of the facility must have occurred not earlier than six months before the filing of the application for the industrial facilities exemption certificate.

OBJECTIVES

All applications for tax exemptions under the provisions of Act 198 of 1974 will be evaluated in terms of potential benefit to the City of Chelsea in light of the following objectives:

1. Expansion of the City tax base.
2. Upgrade the current labor force by promoting more jobs within the City
3. Provide economic stimulus to other business activities in the City.
4. Provide development that is attractive, aesthetically pleasing and provides a safe working environment.
5. Encourage the concentration of industrial facilities within planned Industrial Parks.
6. Promote facilities that are non-disruptive to the environment.
7. The inducement will create, retain or prevent the loss of employment within the City.
8. Tax exception certificates will act as inducement to attract, rehabilitate or expand research and development, and light industrial users.

The number of years that a tax exemption is granted will be based on the impact the proposed industrial activity will have on the community in terms of the above objectives.

EVALUATION GUIDELINES

SECTION 1. JOBS

jobs created 62 x 4 pts = 248

jobs retained 272 x 2 pts = 544 200
(max. 200 points)

SECTION 2. TOTAL INVESTMENT

Land (if purchased from City for this development):

*Subtract one (1) point for each \$1,000 per acre of discount under established price per acre.

0 (negative)

Building and Site Improvements:

*Add: one (1) point for each \$10,000 in initial capital investment in building and site improvements

100 (max. 100 points) \$8,170,168

Personal Property:

*Add: one (1) point for each \$20,000 in initial capital investment in personal property

100 (max 100 points) \$34,427,000

SECTION 3. ENVIRONMENTAL IMPACT (If applicable)

(A) Air Quality:

Processes or operations which result in emissions of any of the following listed pollutants, shall result in a subtraction of points in the amount noted.

Particulate matter	-11 points	_____
Ozone (O3)	- 7 points	_____ X _____
Sulfur Dioxide (SO2)	-11 points	_____ X _____
Carbon Monoxide	- 7 points	_____ X _____
Nitrous Oxide (N2O)	- 7 points	_____ X _____
Lead (Pb)	- 7 points	_____ X _____

TOTAL = _____ -39 _____
 (Max. 0 points)
 (Min. =.50 points)

(B) WASTE WATER QUALITY (based on daily average):

1) BIOCHEMICAL OXYGEN DEMAND (B.O.D.s):

100mg/l or less	+ 3 points	_____
101mg/l to 200 mg/l	+1 points	_____ X _____
201 mg/l to 300mg/l	+0 points	_____
301 mg/l to 350mg/l	- 3 points	_____
above 350mg/l)	-3 points	_____
above 450 mg/l	-6 points	_____ +1 _____

2) SUSPENDED SOLIDS:

100/mg/l or less	+3 points	_____ X _____
101mg/l to 200mg/l	+1 point	_____
201mg/l to 250mg/l	+0 point	_____
251mg/l to 275mg/l	-1 point	_____
276mg/l to 375mg/l	-3 points	_____
above 375 mg/l	-6 points	_____ +3 _____

3) CHEMICAL OXYGEN DEMAND:

200mg/l or less	+3 points	_____
201mg/l to 300mg/l	+1 point	_____ X _____
301mg/l to 400mg/l	+0 point	_____
401mg/l to 450mg/l	-1 point	_____
451mg/l to 550mg/l	-3 points	_____
above 550mg/l	-6 points	_____ +1 _____

4) PH:

7.0 to 8.0	+3 points	_____ X _____
8.0 to 8.5	+1 point	_____
6.5 to 7.0	+0 points	_____
8.5 to 9.0	- 1 points	_____
below 6.5	- 3 points	_____
below 6.0	-6 points	_____

SECTION 4. AESTHETIC AND PRACTICAL FEATURES:

Planning Commission will evaluate approved final site plan for aesthetic and practical features and award points based on the scale below:

A. Building architecture and Site compatibility	POINTS	7	4	3	0
B. Building exterior Construction materials					
C. Landscaping and screening					
D. Exterior lighting and Identification					
E. Traffic flow, safety and Efficiency					
TOTAL		=	_____		
			(maximum 35 points)		

SECTION 5. COMMITMENT TO COMMUNITY

For enterprises with a history of operation and tax payment within either City of Chelsea or the Chelsea School District, the following bonus points will be awarded.

	City	School District
Constant Operation		
6 months to 3 years	8 points	4 points
3 to 8 years	16 points	8 points
8 to 12 years	25 points	13 points
over 12 years	35 points	18 points
TOTAL		=
		_____16_____
		(maximum 35 points)

SECTION 6. COST TO COMMUNITY

Added infrastructure costs directly necessitated by this development = 0
 _____ (including engineering)

<u>Total Investment of Firm</u>	=	_____
Total Infrastructure Cost to Community		(rounded to nearest whole number)
100 or greater = 0 points		
50 – 100	= Subtract 2 points for each 1 point decline below 100	
30 – 49	= Subtract 3 points for each 1 point decline below 100	
1- 29	= Subtract 4 points for each 1 point decline below 100	
TOTAL =		_____

YEARS OF TAX ABATEMENT TO BE AWARDED

0 - 34 POINTS	0 YEAR
35 - 44 POINTS	1 YEAR
45 - 59 POINTS	2 YEARS
60 - 79 POINTS	3 YEARS
80 - 104 POINTS	4 YEARS
105 - 139 POINTS	5 YEARS
140 - 189 POINTS	6 YEARS
190 - 239 POINTS	7 YEARS
240 - 299 POINTS	8 YEARS
300 - 349 POINTS	9 YEARS
350 - 389 POINTS	10 YEARS
390 - 424 POINTS	11 YEARS
425 - 494 POINTS	12 YEARS

TOTAL _____

COMPLIANCE AFTER ISSUANCE

The City of Chelsea, at any time during the period of a granted abatement, may, at its discretion, determine a Grantee's compliance with the guidelines as enumerated herein. Should material non-compliance be in evidence, the City reserves the right to request cancellation of the tax abatements.

City of Chelsea

Industrial Facilities Exemption Certification Timeline Checklist

- ❑ Applicant contacts the City of Chelsea to indicate desire to apply for IFT certificate.
- ❑ Applicant submits site plans to the City of Chelsea Community Development Department for proposed development project (eligible projects are new facilities or restoration, addition, or replacement of a facility).
- ❑ Applicant completes “City of Chelsea Evaluation Form for Tax Abatement Request Under PA 198 – Industrial Facilities Exemption Certificate” with assistance from City of Chelsea and SPARK.
- ❑ Applicant obtains Final Site Plan approval from City of Chelsea Planning Commission for qualifying industrial development project.
- ❑ City of Chelsea Planning Commission scores Section 4 of City’s IFT application.
- ❑ City of Chelsea Community Development Department scores IFT Evaluation Form
- ❑ Applicant files Michigan Department of Treasury Form 1012 with Chelsea City Clerk no later than six months after commencement of the development project.
- ❑ The Chelsea City Council holds a public hearing and adopts a resolution approving the application and determines the length of the years for the abatement based on the score from the City’s IFT Evaluation Form.
- ❑ The applicant files their application, a copy of the City’s adopted resolution, and an agreement signed by the City’s representatives and the facility operator outlining the conditions of the abatement with the State Tax Commission (STC) and the Michigan Economic Development Corporation (MEDC). This agreement shall include an affidavit that no payment of any kind in excess of the fee allowed under the act has been made or promised in exchange for favorable consideration.
- ❑ The STC grants final application approval no later than October 31, 2023 for consideration and action by December 31, 2023.
- ❑ Once approved, the firm pays an IFT instead of property tax.



February 15, 2023

Planning Commission
City of Chelsea
305 S. Main St. Suite 100, Chelsea, MI 48118

Subject: **SPR23-01 COMBINED PRELIMINARY AND FINAL SITE PLAN REVIEW #1**: Gestamp
Application received January 23, 2023 APNs: 06-06-90-400-000 & 06-06-12-200-024
Location: 5800 Sibley Rd (south of Sibley Rd, east of Industrial Dr)
Zoning: GI, General Industrial District

Dear Commissioners:

The applicant is proposing an expansion to their existing metal stamping facility for the manufacture of automotive supplies located at 5800 Sibley Road. For your consideration they have submitted preliminary and final site plans. Stamping facilities are considered a manufacturing land use and are permitted by right in the GI (General Industrial) District. Currently, 272 employees work at Gestamp, and an additional 62 employees are proposed by 2025. Once fully staffed up in 2025, there will be 126 employees on the first shift, 104 employees on the second shift, 60 employees on the third shift, and 44 office employees.

PRELIMINARY SITE PLAN REVIEW CONSIDERATIONS

This project consists of a 35,393 square foot addition on the south side of the existing 232,904 square foot facility (including 11,190 square feet of existing office space). The maximum height would be 35' (on the north elevation), although the site data table on Sheet C-3.1 states the maximum building height of the expansion is 36'.

- 1. Dimensional Requirements (Sec. 3.06):** In the GI zoning district, only buildings and structures, not other permitted uses, must meet required side and rear yard setbacks. Required buffers shall still apply to such uses.

GI Zoning District	Required	Proposed
Lot Area (sq. ft.)	1 acre	30.13 ac (gross) / 29.32 ac (net)
Min. Lot Width (ft.)	150 ft.	1,070'
Front Yard (ft.)	35 ft.	145'
Min. One (ft.)	25 ft.	140'
Min. Total (ft.)	50 ft.	369'
Rear Yard (ft.)	35 ft.	469'
Max. Height (ft.)	40 ft.	35'
Lot Coverage (%)	60%	21%
Impervious Coverage (%)	80%	39%

2. **Natural Feature Setback (Sec. 3.09).** The proposed project redesign and resubmitted site plans keep the proposed building 25' away from the high-water line of the regulated wetlands, although some of the heavy-duty concrete paving encroaches into the setback. Community Development Staff and the City's Engineer agree that Section 3.09 is intended to apply to structures, not paved surfaces, and we do not have concerns about the encroachment of the paving into the setback.

3. **Storage of Materials (Sec. 4.21).** There is an overhead door proposed on the south façade of the building; however, vehicular access to this door is impossible due to the presence of regulated wetlands, and therefore the access door will only be used to move large materials to the rear for outdoor storage. On any lot in any industrial district, the owner or tenant shall locate and store such materials within a completely enclosed building or within an area surrounded by a solid, unpierced fence or wall at least six feet in height, and not less in height than the materials located or stored therein. The applicant is proposing a six-foot-high chain link fence around the storage area; however, this does not meet the requirement of a solid (opaque) fence to screen materials. That being said, on Sheet L-1.0 the applicant is proposing to screen this outdoor storage area on the east, west, and south with 16 Norway Spruce, Eastern White Pines, and Balsam Firs, as well as four American Sycamores and three Swamp White Oak trees. There is also extensive natural vegetation screening to the south of the storage area. Therefore, Community Development Staff recommends a screening waiver as detailed in Section 7.14.B.

4. **Waste Receptacle Enclosures/Screening (Secs. 6.09 and 7.09).** The waste receptacle enclosures are existing, and no changes are proposed. However, there is a trash compactor proposed next to the new loading dock. It is screened on the north and east sides by the building walls, and by the woods south and west of the building. Therefore, the Planning Commission may consider a waiver of this screening requirement conditioned on the preservation of the wooded areas providing the screening.

5. **Landscaping (Article 7).**

Landscape Standard	Required Landscaping	Proposed Landscaping
Tree Removal Standards (7.13): Regulated trees are replaced	249 units of regulated trees removed - 124 preservation credits = 125 additional trees to be provided	The applicant notes 125 replacement trees on the landscape plan. (Note: Some of the trees drip lines and/or critical root zones encroach into the regulated wetlands.)

Loading Area Landscaping (Sec. 7.07). There are four loading spaces and one overhead door with the ability to pull a truck into the building to load and unload proposed on the west side of the building addition. The existing building wall provides screening to the north and the existing vegetation screens it from the south; however, the loading dock is potentially visible from East Industrial Drive due to the removal of trees to add heavy concrete paving to allow trucks to maneuver into the loading docks. Therefore, the applicant is proposing a staggered double row of eight-foot-tall Black Hills Spruce planted 15 feet on center. There is also a chain link fence along the southern portion of the loading area.

Installation and Maintenance (Sec. 7.12). All required plantings shall be planted prior to the issuance of the Certificate of Occupancy. If the weather does not permit the planting, the required planting shall take place within six months from the date of issuance of the Certificate of Occupancy and the owner shall post a performance guarantee.

Preserving Existing Trees and Plants (Sec. 7.13.C(5)). If trees or plant materials to be

preserved are found to be unhealthy, damaged, or removed within three years after completion of construction, the property owner shall replace them or provide a performance guarantee in an equivalent amount plus a ten percent (10%) administrative fee for later replacement. The performance guarantee may be used by the City of Chelsea to replace such materials.

6. Parking and Access.

A. Number of Parking Spaces (Sec. 8.04). The parking standard for the site is as follows:

Industrial Uses Requirement (whichever is less)	Applicable Measurement	Number of Spaces Required	Number of Spaces Provided
1 sp/1,000 sf floor area or 1.2 spaces/employee	1.2 spaces/employee	151	285
1 space/corporate vehicle stored on site	n/a	0	0
1 space/500 sf office/sales area	n/a	32	32
Total		183	317

The applicant has 317 existing parking spaces. There are also two additional areas of banked parking. The applicant has more existing parking than what is needed based on square footage and number of employees. If this was a new development, Section 8.08 of the Zoning Ordinance stating that “the maximum amount of off-street parking permitted for any use shall not exceed 130 percent (130%) of the minimum parking requirements of Section 8.04” would apply; however, since the parking is already existing, this requirement cannot be applied from a practical standpoint.

B. Barrier Free Spaces (Sec. 8.05). For parking lots with 301-400 parking spaces, a minimum of eight barrier-free spaces are required including one van-accessible space. The site plan includes four existing barrier-free spaces, and proposes an additional four barrier-free spaces including two van-accessible spaces.

C. Parking Lot Dimensions (Sec. 8.11). The parking spaces and maneuvering lane dimensions are existing and compliant with the zoning ordinance, and no changes are proposed.

D. Paved Surface (Sec. 8.11). The applicant is proposing some new paved areas including a new loading area, and approximate 7,500 square foot storage area. These new areas will be paved with “heavy duty concrete”. The applicant is also proposing one 20’ wide gravel fire access road.

E. Off-Street Loading (Sec. 8.13). There is an overhead door proposed on the west side of the building addition adjacent to four new side-by-side loading spaces. Sec. 8.13.C(3) states that all industrial land uses “shall provide one unloading space for each 10,000 square feet of floor area”. Per this requirement, a minimum of three new loading spaces are required, and four are provided.

FINAL SITE PLAN REVIEW CONSIDERATIONS

7. **Architectural Details (Sec. 12.04.B(13)).** The existing building is white with blue accents. The applicant has provided elevations and floorplans for the proposed building expansion. The proposed façade material is an insulated metal panel system and metal coping with a color and finish that will match the white color of the existing building.
8. **Exterior Lighting (Sec. 6.07).** Seven wall packs are proposed for the south elevation, one wall pack on the east elevation, and two wall packs on the west elevation. The proposed lighting complies with ordinance requirements.
9. **Mechanical Equipment (Sec. 6.10).** The only proposed roof-mounted equipment is a three-foot tall caged ladder and railing to allow roof access.
10. **Signs (Article 9).** The signage is existing, and no new signage is proposed.

OTHER DEPARTMENTS' SITE PLAN REVIEW CONSIDERATIONS

11. **Fire Access Road.** The fire access road design was updated on February 15, 2023 to add a hammerhead turnaround on the engineering plans; however, the architectural plans were not yet updated and will need to be prior to administration approval of the final site plans stamping set.
12. **Electrical Loads.** Provide load calculations and electric diagram on utility plans prior to Final Site Plan approval.
13. **Other utilities.** Community Development Staff defers to Public Works and the City Engineer regarding other proposed utilities.

RECOMMENDATION

Community Development Staff recommends approval of the combined Preliminary and Final Site Plan subject to the following conditions:

1. **Storage of Materials.** Planning Commission approval of a screening waiver due to presence of natural screening as well as proposed plantings around the proposed outdoor storage area.
2. **Waste Receptacle Screening.** There is a trash compactor proposed next to the new loading dock. It is screened on the north and east sides by the building walls, and by the woods south and west of the building. Therefore, the Planning Commission may consider a waiver of this screening requirement conditioned on the preservation of the wooded areas providing the screening.
3. **Electrical Loads.** Provide load calculations and electric diagram on utility plans prior to Final Site Plan approval.
4. **Other utilities.** Community Development Staff defers to Public Works and the City Engineer regarding other proposed utilities.

RECOMMENDED FORM OF MOTIONS

Storage of Materials Screening Waiver: Move to waive the materials storage screening requirements for SPR23-01, the Gestamp combined preliminary and final site plans, due to the building orientation and the presence of existing natural vegetation and wetlands that provides screening in accordance with Section 6.14 of the Zoning Ordinance Section.

Trash Compactor Screening Waiver: Move to waive the refuse screening requirements for SPR23-01, the Gestamp combined preliminary and final site plans, due to the building orientation and the presence of existing natural vegetation that provides screening in accordance with Section 6.14 of the Zoning Ordinance Section.

Preliminary and Final Site Plans: Move to (approve/approve with the conditions detailed in the staff review letter/deny/table) the Preliminary and Final Site Plans for SPR23-01 for the expansion of the Gestamp facility located at 5800 Sibley Road.

If you have any questions, please do not hesitate to contact me.

Respectfully submitted,



Adrianna Jordan, AICP
Community Development Director

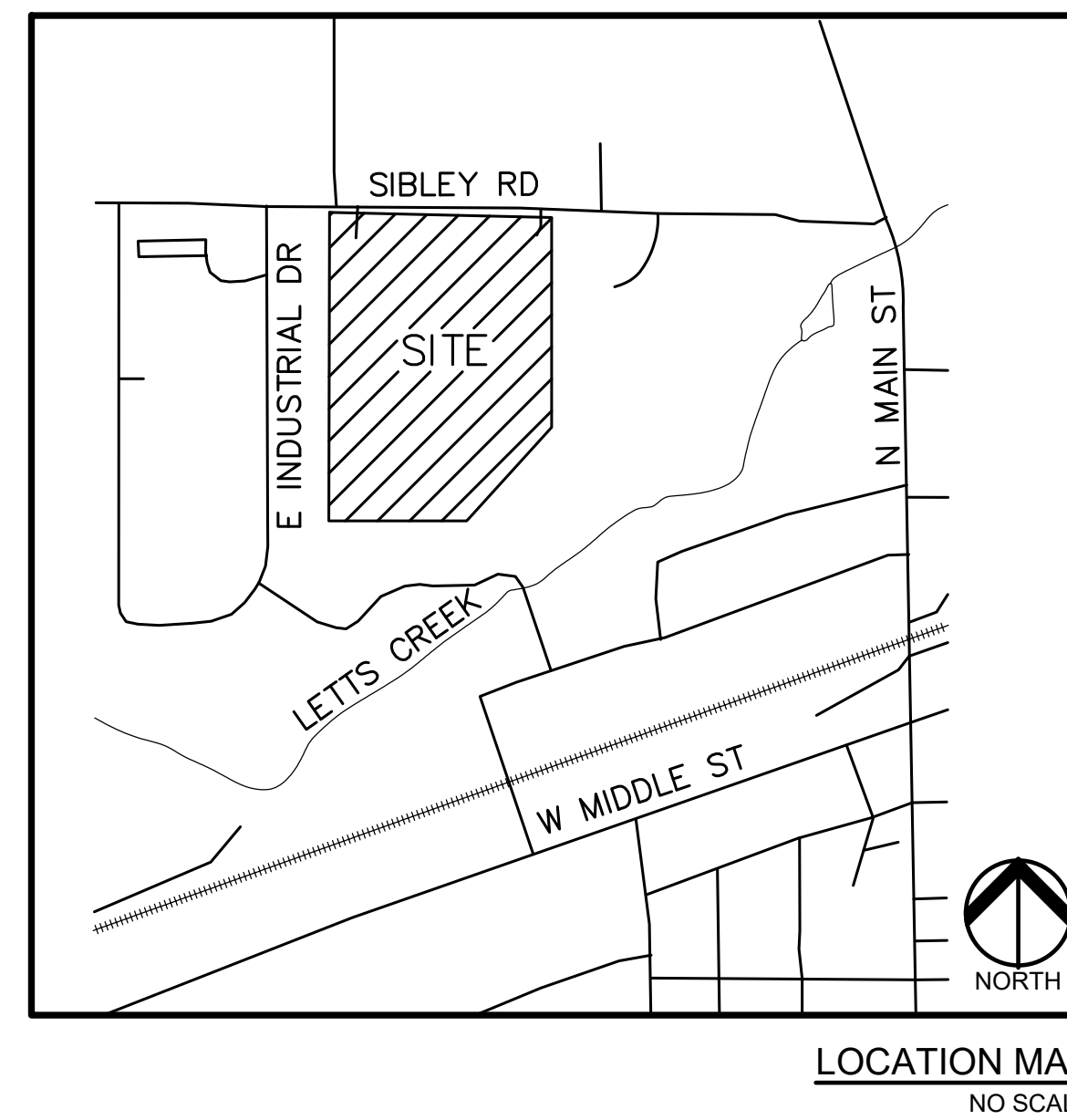
REVISED SITE & CONSTRUCTION PLANS

GESTAMP

5800 SIBLEY ROAD
CHELSEA, MICHIGAN 48118

PERMIT / APPROVAL SUMMARY		
DATE SUBMITTED	DATE APPROVED	PERMIT / APPROVAL
1/20/2023		FINAL SITE PLAN

WATER/SANITARY LOAD CALCULATIONS (5 DAYS PER WEEK OPERATION)
 2023 WATER USE SUMMARY:
 6,251,000 TOTAL ANNUAL GALLONS = 23,950 GPD AVERAGE
 758,000 GALLONS (PEAK MONTH) = 34,455 GPD AVERAGE
 414,000 GALLONS (LOWEST MONTH) = 18,818 GPD AVERAGE
 PROPOSED ADDITION = 35,393 SQ.FT.
 CHELSEA REU SCHEDULE = 0.75 REUs PER 1,000 SQ.FT.
 = (35,393 / 1,000) x 0.75 = 26.5 REUs
 = 26.5 x 350 GAL/REU = 9,291 GPD



INDEX OF DRAWINGS	
NUMBER	TITLE
	COVER SHEET
C-1.0	TOPOGRAPHIC SURVEY
C-1.1	TREE SURVEY INDEX TABLE
C-1.2	TREE SURVEY INDEX TABLE
C-1.3	TREE SURVEY INDEX TABLE
C-2.0	DEMOLITION PLAN
C-2.1	TREE REPLACEMENT CALCULATIONS
C-2.2	TREE REPLACEMENT CALCULATIONS
C-2.3	TREE REPLACEMENT CALCULATIONS
C-3.0	OVERALL SITE PLAN
C-3.1	ENLARGED SITE PLAN
C-4.0	GRADING PLAN
C-5.0	SOIL EROSION AND SEDIMENTATION CONTROL PLAN
C-5.1	SOIL EROSION CONTROL NOTES AND DETAILS
C-6.0	UTILITY PLAN
C-6.1	STORM WATER MANAGEMENT PLAN
C-6.1a	STORMWATER TREATMENT AND DETENTION DETAILS
C-6.1b	STORMWATER MANAGEMENT CALCULATIONS
C-7.0	MISCELLANEOUS DETAILS
C-7.1	NOTES
L-1.0	LANDSCAPE PLAN
L-1.1	LANDSCAPE DETAILS
L-2.1	LANDSCAPE SPECIFICATIONS
L-2.2	LANDSCAPE SPECIFICATIONS

DESIGN TEAM

OWNER/APPLICANT/DEVELOPER	CIVIL ENGINEER
GESTAMP 5800 SIBLEY ROAD CHELSEA, MI 48118 CONTACT: JOSE LUIS, MARTIN ESTEBAN PHONE: 248.321.5236 EMAIL: JMARTINESTEBAN@US.GESTAMP.COM CONTACT: SHAWN FALLOT PHONE: 517.605.8606 EMAIL: SFALLOT@US.GESTAMP.COM	PEA GROUP 3135 PINE TREE ROAD, SUITE D LANSING, MI 48911 CONTACT: ALAN BOYER, PE PHONE: 844.813.2949 EMAIL: ABOYER@PEAGROUP.COM CONTACT: ERIC A. IVERSEN, PE PHONE: 844.813.2949 EMAIL: EIVERSEN@PEAGROUP.COM
ARCHITECT	LANDSCAPE ARCHITECT
WILLIAM A. KIBBE & ASSOCIATES 1475 S. WASHINGTON AVE. SAGINAW, MI 48601 CONTACT: IVARS DZIRNIS PHONE: 989.752.5000 EMAIL: BDZIRNIS@KIBBE.COM	PEA GROUP 7927 NEMCO WAY, STE. 115 BRIGHTON, MI 48116 CONTACT: JANET EVANS, PLA PHONE: 844.813.2949 EMAIL: JEVANS@PEAGROUP.COM

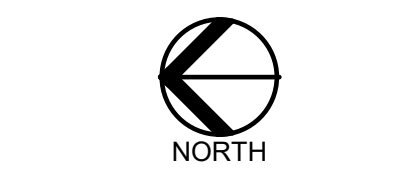


UTILITY PROVIDERS

PHONE: AT&T
 FIBER/CABLE: COMCAST
 GAS: DTE
 ELECTRIC: CONSUMERS ENERGY
 ELECTRIC: CITY OF CHELSEA
 WATER: CITY OF CHELSEA
 SANITARY SEWER: CITY OF CHELSEA
 STORM DRAIN: CITY OF CHELSEA

REVISIONS	
DESCRIPTION	DATE
ORIGINAL ISSUE DATE	1/20/2023
ENGINEERING REVIEW	2/2/2023
ADDITIONAL CITY COMMENTS	2/15/2023

NOT FOR CONSTRUCTION



0 25 50 100
SCALE: 1" = 50'



CAUTION!!
THE LOCATIONS AND ELEVATIONS OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING ARE ONLY APPROXIMATE. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE EXCLUSIVELY RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATIONS AND ELEVATIONS PRIOR TO THE START OF CONSTRUCTION.



CLIENT
GESTAMP
5800 SIBLEY ROAD
CHELSEA, MICHIGAN 48118

PROJECT TITLE
GESTAMP
5800 SIBLEY ROAD
CHELSEA, MICHIGAN 48118

REVISIONS	
SITE PLAN	1/20/23
ENGINEERING REVIEW	2/15/23
ADDITIONAL CITY COMMENTS	2/15/23

ORIGINAL ISSUE DATE:
JANUARY 20, 2023

DRAWING TITLE
OVERALL SITE PLAN

PEA JOB NO.	2022-0484
P.M.	EAI
DN.	SEP
DES.	EAI

DRAWING NUMBER:

C-3.0

LEGEND:

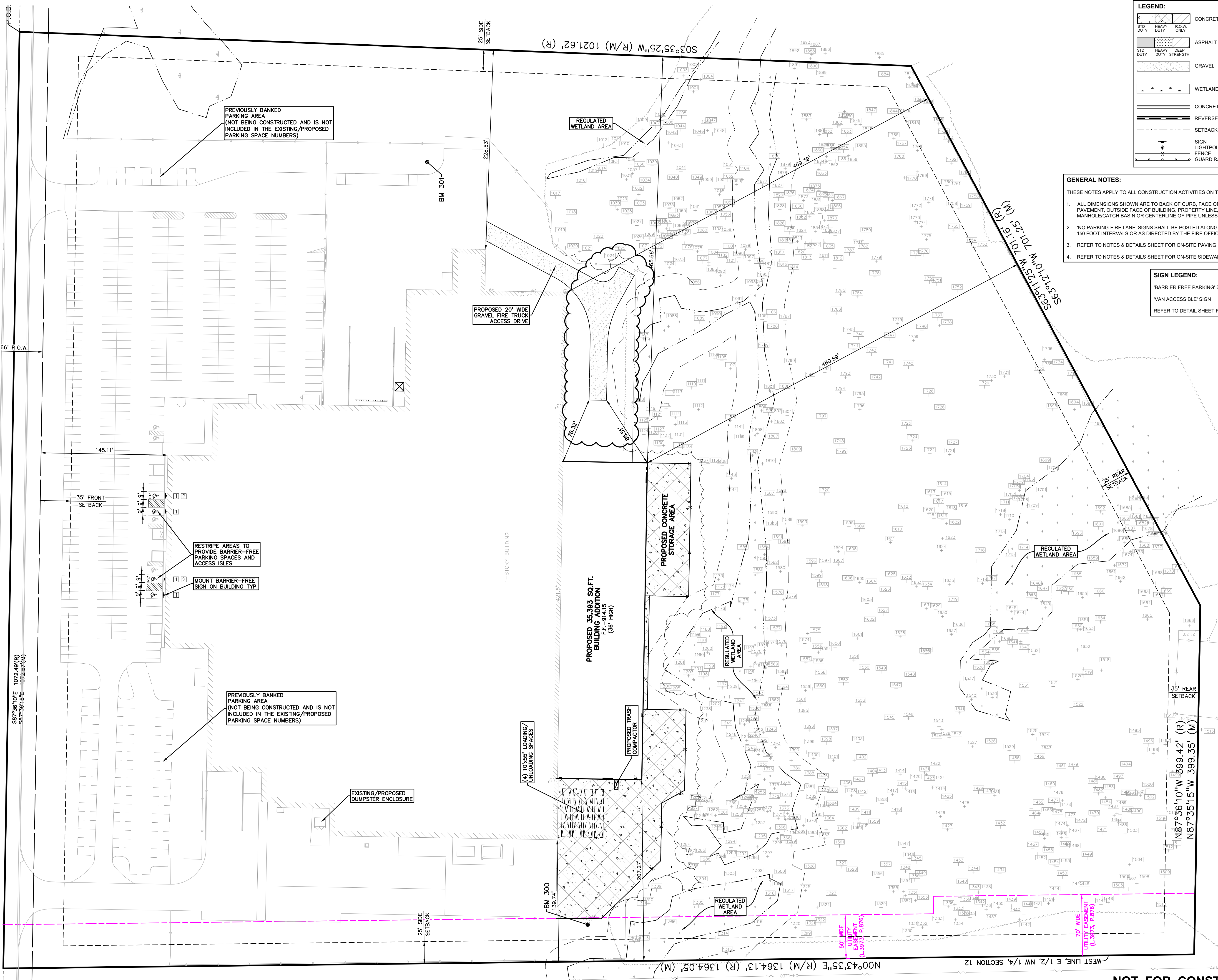
[Symbol]	CONCRETE PAVEMENT
[Symbol]	ASPHALT PAVEMENT
[Symbol]	GRAVEL
[Symbol]	WETLAND
[Symbol]	CONCRETE CURB AND GUTTER
[Symbol]	REVERSE GUTTER PAN
[Symbol]	SETBACK LINE
[Symbol]	SIGN LIGHTPOLE
[Symbol]	FENCE
[Symbol]	GUARD RAIL

- GENERAL NOTES:**
THESE NOTES APPLY TO ALL CONSTRUCTION ACTIVITIES ON THIS PROJECT.
- ALL DIMENSIONS SHOWN ARE TO BACK OF CURB, FACE OF SIDEWALK, EDGE OF PAVEMENT, OUTSIDE FACE OF BUILDING, PROPERTY LINE, CENTER OF MANHOLE/CATCH BASIN OR CENTERLINE OF PIPE UNLESS OTHERWISE NOTED.
 - "NO PARKING-FIRE LANE" SIGNS SHALL BE POSTED ALONG ALL FIRE LANES AT 150 FOOT INTERVALS OR AS DIRECTED BY THE FIRE OFFICIAL.
 - REFER TO NOTES & DETAILS SHEET FOR ON-SITE PAVING DETAILS.
 - REFER TO NOTES & DETAILS SHEET FOR ON-SITE SIDEWALK RAMP DETAILS.

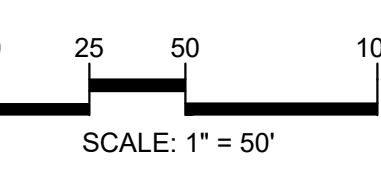
SIGN LEGEND:

[Symbol]	'BARRIER FREE PARKING' SIGN	1
[Symbol]	'VAN ACCESSIBLE' SIGN	2

REFER TO DETAIL SHEET FOR SIGN DETAILS



NOT FOR CONSTRUCTION



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CLIENT
GESTAMP
5800 SIBLEY ROAD
CHelsea, MICHIGAN 48118

PROJECT TITLE
GESTAMP
5800 SIBLEY ROAD
CHelsea, MICHIGAN 48118

REVISIONS	
SITE PLAN	1/20/23
ENGINEERING REVIEW	2/15/23
ADDITIONAL CITY COMMENTS	2/15/23

ORIGINAL ISSUE DATE:
JANUARY 20, 2023

DRAWING TITLE
ENLARGED SITE PLAN

PEA JOB NO.	2022-0484
P.M.	EAI
DN	SEP
DES.	EAI

DRAWING NUMBER:

C-3.1

LEGEND:

	CONCRETE PAVEMENT
	ASPHALT PAVEMENT
	GRAVEL
	WETLAND
	CONCRETE CURB AND GUTTER
	REVERSE GUTTER PAN
	SETBACK LINE
	SIGN LIGHTPOLE
	FENCE
	GUARD RAIL

- GENERAL NOTES:**
THESE NOTES APPLY TO ALL CONSTRUCTION ACTIVITIES ON THIS PROJECT.
- ALL DIMENSIONS SHOWN ARE TO BACK OF CURB, FACE OF SIDEWALK, EDGE OF PAVEMENT, OUTSIDE FACE OF BUILDING, PROPERTY LINE, CENTER OF MANHOLE/CATCH BASIN OR CENTERLINE OF PIPE UNLESS OTHERWISE NOTED.
 - NO PARKING-FIRE LANE: SIGNS SHALL BE POSTED ALONG ALL FIRE LANES AT 150 FOOT INTERVALS OR AS DIRECTED BY THE FIRE OFFICIAL.
 - REFER TO NOTES & DETAILS SHEET FOR ON-SITE PAVING DETAILS.
 - REFER TO NOTES & DETAILS SHEET FOR ON-SITE SIDEWALK RAMP DETAILS
 - SEE GRADING PLAN SHEET C-4.0 FOR WETLAND TO GRADING SETBACKS.

SITE DATA TABLE:

SITE AREA: 30.13 ACRES (1,312,431 SF.) GROSS
29.32 ACRES (1,277,036 SF.) NET (LOT AREA)

ZONING: GI - GENERAL INDUSTRIAL

PROPOSED USE: MANUFACTURING

BUILDING INFORMATION:
MAXIMUM ALLOWABLE BUILDING HEIGHT = 40 FT.
PROPOSED BUILDING HEIGHT = 36 FT.

GROUND FLOOR AREA (GFA):

EXISTING	MANUF. = 221,714 SF. GFA
	OFFICE = 11,190 SF. GFA
	TOTAL = 232,904 SF. GFA
PROPOSED	ADDITION = 35,393 SF. GFA
	TOTAL = 268,297 SF. GFA

SECOND FLOOR OFFICE AREA = 7,677 SF. (EXISTING/PROPOSED)
SECOND FLOOR MANUF. AREA = 2,932 SF. (EXISTING/PROPOSED)
TOTAL FLOOR AREA = 278,906 SF. (GROSS)

BUILDING LOT COVERAGE = 18.2% (EXISTING)
21.0% (AFTER ADDITION)

SETBACK REQUIREMENTS:

REQUIREMENTS:	REQUIRED:	EXIST.:	PROPOSED:
FRONT (NORTH)	35'	145.1'	N/A
SIDE (EAST)	25'	228.5'	465.7'
SIDE (WEST)	25'	139.7'	207.3'
REAR (SOUTH)	35'	469.4'	480.9'

EMPLOYEES PER SHIFT:

OFFICE	SEP-22	2025	INCREASE
OFFICE	44	44	
1ST SHIFT(0600-1430)	106	126	20
2ND SHIFT(1400-2230)	62	104	42
3RD SHIFT(2200-0630)	60	60	0
	272	334	62

PARKING CALCULATIONS:
MANUF. USES - LESSER OF: 1 SPACE PER 1,000 SF. USABLE FLOOR AREA (UFA)=
(221,714+2,932+35,393) x 0.85/ 221,033 SF. / 1000 = 221 SPACES
OR
1.2 SPACES PER EMPLOYEE IN LARGEST SHIFT =
1.2 x 126 EMPLOYEES = 151 SPACES
PLUS
1 SPACE PER COMPANY VEHICLE = 0 SPACES
OFFICE USE: 1 SPACE PER 500 SF. OFFICE UFA =
(11,190+7,677) x 0.85/ 16,037 SF. / 500 = 32 SPACES
(THERE ARE 44 OFFICE STAFF SO 44 SPACES WILL BE PROVIDED)

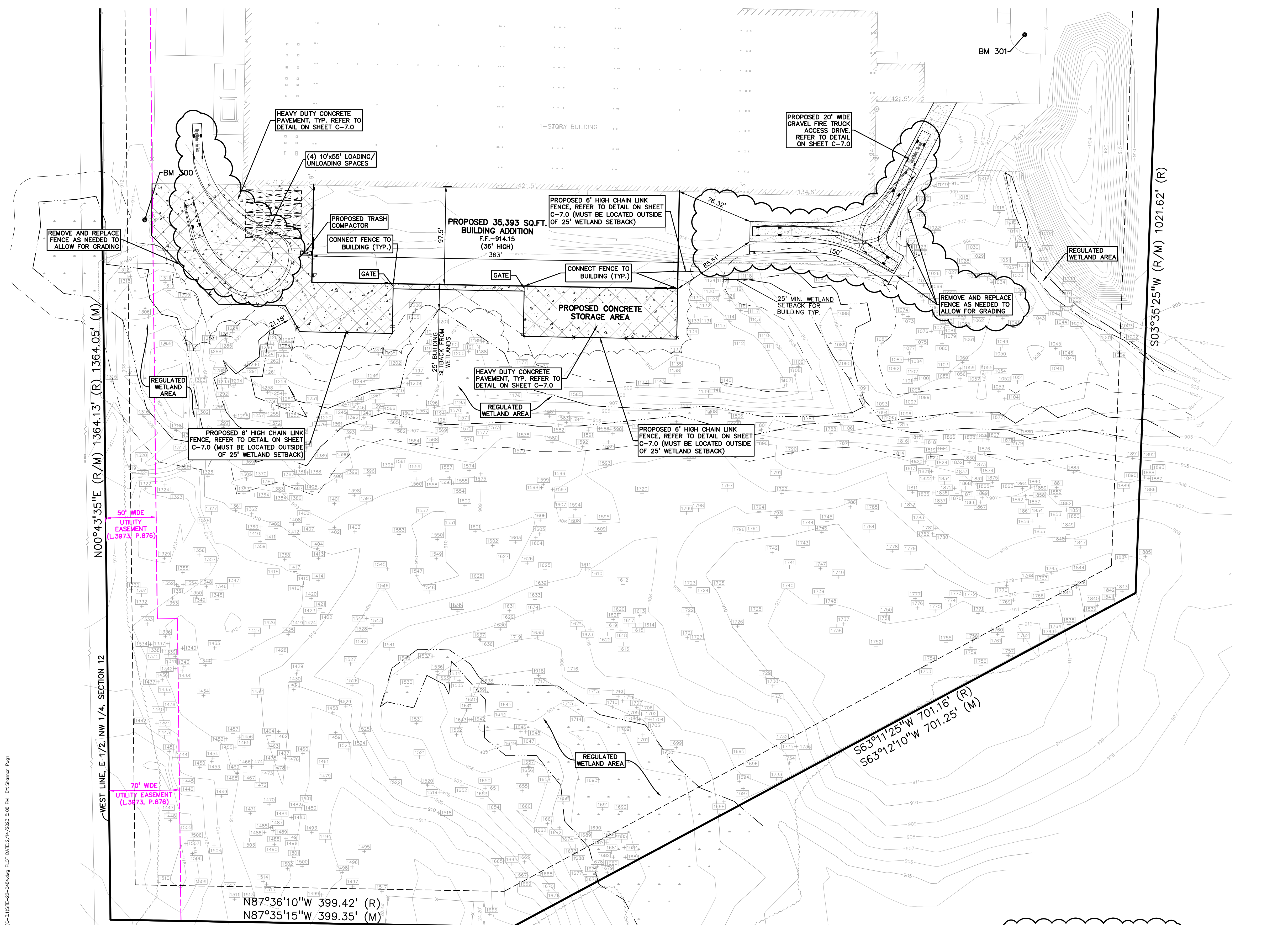
TOTAL REQUIRED PARKING = 151 + 0 + 44 = 195 SPACES
TOTAL EXISTING/PROPOSED PARKING SPACES = 313 SPACES INC. 8 H/C SPACES

IMPERVIOUS COVERAGE:
MAXIMUM ALLOWED = 80%
EXISTING = 34%
AFTER ADDITION = 39%

SITE SOILS INFORMATION:
ACCORDING TO THE USDA NATURAL RESOURCES CONSERVATION SERVICE
WEB SOIL SURVEY FOR WASHTENAW COUNTY, THE SITE CONSISTS OF THE
FOLLOWING SOIL TYPES:
KENDALLVILLE LOAM, 2 TO 6 PERCENT SLOPES
MACOMB LOAM, 0 TO 4 PERCENT SLOPES
OWOSSO-MIAMI COMPLEX, 2 TO 6 PERCENT SLOPES
OWOSSO-MIAMI COMPLEX, 6 TO 12 PERCENT SLOPES
SEBEWA LOAM, DISINTEGRATION MORAINES, 0 TO 2 PERCENT SLOPES

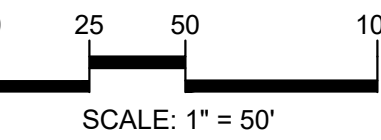
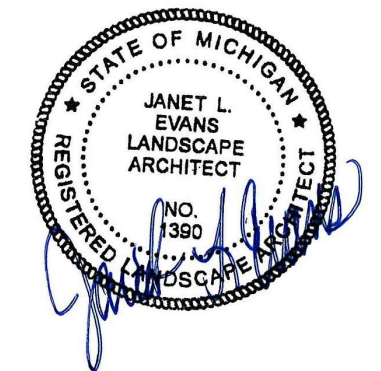
FIRE TRUCK SPECIFICATIONS

City of Chelsea - Fire Truck	39,000lb
Overall Length	9.140ft
Overall Width	7.570ft
Overall Body Height	0.920ft
Min Body Ground Clearance	9.140ft
Track Width	9.140ft
Lock-to-lock time	5.00s
Max Wheel Angle	45.00°



S:\PROJECTS\2022\2022-0484 - GESTAMP - ADDITION CHLSEA.DWG CONSTRUCTION(C-3.1)B1C-22-0484.dwg PLOT DATE: 2/14/2023 8:08 PM BY: Shannon Pugh

NOT FOR CONSTRUCTION



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CLIENT
GESTAMP
5800 SIBLEY ROAD
CHELSEA, MICHIGAN 48118

PROJECT TITLE
GESTAMP
5800 SIBLEY ROAD
CHELSEA, MICHIGAN 48118

REVISIONS

SITE PLAN	1/20/23
ENGINEERING REVIEW	2/9/23
ADDITIONAL CITY COMMENTS	2/15/23
REVISED TREE CALCULATIONS	2/16/23

ORIGINAL ISSUE DATE:
JANUARY 20, 2023

DRAWING TITLE
LANDSCAPE PLAN

PEA JOB NO. 2022-0484

P.M. EAI
DN. BGG
DES. JLE

DRAWING NUMBER:

KEY

- = DECIDUOUS REPLACEMENT TREES
- = EVERGREEN REPLACEMENT TREES
- = EVERGREEN SCREENING TREES
- = DECIDUOUS SHRUBS
- = LOW-PROFILE PRAIRIE SEED MIX
- = RESTORE SEED LAWN
- = EXISTING TREES TO REMAIN WITH TREE PROTECTION FENCE

SEE DETAIL SHEET L-1.1 FOR NATIVE SEED MIX INFORMATION AND LANDSCAPE DETAILS

LANDSCAPE CALCULATIONS:
PER CITY OF CHELSEA ZONING ORDINANCE

REPLACEMENT TREES REQUIRED PER CITY ORDINANCE, REFER TO TREE PRESERVATION SHEETS FOR DETAILS

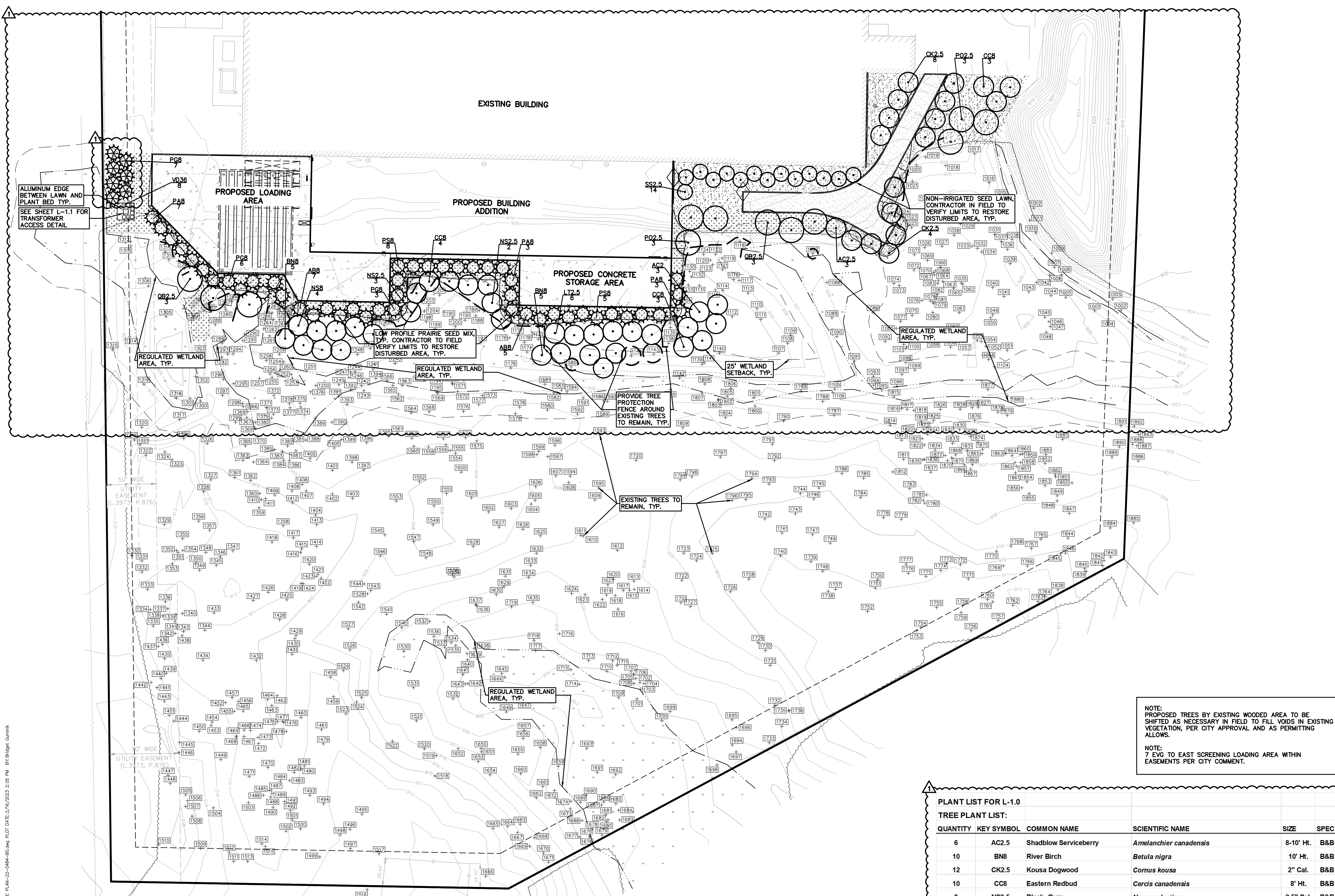
REQUIRED: 125 TREES

PROVIDED: 47 EVG TREES AND 78 DEC TREES

PROVIDED: 7 EVG TREES TO SCREEN LOADING AREA PER CITY COMMENTS

GENERAL PLANTING NOTES:

1. LANDSCAPE CONTRACTOR SHALL VISIT SITE, INSPECT EXISTING SITE CONDITIONS AND REVIEW PROPOSED PLANTING AND RELATED WORK. IN CASE OF DISCREPANCY BETWEEN PLAN AND PLANT LIST, PLAN SHALL GOVERN QUANTITIES. CONTACT LANDSCAPE ARCHITECT WITH ANY CONCERNS.
2. CONTRACTOR SHALL VERIFY LOCATIONS OF ALL ON SITE UTILITIES PRIOR TO BEGINNING CONSTRUCTION ON HIS/HER PHASE OF WORK. ELECTRIC, GAS, TELEPHONE, CABLE TELEVISION MAY BE LOCATED BY CALLING MISS DIG 1-800-482-7171. ANY DAMAGE OR INTERRUPTION OF SERVICES SHALL BE THE RESPONSIBILITY OF CONTRACTOR. CONTRACTOR SHALL COORDINATE ALL RELATED ACTIVITIES WITH OTHER TRADES ON THE JOB AND SHALL REPORT ANY UNACCEPTABLE JOB CONDITIONS TO OWNER'S REPRESENTATIVE PRIOR TO COMMENCING.
3. ALL PLANT MATERIAL TO BE PREMIUM GRADE NURSERY STOCK AND SHALL SATISFY AMERICAN ASSOCIATION OF NURSERYMEN STANDARD FOR NURSERY STOCK. ALL LANDSCAPE MATERIAL SHALL BE NORTHERN GROWN, NO. 1, GRADE.
4. CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL QUANTITIES SHOWN ON LANDSCAPE PLAN PRIOR TO PRICING THE WORK.
5. THE OWNER'S REPRESENTATIVE RESERVES THE RIGHT TO REJECT ANY PLANT MATERIAL NOT MEETING SPECIFICATIONS.
6. ALL SINGLE STEM SHADE TREES TO HAVE STRAIGHT TRUNKS AND SYMMETRICAL CROWNS.
7. ALL SINGLE TRUNK SHADE TREES TO HAVE A CENTRAL LEADER; TREES WITH FORKED OR IRREGULAR TRUNKS WILL NOT BE ACCEPTED.
8. ALL MULTI STEM TREES SHALL BE HEAVILY BRANCHED AND HAVE SYMMETRICAL CROWNS. ONE SIDED TREES OR THOSE WITH THIN OR OPEN CROWNS SHALL NOT BE ACCEPTED.
9. ALL EVERGREEN TREES SHALL BE HEAVILY BRANCHED AND FULL TO THE GROUND, SYMMETRICAL IN SHAPE AND NOT SHEARED FOR THE LAST FIVE GROWING SEASONS.
10. ALL TREES TO HAVE CLAY OR CLAY LOAM BALLS, TREES WITH SAND BALLS WILL BE REJECTED.
11. NO MACHINERY IS TO BE USED WITHIN THE DRIP LINE OF EXISTING TREES; HAND GRADE ALL LAWN AREAS WITHIN THE DRIP LINE OF EXISTING TREES.
12. ALL TREE LOCATIONS SHALL BE STAKED BY LANDSCAPE CONTRACTOR AND ARE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION OF THE PLANT MATERIAL.
13. IT IS MANDATORY THAT POSITIVE DRAINAGE IS PROVIDED AWAY FROM ALL BUILDINGS.
14. ALL PLANTING BEDS SHALL RECEIVE 3" SHREDDED HARDWOOD BARK MULCH WITH PRE EMERGENT, SEE SPECIFICATIONS. SHREDDED PALETTE AND DYED MULCH WILL NOT BE ACCEPTED.
15. ALL LANDSCAPED AREAS SHALL RECEIVE 3" COMPACTED TOPSOIL.
16. SEE SPECIFICATIONS FOR ADDITIONAL COMMENTS, REQUIREMENTS, PLANTING PROCEDURES AND WARRANTY STANDARDS.
17. FOR NON-LAWN SEED MIX AREAS, AS NOTED ON PLAN, BRUSH MOW ONCE SEASONALLY FOR INVASIVE SPECIES CONTROL.
18. CONTRACTOR SHALL NOT INSTALL PLANTS UNDER BUILDING OVERHANG AND SHALL NOTIFY LANDSCAPE ARCHITECT IF DRAWINGS CONFLICT WITH BUILDING OVERHANGS.
19. TREES SHALL NOT CONFLICT/ BLOCK PROPOSED REGULATORY/ DIRECTION SIGNAGE, MONUMENT SIGNS, ADDRESS OR LIGHT POLES. SHIFT TREES AS NECESSARY TYP.
20. USE OF FERTILIZERS ALONG THE SIDE SLOPES OR WITHIN THE STORMWATER BASIN IS PROHIBITED.



NOTE:
PROPOSED TREES BY EXISTING WOODED AREA TO BE SHIFTED AS NECESSARY IN FIELD TO FILL VOIDS IN EXISTING VEGETATION, PER CITY APPROVAL AND AS PERMITTING ALLOWS.

NOTE:
7 EVG TO EAST SCREENING LOADING AREA WITHIN EASEMENTS PER CITY COMMENT.

PLANT LIST FOR L-1.0

TREE PLANT LIST:

QUANTITY	KEY SYMBOL	COMMON NAME	SCIENTIFIC NAME	SIZE	SPEC
6	AC2.5	Shadblow Serviceberry	<i>Amelanchier canadensis</i>	8-10' Ht.	B&B
10	BN8	River Birch	<i>Betula nigra</i>	10' Ht.	B&B
12	CK2.5	Kousa Dogwood	<i>Cornus kousa</i>	2" Cal.	B&B
10	CC8	Eastern Redbud	<i>Cercis canadensis</i>	8' Ht.	B&B
8	NS2.5	Black Gum	<i>Nyssa sylvatica</i>	2.5" Cal.	B&B
6	LT2.5	Tulip Tree	<i>Liriodendron tulipifera</i>	2.5" Cal.	B&B
14	SS2.5	Slender Silhouette Sweetgum	<i>Liquidambar styraciflua 'Slender Silhouette'</i>	2.5" Cal.	B&B
6	PO2.5	American Sycamore	<i>Platanus occidentalis</i>	2.5" Cal.	B&B
6	QB2.5	Swamp White Oak	<i>Quercus bicolor</i>	2.5" Cal.	B&B
78		TOTAL DECIDUOUS TREES			

EVERGREEN TREE PLANT LIST:

QUANTITY	KEY SYMBOL	COMMON NAME	SCIENTIFIC NAME	SIZE	SPEC
12	AB8	Balsam Fir	<i>Abies balsamea</i>	8' Ht.	B&B
13	PA8	Norway Spruce	<i>Picea abies</i>	8' Ht.	B&B
16	PG8	Black Hills Spruce	<i>Picea glauca 'Densata'</i>	8' Ht.	B&B
13	PS8	Eastern White Pine	<i>Pinus strobus</i>	8' Ht.	B&B
54		TOTAL EVERGREEN TREES			

SHRUB PLANT LIST:

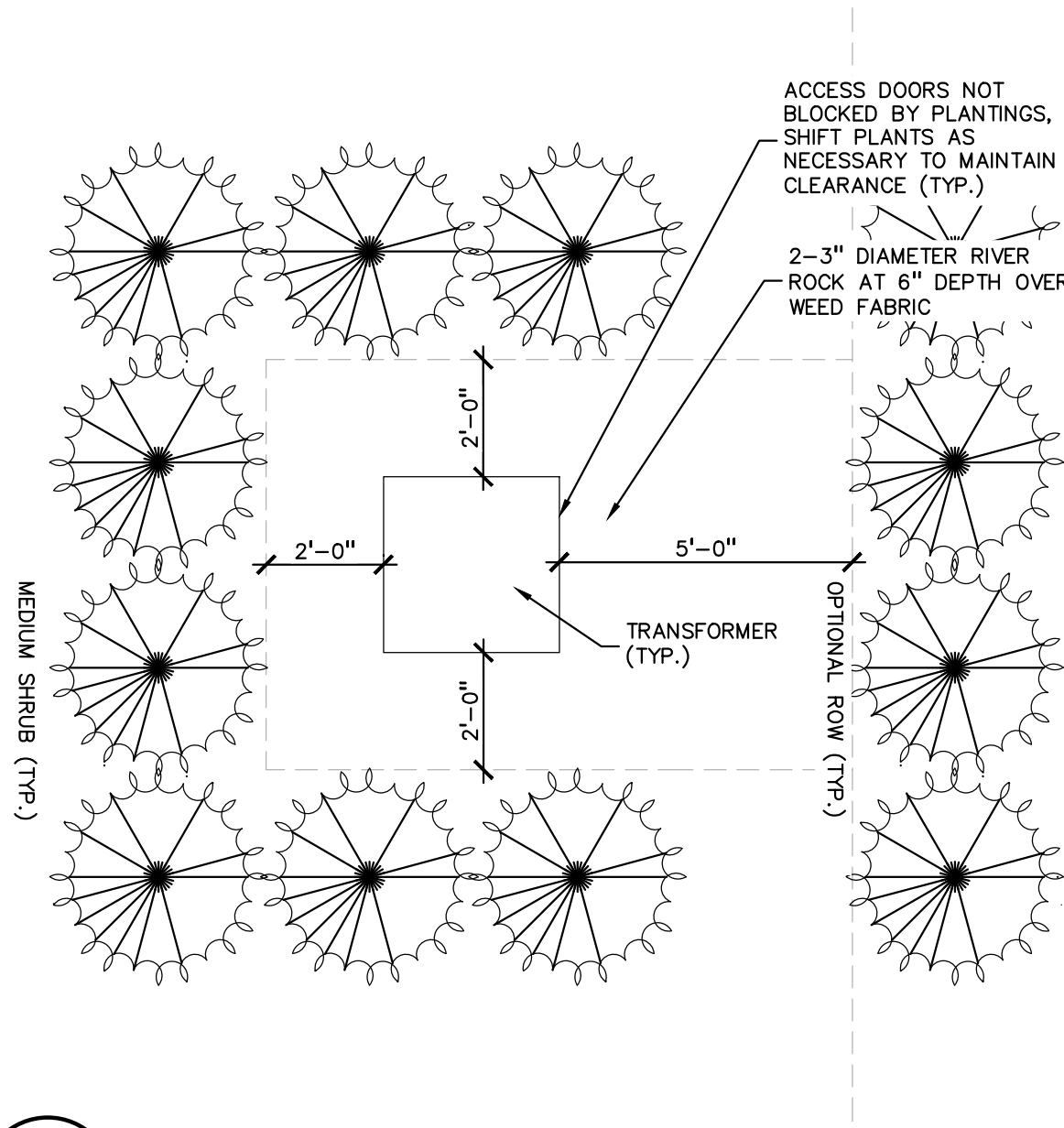
QUANTITY	KEY SYMBOL	COMMON NAME	SCIENTIFIC NAME	SIZE	SPEC
8	VD36	Blue Muffin Viburnum	<i>Viburnum dentatum 'Christom'</i>	36" Ht.	Cont.
8		TOTAL SHRUBS			

\\pea\new\PROJECTS\2022\2022-0484 - GESTAMP - ADDITION - CHELSEA\DWG\CONSTRUCTION\L-1.0_LANDSCAPE.PLAN-22-0484-BG.dwg PLOT DATE: 2/16/2023 2:05 PM - BGG

Low-profile Prairie Seed Mix
 Stantec Native Plant Nursery 574-586-2412
 stantec.com/native-plant-nursery

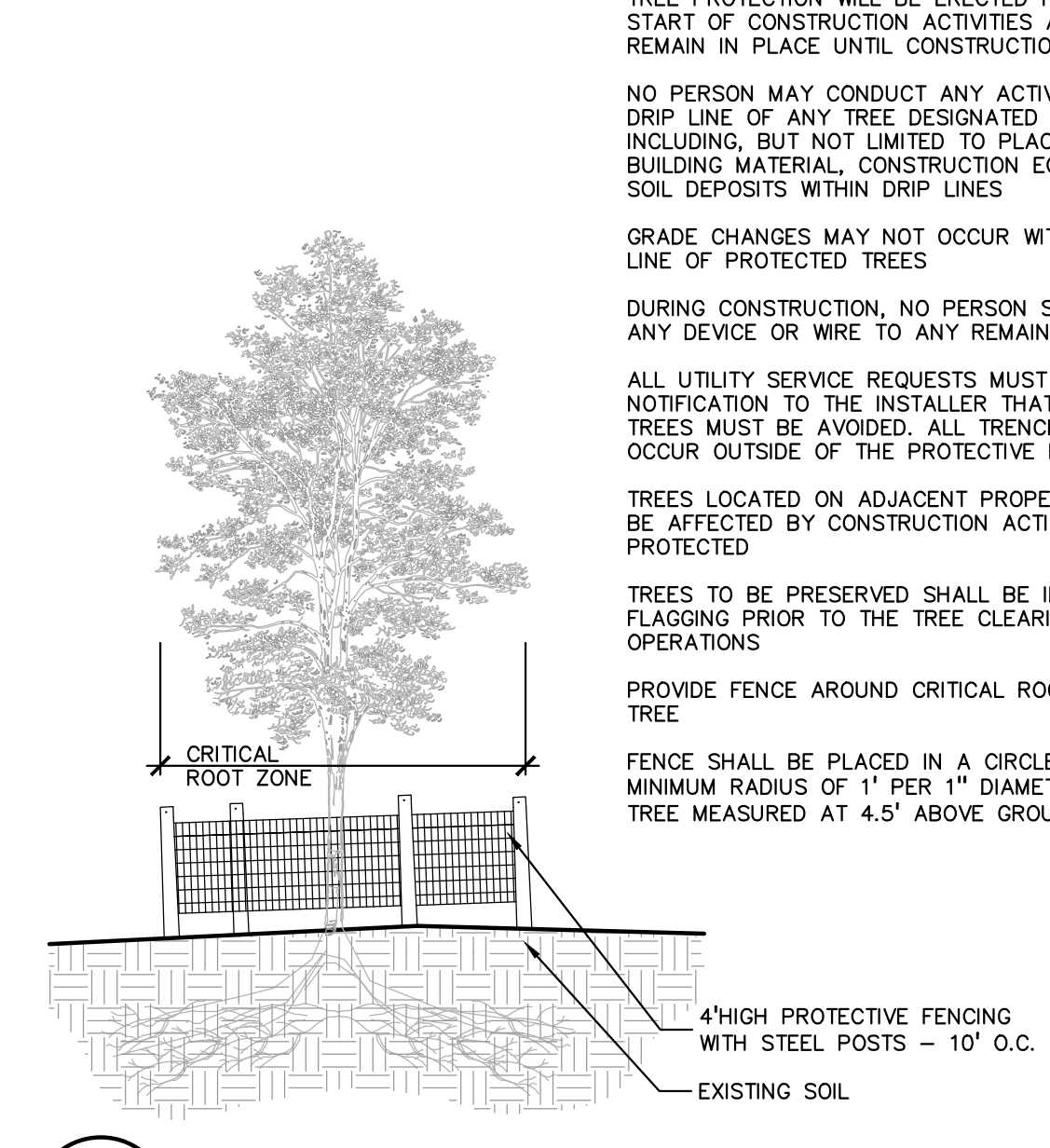
Botanical Name	Common Name
Permanent Grasses:	
<i>Bouteloua curtipendula</i>	Side Oats Grama
<i>Carex spp.</i>	Prairie Carex Mx
<i>Elymus canadensis</i>	Canada Wild Rye
<i>Koeleria pyramidata</i>	June Grass
<i>Panicum virgatum</i>	Switch Grass
<i>Schizachyrium scoparium</i>	Little Bluestem
Temporary Cover:	
<i>Avena sativa</i>	Common Oat
<i>Lolium multiflorum</i>	Annual Rye
Forbs:	
<i>Amorpha canescens</i>	Lead Plant
<i>Anemone cylindrica</i>	Thimbleweed
<i>Asclepias syriaca</i>	Common Milkweed
<i>Asclepias tuberosa</i>	Butterfly Milkweed
<i>Baptisia alba</i>	White Wild Indigo
<i>Chamaecrista fasciculata</i>	Partridge Pea
<i>Coreopsis lanceolata</i>	Sand Coreopsis
<i>Coreopsis palmata</i>	Prairie Coreopsis
<i>Dalea candida</i>	White Prairie Clover
<i>Dalea purpurea</i>	Purple Prairie Clover
<i>Desmanthus illinoensis</i>	Illinois Sensitive Plant
<i>Echinacea purpurea</i>	Broad-Leaved Purple Coneflower
<i>Eryngium yuccifolium</i>	Rattlesnake Master
<i>Lespedeza capitata</i>	Round-Head Bush Clover
<i>Liatris aspera</i>	Rough Blazing Star
<i>Lupinus perennis</i>	Wild Lupine
<i>Monarda fistulosa</i>	Wild Bergamot
<i>Oligoneuron rigidum</i>	Stiff Goldenrod
<i>Parthenium integrifolium</i>	Wild Quinine
<i>Penstemon digitalis</i>	Foxglove Beard Tongue
<i>Penstemon hirsutus</i>	Hairy Beard Tongue
<i>Pycnanthemum virginianum</i>	Common Mountain Mint
<i>Ratibida pinnata</i>	Yellow Coneflower
<i>Rudbeckia hirta</i>	Black-Eyed Susan
<i>Rudbeckia subtomentosa</i>	Sweet Black-Eyed Susan
<i>Silphium terebinthaceum</i>	Prairie Dock
<i>Solidago speciosa</i>	Showy Goldenrod
<i>Symphoricarpon arnicoides</i>	Heath Aster
<i>Symphoricarpon laeve</i>	Smooth Blue Aster
<i>Symphoricarpon novae-angliae</i>	New England Aster
<i>Tradescantia ohiensis</i>	Common Spiderwort
<i>Verbena stricta</i>	Hoary Vervain
<i>Veronica spp.</i>	Ironweed (Various Mix)
<i>Veronicastrum virginicum</i>	Culvers Root

FOR ALL SEED MIXES, PROVIDE EROSION MAT ON SLOPES AND AREAS OF WASH OUT TYP. INSTALL AND PREP PER MANUFACTURES SPECIFICATIONS.



6 TRANSFORMER SCREENING DETAIL

SCALE: 1" = 3'-0"



3 TREE PROTECTION DETAIL

SCALE: 1" = 3'-0"

TREE PROTECTION WILL BE ERECTED PRIOR TO START OF CONSTRUCTION ACTIVITIES AND SHALL REMAIN IN PLACE UNTIL CONSTRUCTION IS COMPLETE

NO PERSON MAY CONDUCT ANY ACTIVITY WITHIN THE DRIP LINE OF ANY TREE DESIGNATED TO REMAIN, INCLUDING, BUT NOT LIMITED TO PLACING SOLVENTS, BUILDING MATERIAL, CONSTRUCTION EQUIPMENT OR SOIL DEPOSITS WITHIN DRIP LINES

GRADE CHANGES MAY NOT OCCUR WITHIN THE DRIP LINE OF PROTECTED TREES

DURING CONSTRUCTION, NO PERSON SHALL ATTACH ANY DEVICE OR WIRE TO ANY REMAINING TREE

ALL UTILITY SERVICE REQUESTS MUST INCLUDE NOTIFICATION TO THE INSTALLER THAT PROTECTED TREES MUST BE AVOIDED. ALL TRENCHING SHALL OCCUR OUTSIDE OF THE PROTECTIVE FENCING

TREES LOCATED ON ADJACENT PROPERTY THAT MAY BE AFFECTED BY CONSTRUCTION ACTIVITIES MUST BE PROTECTED

TREES TO BE PRESERVED SHALL BE IDENTIFIED WITH FLAGGING PRIOR TO THE TREE CLEARING OPERATIONS

PROVIDE FENCE AROUND CRITICAL ROOT ZONE OF TREE

FENCE SHALL BE PLACED IN A CIRCLE WITH A MINIMUM RADIUS OF 1' PER 1" DIAMETER OF THE TREE MEASURED AT 4.5' ABOVE GROUND

PEA GROUP

t: 844.813.2949
www.peagroup.com



CAUTION!
 THE LOCATIONS AND ELEVATIONS OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING ARE ONLY APPROXIMATE. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE EXCLUSIVELY RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATIONS AND ELEVATIONS PRIOR TO THE START OF CONSTRUCTION.

CLIENT
GESTAMP
 5800 SIBLEY ROAD
 CHELSEA, MICHIGAN 48118

PROJECT TITLE
GESTAMP
 5800 SIBLEY ROAD
 CHELSEA, MICHIGAN 48118

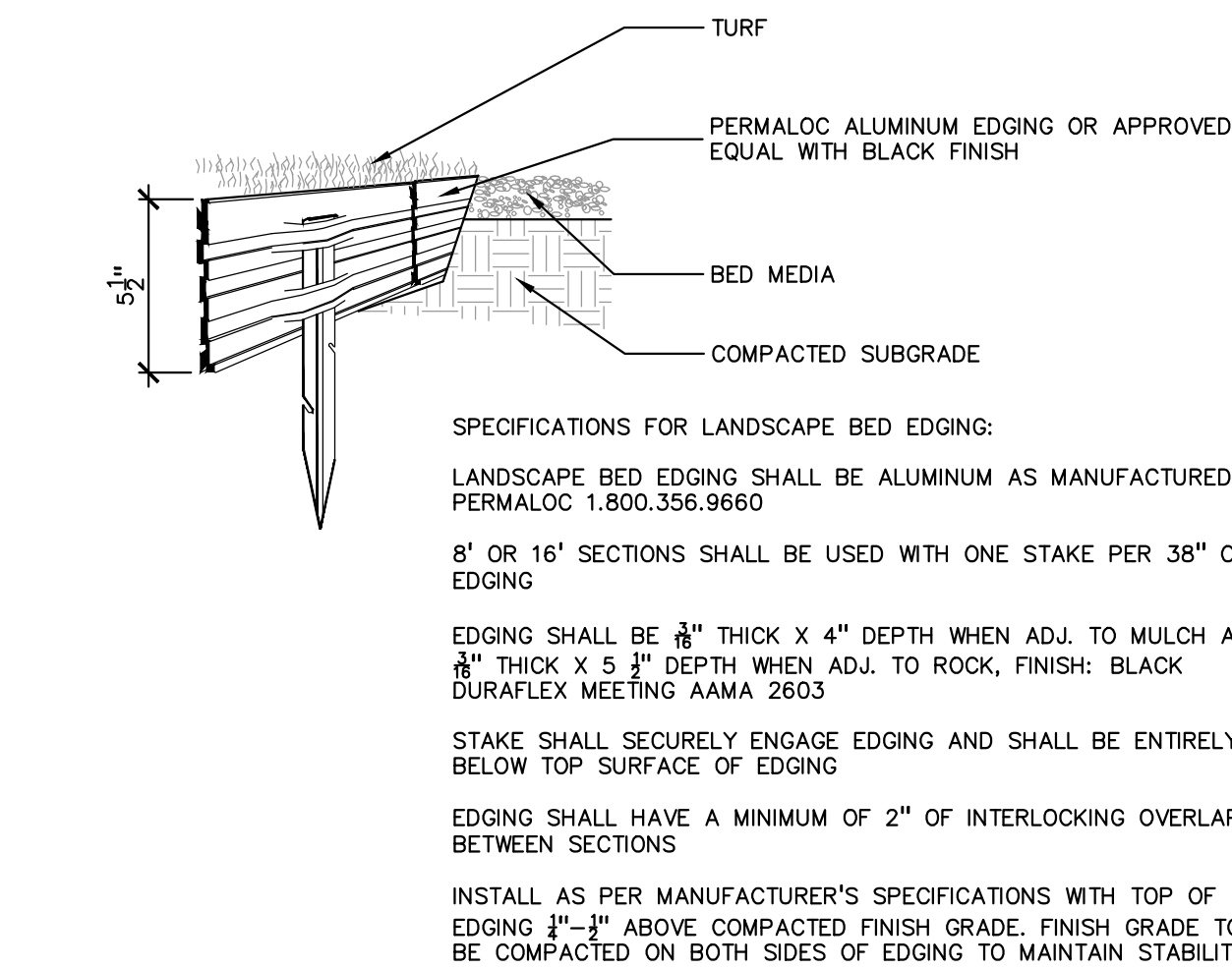
REVISIONS	
SITE PLAN	1/20/23
ENGINEERING REVIEW	2/9/23
ADDITIONAL CITY COMMENTS	2/15/23

ORIGINAL ISSUE DATE:
 JANUARY 20, 2023

DRAWING TITLE
LANDSCAPE DETAILS

PEA JOB NO.	2022-0484
P.M.	EAI
DN.	BGG
DES.	JLE

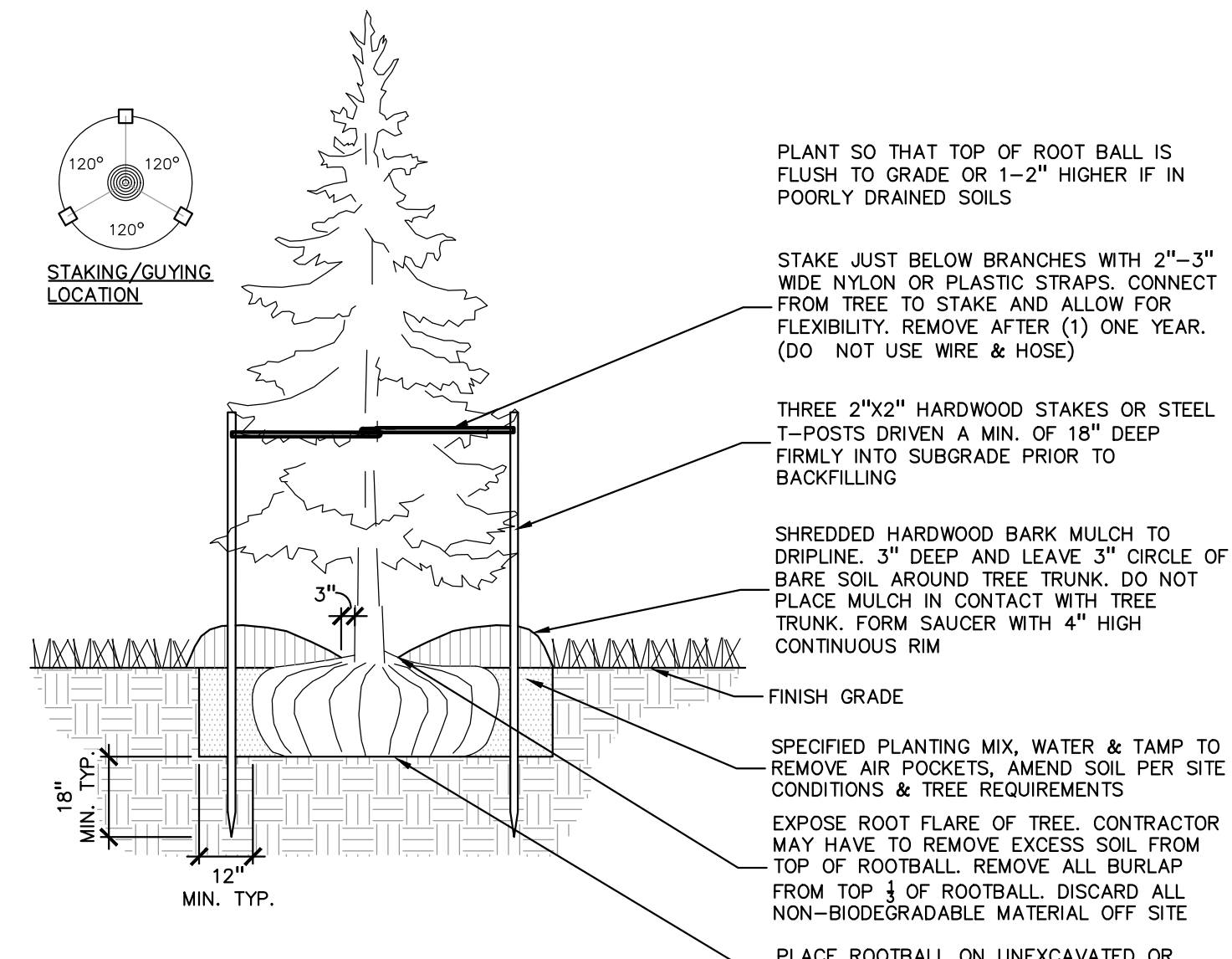
DRAWING NUMBER:



5 ALUMINUM EDGE DETAIL

SCALE: 1/2" = 1'-0"

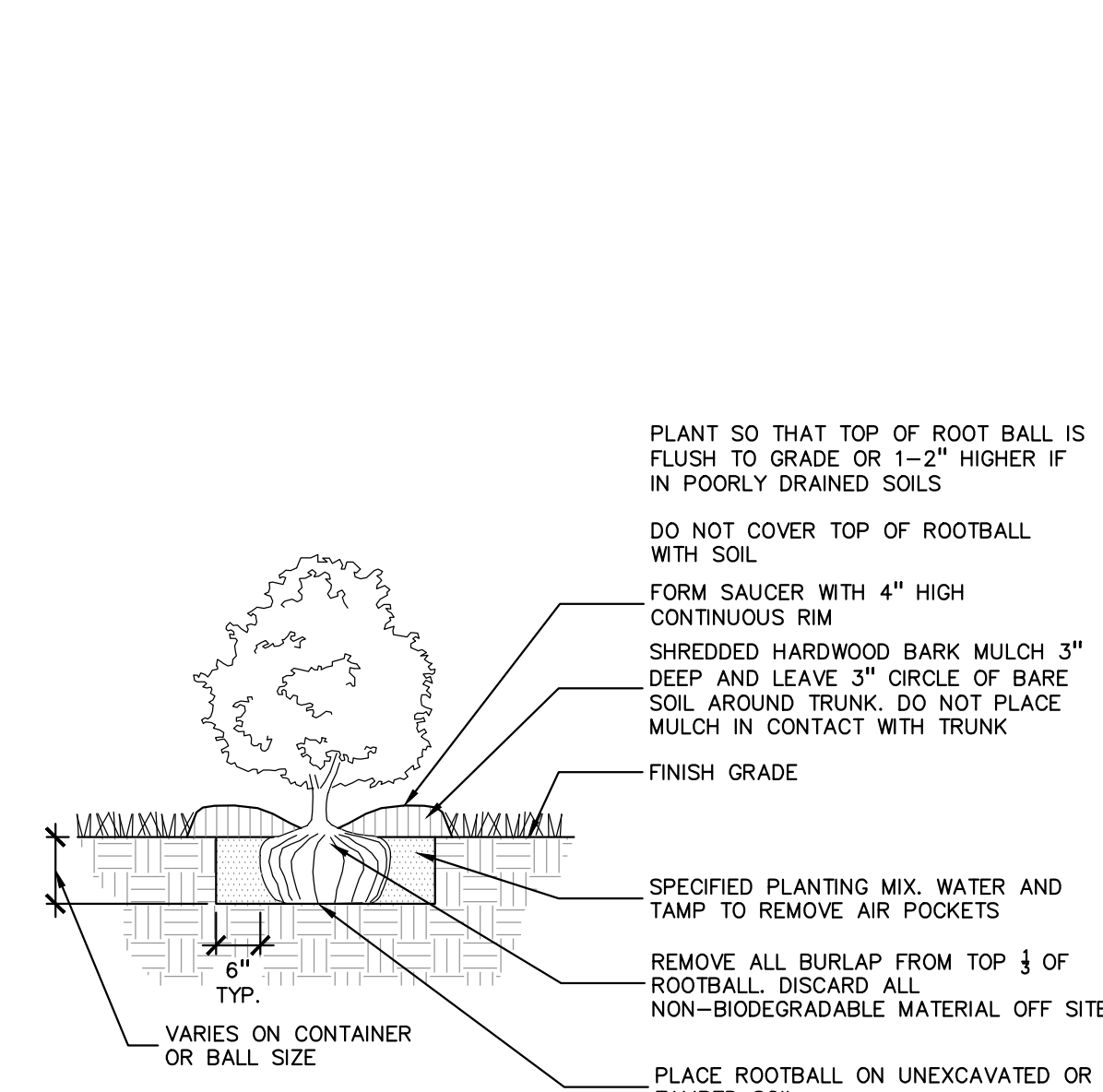
SPECIFICATIONS FOR LANDSCAPE BED EDGING:
 LANDSCAPE BED EDGING SHALL BE ALUMINUM AS MANUFACTURED BY PERMALOC 1.800.356.9660
 8' OR 16' SECTIONS SHALL BE USED WITH ONE STAKE PER 38" OF EDGING
 EDGING SHALL BE 3/8" THICK X 4" DEPTH WHEN ADJ. TO MULCH AND 1/2" THICK X 5 1/2" DEPTH WHEN ADJ. TO ROCK, FINISH: BLACK DURAFLEX MEETING AAMA 2603
 STAKE SHALL SECURELY ENGAGE EDGING AND SHALL BE ENTIRELY BELOW TOP SURFACE OF EDGING
 EDGING SHALL HAVE A MINIMUM OF 2" OF INTERLOCKING OVERLAP BETWEEN SECTIONS
 INSTALL AS PER MANUFACTURER'S SPECIFICATIONS WITH TOP OF EDGING 1/2"-3/4" ABOVE COMPACTED FINISH GRADE. FINISH GRADE TO BE COMPACTED ON BOTH SIDES OF EDGING TO MAINTAIN STABILITY



2 EVERGREEN TREE PLANTING DETAIL

SCALE: 1" = 3'-0"

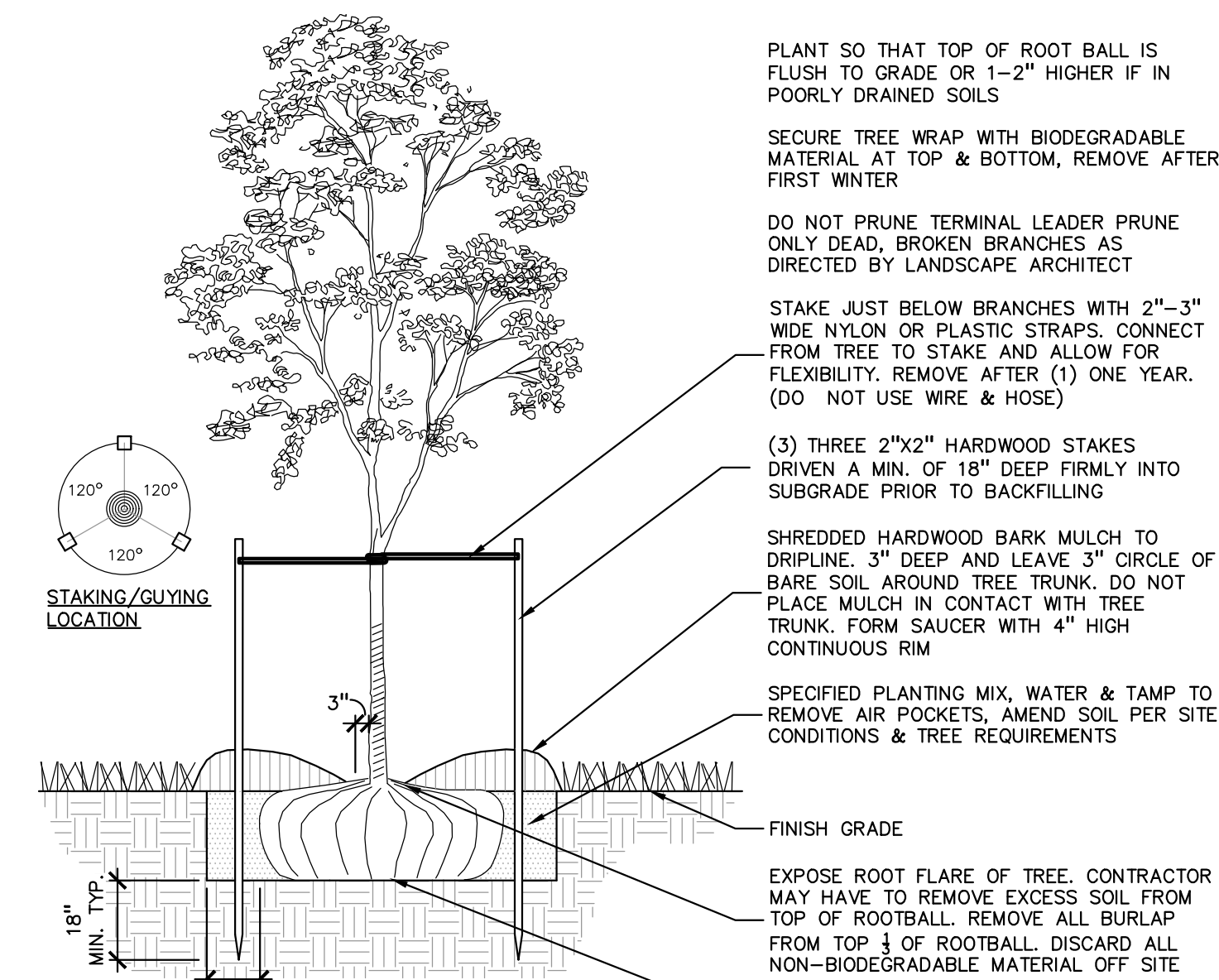
PLANT SO THAT TOP OF ROOT BALL IS FLUSH TO GRADE OR 1-2" HIGHER IF IN POORLY DRAINED SOILS
 STAKE JUST BELOW BRANCHES WITH 2"-3" WIDE NYLON OR PLASTIC STRAPS. CONNECT FROM TREE TO STAKE AND ALLOW FOR FLEXIBILITY. REMOVE AFTER (1) ONE YEAR. (DO NOT USE WIRE & HOSE)
 THREE 2"x2" HARDWOOD STAKES OR STEEL T-POSTS DRIVEN A MIN. OF 18" DEEP FIRMLY INTO SUBGRADE PRIOR TO BACKFILLING
 SHREDDED HARDWOOD BARK MULCH TO DRIFLINE, 3" DEEP AND LEAVE 3" CIRCLE OF BARE SOIL AROUND TREE TRUNK. DO NOT PLACE MULCH IN CONTACT WITH TREE TRUNK. FORM SAUCER WITH 4" HIGH CONTINUOUS RIM
 FINISH GRADE
 SPECIFIED PLANTING MIX, WATER & TAMP TO REMOVE AIR POCKETS, AMEND SOIL PER SITE CONDITIONS & TREE REQUIREMENTS
 EXPOSE ROOT FLARE OF TREE. CONTRACTOR MAY HAVE TO REMOVE EXCESS SOIL FROM TOP OF ROOTBALL. REMOVE ALL BURLAP FROM TOP 1/3 OF ROOTBALL. DISCARD ALL NON-BIODEGRADABLE MATERIAL OFF SITE
 PLACE ROOTBALL ON UNEXCAVATED OR TAMPED SOIL



4 SHRUB PLANTING DETAIL

SCALE: 1" = 2'-0"

PLANT SO THAT TOP OF ROOT BALL IS FLUSH TO GRADE OR 1-2" HIGHER IF IN POORLY DRAINED SOILS
 DO NOT COVER TOP OF ROOTBALL WITH SOIL
 FORM SAUCER WITH 4" HIGH CONTINUOUS RIM
 SHREDDED HARDWOOD BARK MULCH 3" DEEP AND LEAVE 3" CIRCLE OF BARE SOIL AROUND TRUNK. DO NOT PLACE MULCH IN CONTACT WITH TRUNK
 FINISH GRADE
 SPECIFIED PLANTING MIX, WATER AND TAMP TO REMOVE AIR POCKETS
 REMOVE ALL BURLAP FROM TOP 1/3 OF ROOTBALL. DISCARD ALL NON-BIODEGRADABLE MATERIAL OFF SITE
 PLACE ROOTBALL ON UNEXCAVATED OR TAMPED SOIL



1 DECIDUOUS TREE PLANTING DETAIL

SCALE: 1" = 3'-0"

PLANT SO THAT TOP OF ROOT BALL IS FLUSH TO GRADE OR 1-2" HIGHER IF IN POORLY DRAINED SOILS
 SECURE TREE WRAP WITH BIODEGRADABLE MATERIAL AT TOP & BOTTOM, REMOVE AFTER FIRST WINTER
 DO NOT PRUNE TERMINAL LEADER PRUNE ONLY DEAD, BROKEN BRANCHES AS DIRECTED BY LANDSCAPE ARCHITECT
 STAKE JUST BELOW BRANCHES WITH 2"-3" WIDE NYLON OR PLASTIC STRAPS. CONNECT FROM TREE TO STAKE AND ALLOW FOR FLEXIBILITY. REMOVE AFTER (1) ONE YEAR. (DO NOT USE WIRE & HOSE)
 (3) THREE 2"x2" HARDWOOD STAKES DRIVEN A MIN. OF 18" DEEP FIRMLY INTO SUBGRADE PRIOR TO BACKFILLING
 SHREDDED HARDWOOD BARK MULCH TO DRIFLINE, 3" DEEP AND LEAVE 3" CIRCLE OF BARE SOIL AROUND TREE TRUNK. DO NOT PLACE MULCH IN CONTACT WITH TREE TRUNK. FORM SAUCER WITH 4" HIGH CONTINUOUS RIM
 SPECIFIED PLANTING MIX, WATER & TAMP TO REMOVE AIR POCKETS, AMEND SOIL PER SITE CONDITIONS & TREE REQUIREMENTS
 FINISH GRADE
 EXPOSE ROOT FLARE OF TREE. CONTRACTOR MAY HAVE TO REMOVE EXCESS SOIL FROM TOP OF ROOTBALL. REMOVE ALL BURLAP FROM TOP 1/3 OF ROOTBALL. DISCARD ALL NON-BIODEGRADABLE MATERIAL OFF SITE
 PLACE ROOTBALL ON UNEXCAVATED OR TAMPED SOIL

NOT FOR CONSTRUCTION

L-1.1

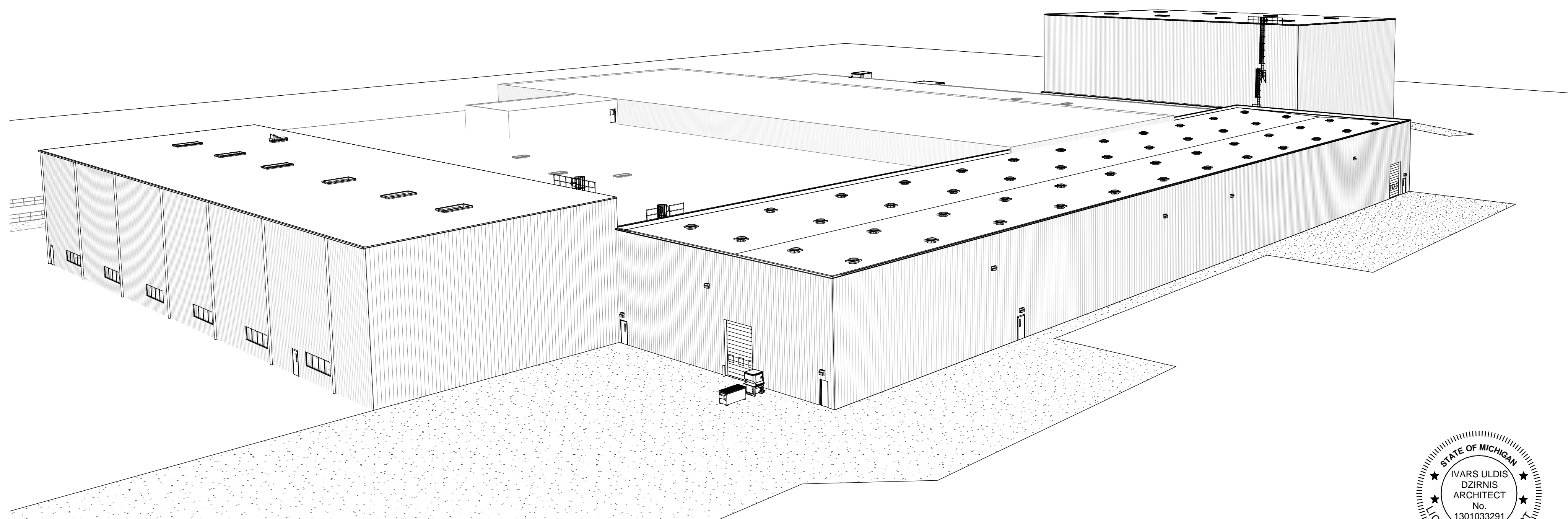


CHELSEA BUILDING ADDITION

5800 SIBLEY ROAD
CHELSEA, MI 48118

ISSUED FOR: ADDITIONAL CITY COMMENTS

NUMBER	TITLE	10-28-22 SITE PLAN			11-22-22 REVISED PER CITY COMMENTS			01-20-23 SITE PLAN			02-15-23 ADDITIONAL CITY COMMENTS		
CS	COVER SHEET		X	X	X	X	X						
ARCHITECTURAL													
A1.1	COMPOSITE SITE PLAN	X	X	X	X	X	X						
A2.1	COMPOSITE FLOOR PLAN	X	X	X	X	X	X						
A2.2	ENLARGED FLOOR PLAN	X	X	X	X	X	X						
A4.0	EXTERIOR ELEVATIONS	X	X	X	X	X	X						
ELECTRICAL													
E1	PHOTOMETRIC PLAN		X	X	X	X	X						



CONTACT INFORMATION

OWNER / CLIENT: GESTAMP NORTH AMERICA DIVISION
2701 TROY CENTER DRIVE, SUITE 150
TROY, MI 48064

PHONE: (734) 593-9036
EMAIL: gestamp.com

ARCHITECT / ENGINEER: IVARS DZIRNIS, AIA, NCARB, LEED AP
PROJECT MANAGER/ARCHITECT

PHONE: (989) 573-0710
EMAIL: bdzirn@kibbe.com
WEB: www.kibbe.com

KATLYN MIKLOVICH
PROJECT DESIGNER
PHONE: (989) 752-5000
EMAIL: KMIKLOVICH@KIBBE.COM

CODE AUTHORITY: CITY OF CHELSEA PLANNING & ZONING DEPARTMENT
305 S. MAIN ST., SUITE 100
CHELSEA, MI 48118
(734) 475-1771

PROJECT INFORMATION

BUILDING CODE COMPLIANCE

- 2015 MICHIGAN BUILDING CODE (MBC)
- 2018 MICHIGAN PLUMBING CODE (MPC)
- 2015 MICHIGAN MECHANICAL CODE (MMC)
- 2017 NATIONAL ELECTRICAL CODE (NEC)
- 2012 INTERNATIONAL FIRE CODE (IFC)
- NATIONAL FIRE PROTECTION ASSOCIATION (NFPA)

BUILDING USE GROUP [SECTION 306.3]

- LOW-HAZARD FACTORY INDUSTRIAL, GROUP F-2

CONSTRUCTION CLASSIFICATION [SECTION 602]

- IIB - NON COMBUSTIBLE

BUILDING AREA [SECTION 503]

- ALLOWABLE - UNLIMITED BY SPECIAL EXEMPTION
- ORIGINAL BUILDING FIRST FLOOR = 184,000 SQ. FT.
- ORIGINAL BUILDING SECOND FLOOR = 7,677 SQ. FT.
- EXISTING PENTHOUSE = 2,667 SQ. FT.
- PRESS PIT = 1,907 SQ. FT.
- SCRAP TUNNEL = 751 SQ. FT.
- FIRST FLOOR CMM = 275 SQ. FT.
- SCRAP BUILDING = 1,793 SQ. FT.
- TRANSFER PRESS = 24,102 SQ. FT.
- E-COAT = 18,323 SQ. FT.
- SECOND FLOOR = 275 SQ. FT.
- STAIR TOWER = 218 SQ. FT.
- ELEVATOR = 98 SQ. FT.
- TOTAL SQUARE FOOTAGE = 239,436 SQ. FT.
- PROPOSED ADDITION = 35,393 SQ. FT.
- TOTAL = 274,828 SQ. FT.

BUILDING HEIGHT AND AREA [SECTION 503.1.1]

- SPECIAL INDUSTRIAL OCCUPANCIES EXEMPT FROM TABLE 504.3, 504.4 AND 506.2 HEIGHT AND AREA LIMITATIONS.

OCCUPANT LOAD [TBL 1004.1.2]

- 1,943 EX + 354 PROP = 2,297 OCCUPANTS

MINIMUM NUMBER OF EXITS PER STORY [TBL 1006.3.1]

- REQUIRED - (4) OCCUPANT LOAD > 1000
- PROVIDED - 20

EXIT ACCESS TRAVEL DISTANCE [SECTION 1017, TBL 1017.2]

- USE GROUP F-2 W/ SPRINKLER SYSTEM
- 400'

CORRIDORS [SECTION 1020, TBL 1020.1]

- 0 RATING W/ SPRINKLERS

MEANS OF EGRESS SIZING [SECTION 1005]

- OCCUPANT LOAD 2,297 X .15 = 345" MIN. WIDTH
- REQUIRED EXIT DOORS @ 33"DR = 11
- DOORS PROVIDED - 20

FIRE PROTECTION SYSTEMS [CHAPTER 9]

FULLY SPRINKLED - AUTOMATIC SPRINKLER SYSTEM

FIRE RESISTANCE RATING FOR BUILDING ELEMENTS (HOURS) [TBL 601]

- 0 - STRUCTURAL FRAME
- 0 - BEARING WALLS
- 0 - NON BEARING WALLS
- 0 - FLOOR CONSTRUCTION
- 0 - FLOOR CONSTRUCTION

EXTERIOR WALLS [SECTION 705]

- NON-COMBUSTIBLE TYPE 2 CONSTRUCTION

WALL AND CEILING FINISHES [SECTION 803, TBL 803.11]

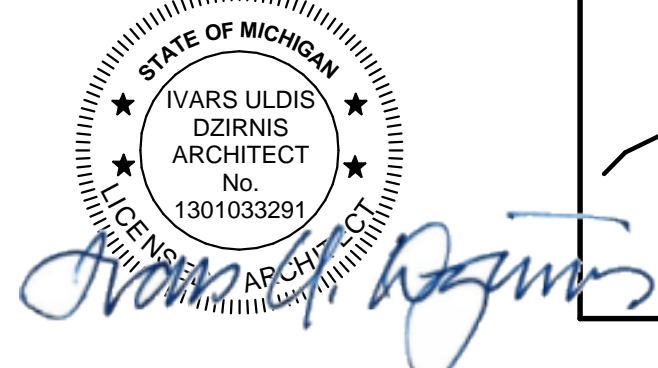
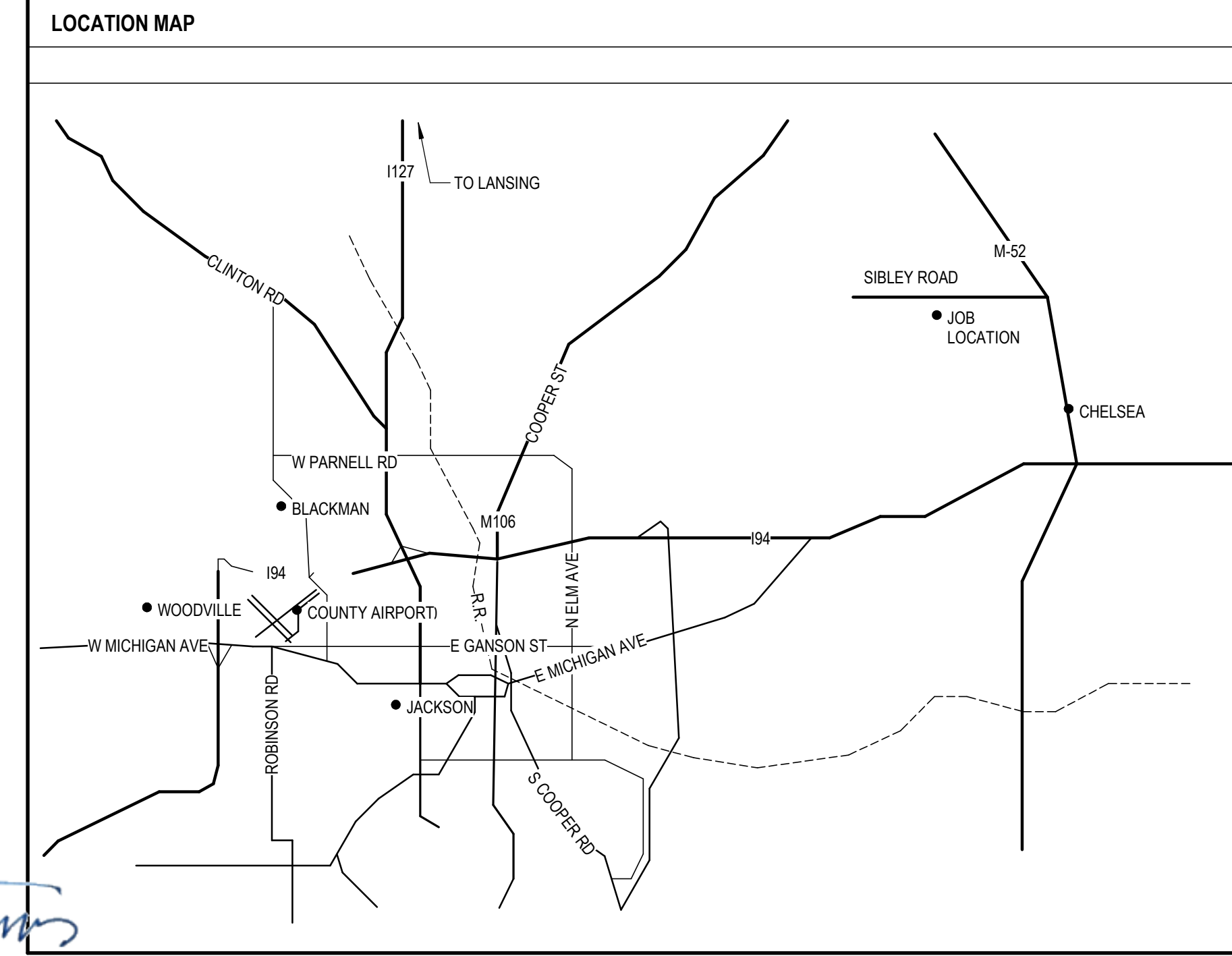
- FLAME SPREAD INDEX
 - CLASS A(0-25), CLASS B(26-75), CLASS C(76-200)
- SMOKE DEVELOPED INDEX
 - CLASS A(0-450), CLASS B(450-900), CLASS C(900-1800)
- CLASS C - VERTICAL EXIT & EXIT PASSAGEWAY
- CLASS C - EXIT ACCESS & OTHER EXITS
- CLASS C - ROOMS & ENCLOSED SPACES

AUTOMATIC SPRINKLER SYSTEMS [SECTION 903, 903.3.1.1]

- NFPA 13 SPRINKLER SYSTEM

PORTABLE FIRE EXTINGUISHERS [SECTION 906]

- CLASS A, 75' - TYPE 2A EXTINGUISHERS



Gestamp

GESTAMP NORTH AMERICA DIVISION
CHELSEA BUILDING ADDITION
CHELSEA, MI 48118

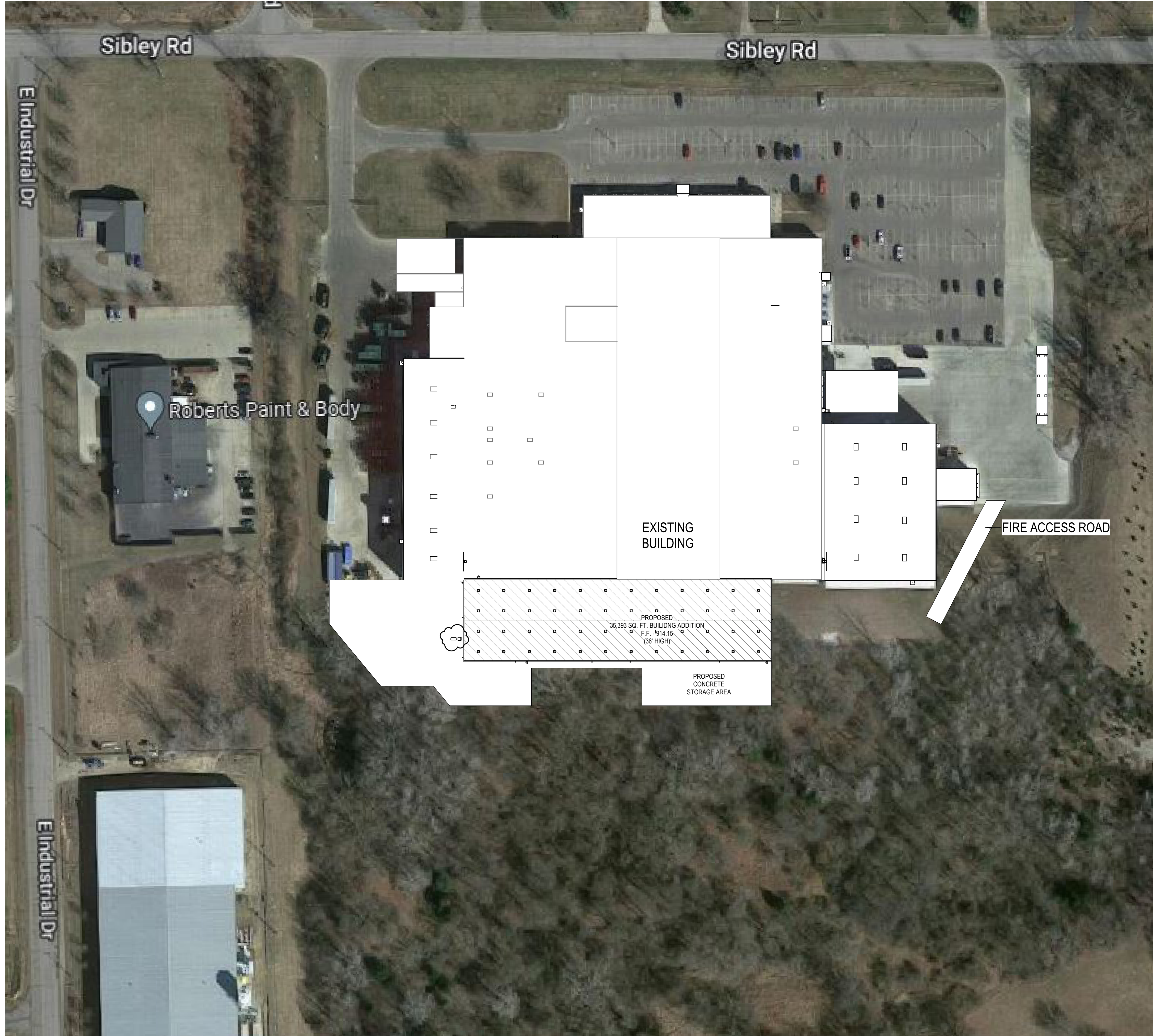
COVER SHEET

DATE	STATUS / REVISIONS
10-28-22	SITE PLAN
11-22-22	REVISED PER CITY COMMENTS
01-20-23	SITE PLAN
02-15-23	ADDITIONAL CITY COMMENTS

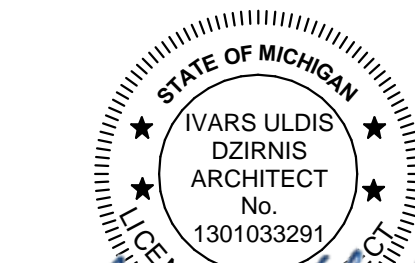
NO.

CHKD BY: E. MANNOR
 DES'D BY: B. DZIRNIS
 DRAWN BY: K. MIKLOVICH
 PROJ #: 22-2372-0265

SHEET
CS



COMPOSITE SITE PLAN
SCALE: 1" = 60'-0"



Ivars Uldis Dzirnys

DATE	STATUS / REVISIONS
10-28-22	SITE PLAN
11-22-22	REVISED PER CITY COMMENTS
01-26-23	SITE PLAN
02-15-23	ADDITIONAL CITY COMMENTS

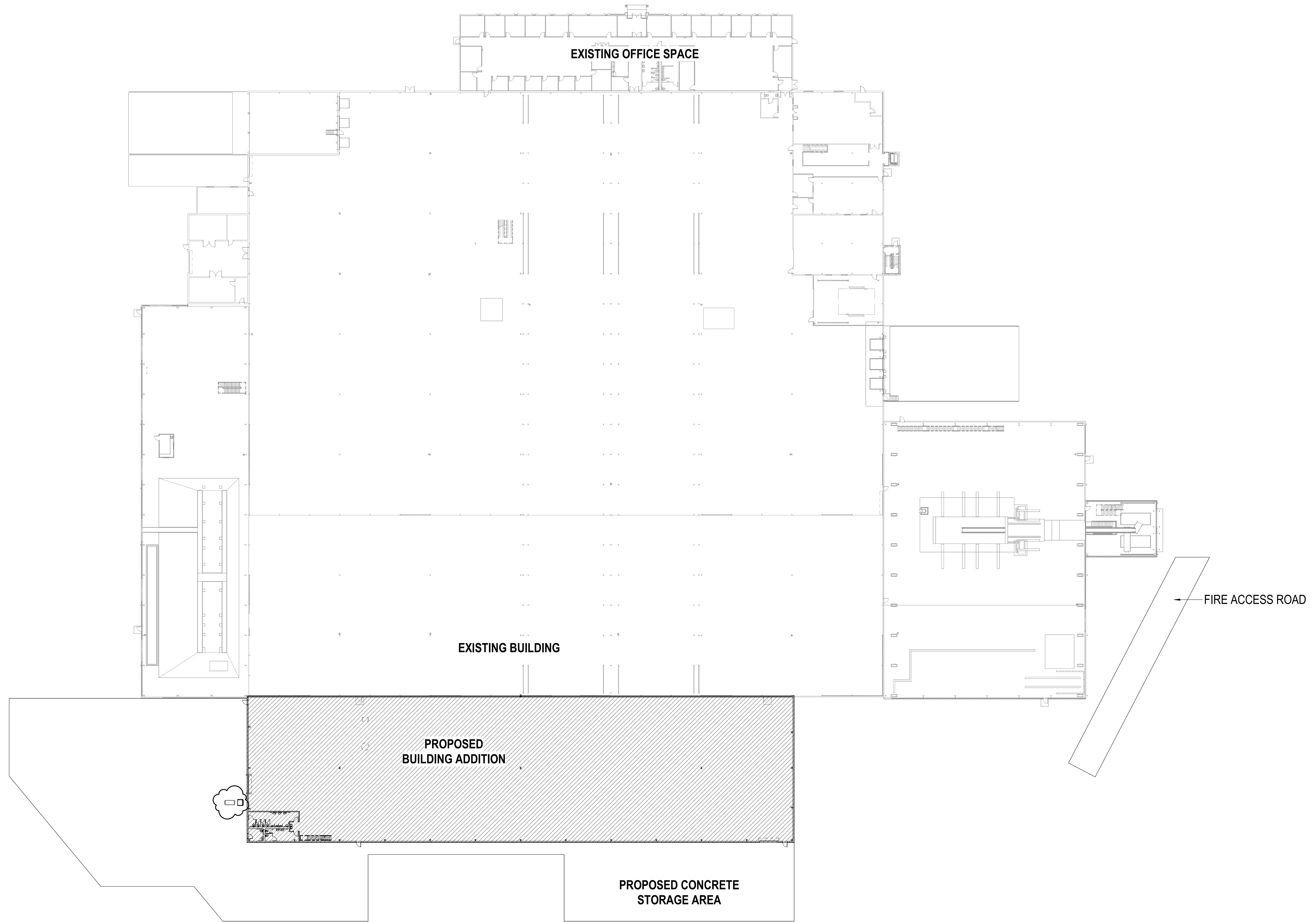
COMPOSITE SITE PLAN

GESTAMP NORTH AMERICA DIVISION
CHELSEA BUILDING ADDITION
CHELSEA, MI 48118



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COMPOSITE FLOOR PLAN
SCALE: 1/32" = 1'-0"



Gestamp

GESTAMP NORTH AMERICA DIVISION
CHELSEA BUILDING ADDITION
CHELSEA, MI 48118

COMPOSITE FLOOR PLAN

DATE	STATUS / REVISIONS
10-28-22	SITE PLAN
11-22-22	REVISED PER CITY COMMENTS
01-26-23	SITE PLAN
02-15-23	ADDITIONAL CITY COMMENTS

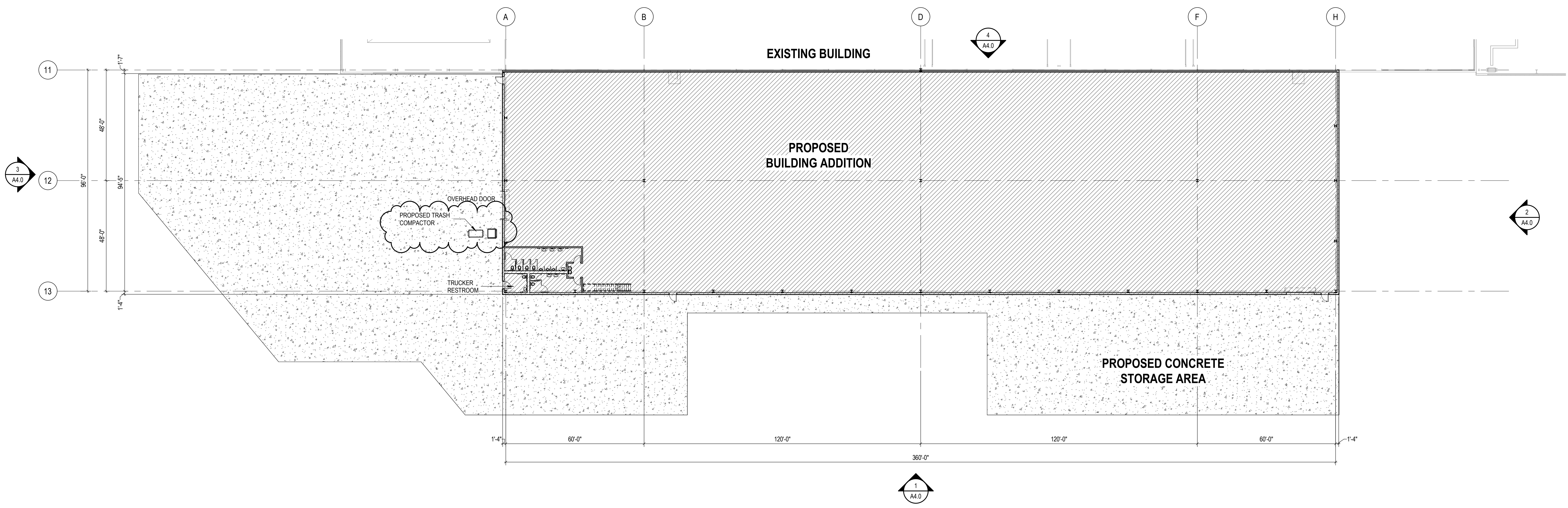
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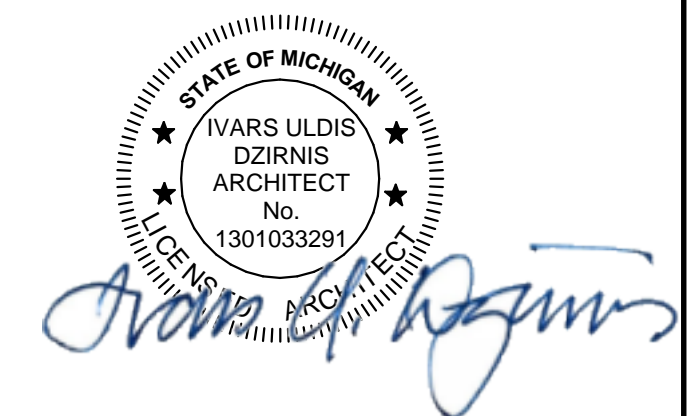
DATE	STATUS / REVISIONS
10-28-22	SITE PLAN
11-22-22	REVISED PER CITY COMMENTS
01-26-23	SITE PLAN
02-15-23	ADDITIONAL CITY COMMENTS

NO. _____
 CHECKD BY: E. MANNOR
 DESD BY: B. DZIRNIS
 DRAWN BY: K. MIKLOVICH
 PROJ #: 22-2372-0265

SHEET
A2.2



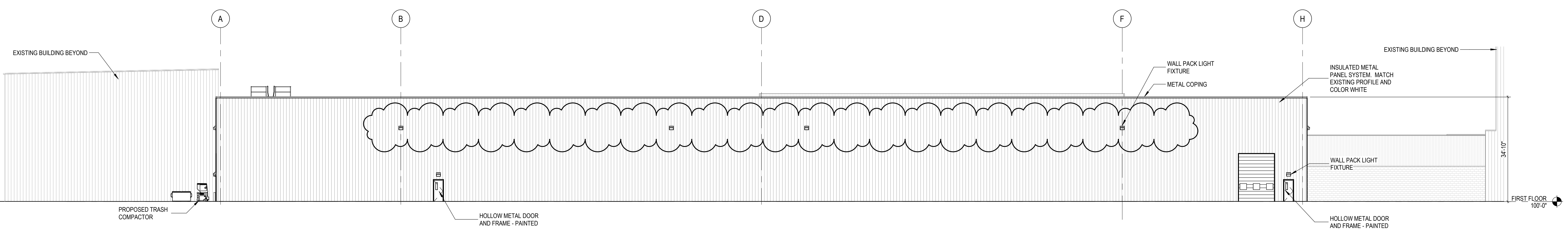
ENLARGED FLOOR PLAN - BUILDING ADDITION
 SCALE: 3/64" = 1'-0"



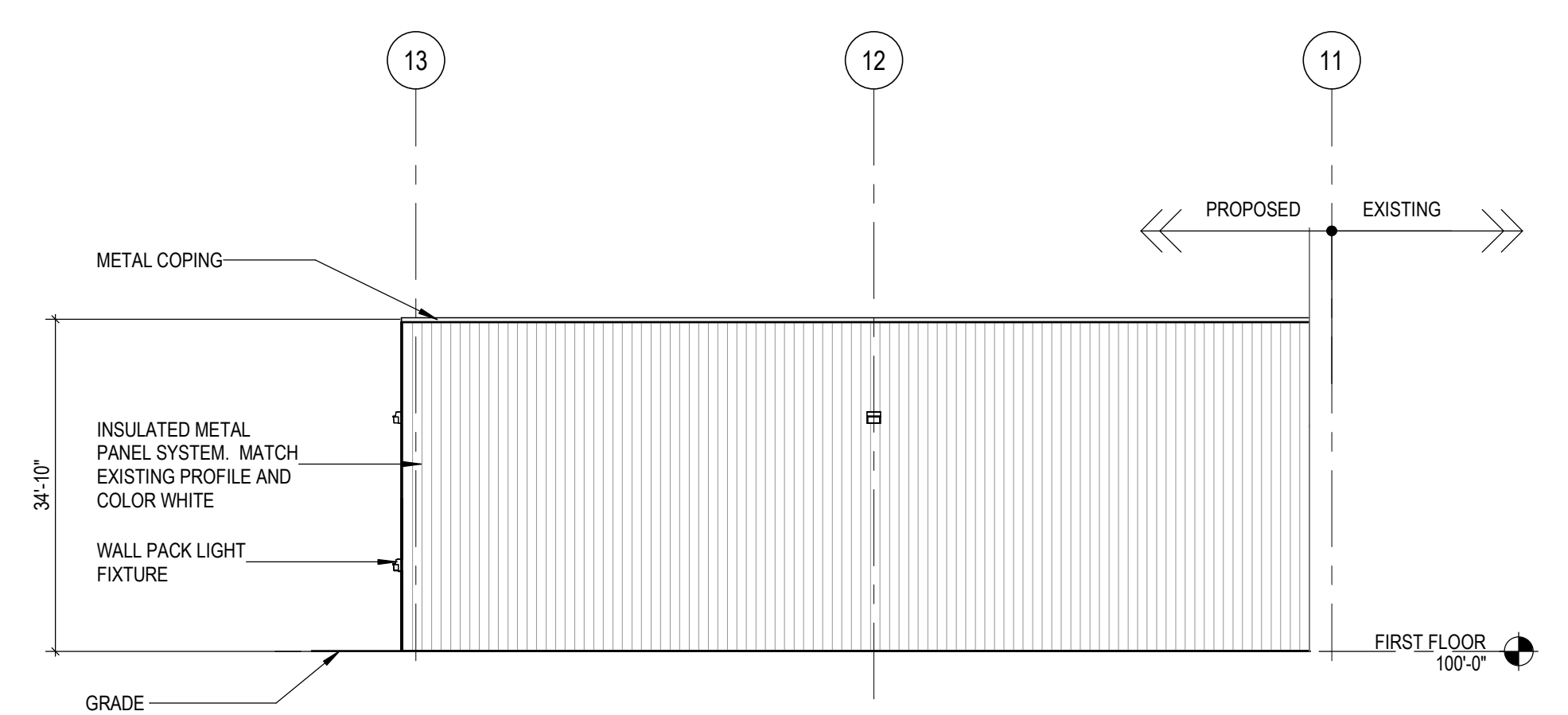
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DATE	STATUS / REVISIONS
10-28-22	SITE PLAN
11-22-22	REVISED PER CITY COMMENTS
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02-15-23	ADDITIONAL CITY COMMENTS

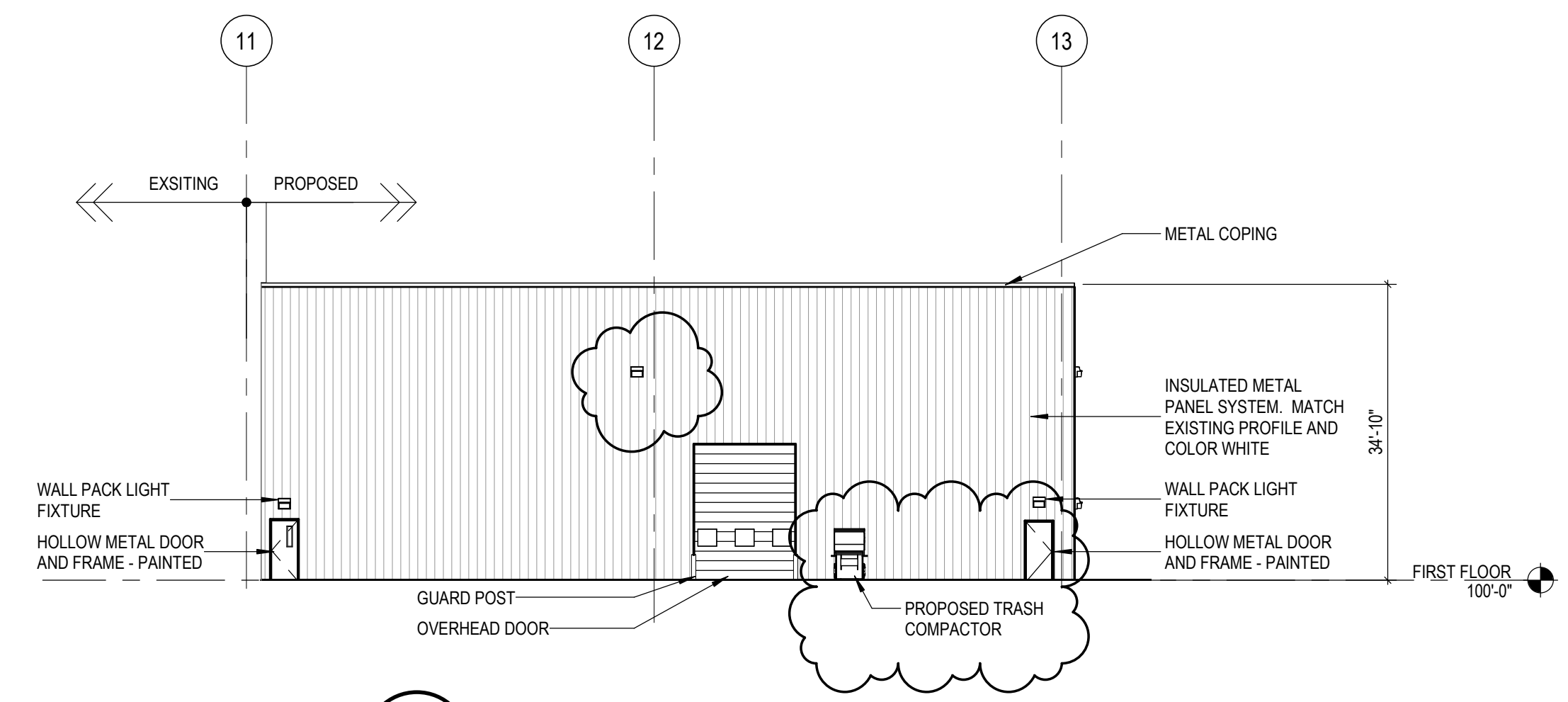
NO.	NO.
CHKD BY: E. MANNOR	
DES'D BY: B. DZIRNIS	
DRAWN BY: K. MIKLOVICH	
PROJ #:	22-2372-0265
SHEET	A4.0



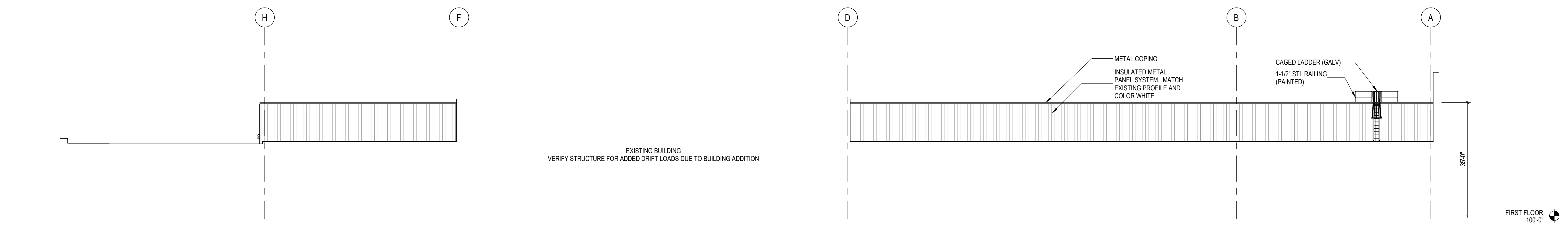
1 SOUTH ELEVATION
A4.0 SCALE: 1/16" = 1'-0"



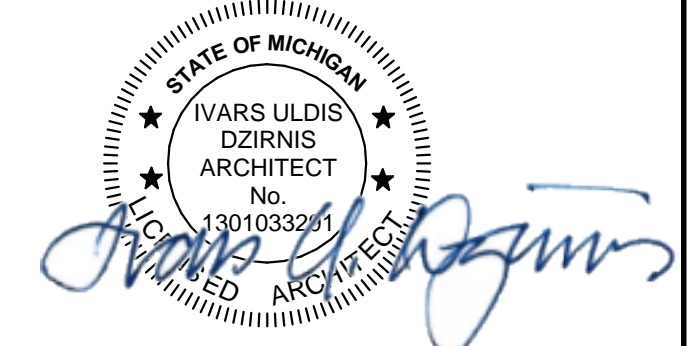
2 EAST ELEVATION
A4.0 SCALE: 1/16" = 1'-0"



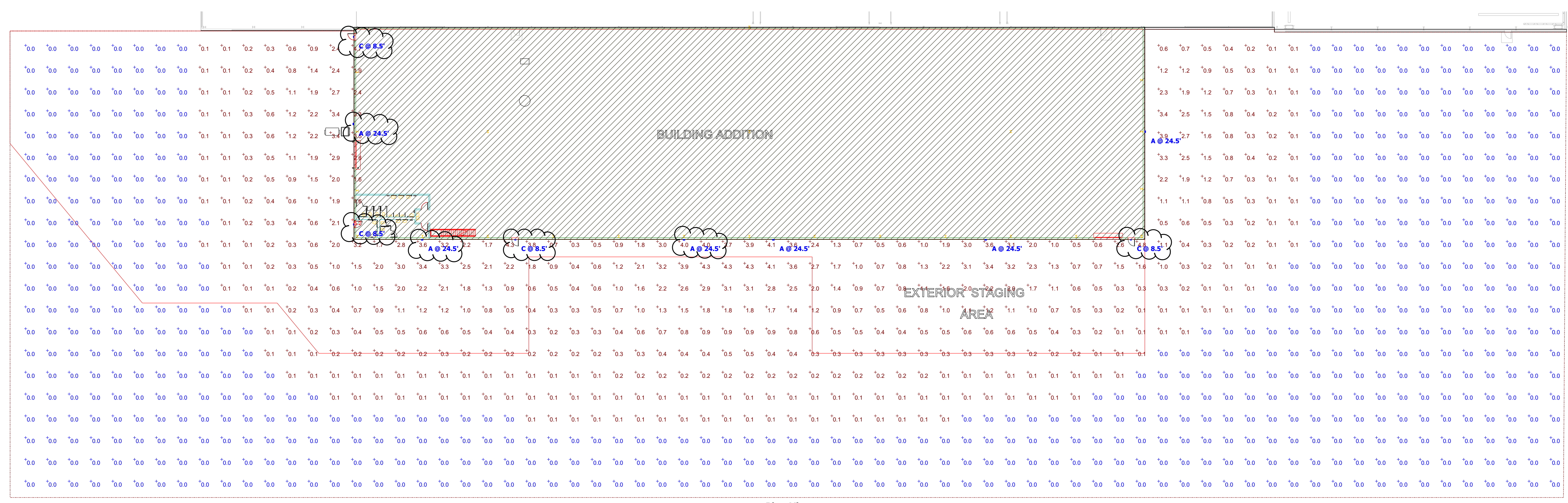
3 WEST ELEVATION
A4.0 SCALE: 1/16" = 1'-0"



4 NORTH ELEVATION
A4.0 SCALE: 1/16" = 1'-0"



EXISTING BUILDING



Plan View
Scale - 1" = 30ft

Statistics						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Exterior Lighting	+	0.4 fc	5.2 fc	0.0 fc	N/A	N/A

Schedule									
Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Number Lamps	Lumens Per Lamp	Light Loss Factor	Wattage
A		6	Lithonia Lighting	WPX3 LED 50K Mvolt	WPX3 LED wallpack 9000lm 5000K color temperature 120-277V	1	9394	0.95	71.16
C		4	Lithonia Lighting	WPX1 LED P1 50K Mvolt	WPX1 LED wallpack 1500lm 5000K color temperature 120-277V	1	1602	0.95	11.39



Specifications

Looksize	Height (ft)	Width (ft)	Depth (ft)	LED Output (lumens)	Weight (lb)
WPX1	1.17 (36.1mm)	1.17 (36.1mm)	1.17 (36.1mm)	1,602	4.17 (1.9kg)
WPX2	1.41 (43.0mm)	1.41 (43.0mm)	1.41 (43.0mm)	9,394	11.86 (5.4kg)
WPX3	1.41 (43.0mm)	1.41 (43.0mm)	1.41 (43.0mm)	9,394	11.86 (5.4kg)

Ordering Information EXAMPLE: WPX2 LED 40K MVOLT DDBXD

Label	Looksize	Color Temperature	Wattage	Option	Finish
WPX1DDBF1	1.17 (36.1mm)	30K	3000	DBDD	Black
WPX1DDBF2	1.17 (36.1mm)	40K	3000	DBDD	White
WPX2DDB	1.41 (43.0mm)	40K	6000	347	Black
WPX2DDB	1.41 (43.0mm)	40K	6000	347	White
WPX3DDB	1.41 (43.0mm)	40K	6000	347	Black
WPX3DDB	1.41 (43.0mm)	40K	6000	347	White

Introduction
The WPX LED wall packs are energy-efficient, cost-effective, and aesthetically appealing solutions for both HID wall pack replacement and new construction opportunities. Available in three sizes, the WPX family delivers 1,500 to 9,000 lumens with a wide, uniform distribution.

Features & Specifications
The WPX LED wall packs are designed to provide a cost-effective, energy-efficient solution for the end-user. They are designed to be installed on a variety of surfaces and are available in three sizes: WPX1, WPX2, and WPX3. Each size is available in two color temperatures: 3000K and 4000K. The WPX LED wall packs are designed to provide a wide, uniform distribution of light and are available in three sizes: WPX1, WPX2, and WPX3. Each size is available in two color temperatures: 3000K and 4000K.

Performance Data

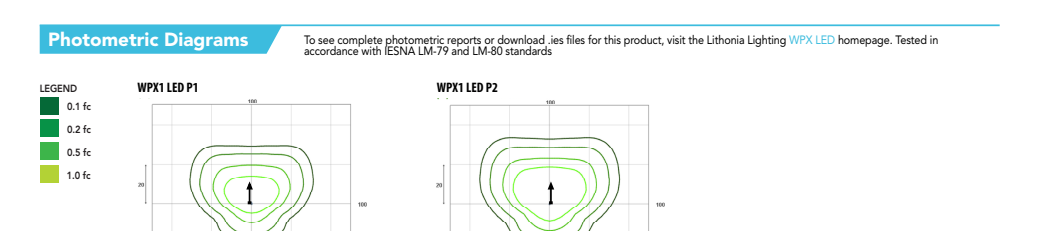
Electrical Load	Input Power (W)	Volt	Current (A)	THD (%)	THD (V)
WPX1 LED P1	1602	120V	0.02	0.02	0.04
WPX2 LED	3000	120V	0.02	0.02	0.04
WPX3 LED	6000	120V	0.02	0.02	0.04

Lumen Output

Looksize	Color Temperature	Lumen Output
WPX1 LED P1	3000K	1,602
WPX1 LED P1	4000K	1,602
WPX2 LED	3000K	9,394
WPX2 LED	4000K	9,394
WPX3 LED	3000K	9,394
WPX3 LED	4000K	9,394

HID Replacement Guide

Looksize	Equivalent HID Wattage	WPX Looksize
WPX1 LED P1	50W	1.17
WPX2 LED	150W	1.41
WPX3 LED	300W	1.41



Emergency Egress Battery Packs
The emergency battery backup is integral to the luminaire - no external housing is back box is required. The emergency battery will power the luminaire for a minimum duration of 90 minutes at the maximum minimum input output of 300 lumens. Both battery pack options are DLC compliant.

Notes:
1. All photometric data is based on a standard overhead junction box. These 12 foot wall packs are not designed for surface mounting. Mounting on the surface will cause the beam spread through the lens to be wider than shown. Mounting on the surface will cause the beam spread through the lens to be wider than shown.
2. Battery pack options only available on WPX1 and WPX2.
3. Battery pack options not available with 30V and 277V options.

Designer
B. KUSHION
Date
02/14/2023
Scale
AS NOTED
Drawing No.
E1
Summary

