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TO: Mandy Grewal, Township Supervisor
Planning Commission

FROM: Benjamin R. Carlisle, AICP
Laura K. Kreps, AICP

DATE: October 2, 2020

RE: Zoning Ordinance Amendments

As you are aware, it is common for staff, planning commissioners, township leadership, and outside interests to identify specific zoning language and other clarifications that require further discussion and potential amendments to the Zoning Ordinance.

Based on items that have been raised in the enforcement of the existing Ordinance regulations, the following modifications are proposed. These modifications would all be classified as minor changes.

We took twenty-three amendments

We did this in three parts with the Planning Commission. Ideally I would like to bring each round of amendments to the Board for consideration immediately after the Planning Commission makes a recommendation, however due to a timing issue between the Planning Commission consideration of the first round of amendments in late 2018, and the the second round of amendments in late 2019, we delayed in forwarding the amendments to the Board.

For ease of review by the Board, I've broken the amendments into minor amendments and substantive amendments.

Each amendment has three parts: 1) the ordinance section number, page number, and existing ordinance language; 2) details outlining the proposed text amendment and explanation as to why the amendment is warranted; and 3) proposed amended language. Removed text is ~~struckthrough~~ and proposed new text is underlined.

Minor Amendments:

- Table 4.21, Non-Residential Use Table (page 4:25): Remove “massage therapy” from table. Massage therapy use is considered a “personal service”.**

Issue: Personal services reference the specific use standards related to massage therapy in Section 11.24.

TABLE 4.21 NON-RESIDENTIAL USE TABLE

Use Category	Commercial		Industrial		Public Facility	Specific Use Standard (Article, Section)
	C-1	C-2	I	BD	PF	
Massage Therapy	€	€				11.24

- Table 5.05.1, Michigan Avenue Mixed Use District Regulation Plan Table (page 5:31): Change “Street Type: Neighborhood” to “Street Type: Suburban”.**

Issue: The Michigan Avenue Mixed Use District does not have any neighborhood street types.

Street Type	Site Type	Building Form		Use Group	
Street Type: Urban	Site Type: C	Permitted Building Form	A, B, D	Permitted Use Group	2, 3, 5
		Conditional Approval Building Type	C	Conditional Use Group	4, 7
	Site Type: B	Permitted Building Form	A	Permitted Use Group	2, 3, 5
		Conditional Approval Building Type	B, C	Conditional Use Group	4
	Site Type: A	Permitted Building Form	A	Permitted Use Group	2, 3, 5
		Conditional Approval Building Type	B, C	Conditional Use Group	4
Street Type: Neighborhood Suburban	Site Type: A	Permitted Building Form	A	Permitted Use Group	1, 2
		Conditional Approval Building Type	B, C	Conditional Use Group	3

- Section 13.06.C.2. (page 13:23): Add “form-based” to the commercial or form-based fence height regulations.**

Issue: Form-based not listed.

C. *Height Regulations.*

2. ***Commercial or Form-Based District.*** Fences shall not exceed six (6) feet in height. Fences in a front yard or a street yard shall not be permitted in a commercial, **form-based**, or office district except where required by the Township Planning Commission.

4. **Section 13.06.E.7. (page 13:24): Modify fence material from allowed materials to prohibited materials.**

Issue: Additional materials being proposed that are not listed.

7. ~~Fences may be constructed of woven wire, metal, wood, vinyl, or masonry. Plastic strips installed within wire/metal fencing is prohibited.~~

5. **Section 13.06.H. (page 13:24): Clarify maintenance provision as noted below.**

Issue: Clarify fence maintenance provision.

- H. ***Maintenance.*** All fences shall be maintained in good condition. Fences shall be further maintained so as not to endanger life or property. Any fence which, through lack of repair, type of construction, or other condition endangers life or property, is hereby deemed a nuisance. ~~If an unsafe condition exists in regard to a fence, the building inspector or other authorized person shall serve written notice to the owner, agent, or person in control of the property on which such fence is located. The notice shall describe the unsafe conditions, shall specify the repairs or modifications required to make the fence safe, or shall require an unsafe fence or any portion thereof to be removed. The notice shall provide a time limit for such repairs, modifications, or removal to be made.~~

6. **Section 15.04.A.1. (page 15:5): Remove “Public Traffic” and redundant directional signage language.**

Issue: Provision A.1. states the same information provided in current A.2. and A.3.

A. **~~*Public Traffic and Directional Signs.*~~**

1. ~~Signs which direct traffic movement onto, or within, a property and which do not contain any advertising copy or logo, and which do not exceed six (6) square feet in area for each sign.~~
7. **Section 15.06.B.5.c.ii. (page 15:13): Increase the size of allowable gas pump signage from one (1) square foot to three (3) square feet.**

Issue: Enforcement has received many requests for larger signage.

B. *Signs Permitted on Parcels Not Located in a Shopping Center or Business Center.*

5. *Vehicle Fueling/Multi-Use Stations.*

c. *Pump Signage.*

- ii. **Size.** Maximum of ~~one~~ three (3) square ~~feet~~ feet.

Substantive Amendments:

1. Section 2.02 (page – various): Addition of terms needed for other listed amendments.

Issue: The following terms will need to be defined as part of the other substantive amendments listed below.

CARGO CONTAINERS: A container fabricated for the propose of transporting freight or goods on a truck, railroad, or ship, including shipping containers, storage units or other portable structures that are placed on private property and used for storage of items.

COMMERCIAL VEHICLE: Commercial vehicles shall include, but not be limited to: tractors (excluding lawn tractors), bulldozers, earth carriers, drag lines, cranes, back hoes, dump trucks, stake trucks, flatbed trucks, panel trucks, cube vans, wreckers, septic tank pumpers, seal coating trucks, semi-tractors, commercial trailers, tanker trucks, well-drilling rigs, welding trucks, repair vehicles, semi-trailers, and any other type of commercial or construction equipment as well as any other motor vehicles not customarily used for passenger transport. Specifically excluded from this definition are any and all tractors or equipment used or customarily used in farming operation.

FILL: A deposit of soil or rock placed or replaced by people or machine which raises an existing elevation.

FILL MATERIAL: Soil, sand, gravel, clay, peat, debris and refuse, waste of any kind, or any other material which displaces soil or water or reduces water retention potential.

2. Section 4.02, Provision for Official Zoning Map (page 4:1): Revise Official Zoning Map amendment process.

Issue: Updating language to reflect current practices in updating the Official Zoning Map.

- B. Amendment of Zoning Map.** In accordance with the Zoning Enabling Act, the Township may amend the Official Zoning Map in connection with a rezoning of land within the Township. Whenever land within the Township is rezoned by ordinance, an updated version of the map shall be attached to and incorporated into the zoning ordinance amendment effecting the rezoning, and the updated map shall supersede the previous

version of the map as the Official Zoning Map of the Township. In the event that land is annexed or rezoned by a court order, the Clerk shall cause the Zoning Map to be updated to reflect the annexation or court order, without the need for the Township Board to adopt an updated map. Changes to the Official Zoning Map through an amendment, annexation, or court order shall be signed and dated by the Clerk. The Clerk shall maintain for public inspection the Official Zoning Map and a copy of the document or documents effecting the most recent annexation or rezoning.

- ~~B. Signature and Seal. The Official Zoning Map shall be identified by the signature of the Township Supervisor attested by the Township Clerk, and bear the seal of the Township under the following words: "This is to certify that this is the Official Zoning Map referred to in the Zoning Ordinance of Pittsfield Charter Township", together with the effective date of this Ordinance.~~
- ~~C. Changes Due to the Zoning Enabling Act. If, in accordance with the procedures of this Ordinance and the Zoning Enabling Act, a change is made in a zoning district boundary, such change shall be made of the Zoning Administrator promptly after the Ordinance authorizing such change is adopted and published, with an entry on the Official Zoning Map as follows: "On (date) by official action of the Township Board the following change(s) were made in the Official Zoning Map: (brief description of change)" which entry shall be signed by the Township Supervisor and attested by the Township Clerk. No change of any other nature shall be made unless authorized by the Zoning Board of Appeals and then only by the Zoning Administrator. No change of any nature shall be made in the Official Zoning Map or matter shown thereon except in conformity with the procedures set forth in this Ordinance. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this Ordinance and punishable as provided in Section 3.07. Any changes that incorporate boundaries within the Township shall be recorded on the Official Zoning Map by the Township Clerk.~~
- ~~D. Location. Regardless of the existence of purported copies of the Official Zoning Map which may from time to time be made or published, the Official Zoning Map which shall be located in the office of the Zoning Administrator and open to public inspection, shall be the final authority as to the current zoning status of any land, parcel, lot, district, use, building or structure in the Township.~~
- ~~E. Damaged, Destroyed, Lost, or Difficult to Interpret. In the event that the Official Zoning Map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes made thereto, the Township Board may by ordinance adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map. The new Official Zoning Map may correct drafting or other errors or omission s on the prior Official Zoning Map, but no such corrections shall have the effect of amending the Zoning Ordinance or the prior Official Zoning Map. The new Official Zoning Map shall be identified by the signature of the Township Supervisor, attested by the Township Clerk, and bear the seal of the Township under the following words: "This is to certify that this is the Official~~

~~Zoning Map referred to in the Zoning Ordinance of Pittsfield Charter Township adopted on (date) which replaces and supersedes the Official Zoning Map which was adopted on (date)."~~

~~Unless the prior Official Zoning Map has been lost, or has been totally destroyed, the prior map or any significant parts thereof remaining shall be preserved together with all available records pertaining to its adoption or amendment.~~

3. Table 4.21, Non-Residential Use Table (page 4:25): Remove "vehicle impound lot" from table.

Issue: Vehicle impound lot is a use category listed in the table but is not a permitted or conditional use allowed in any zoning district.

Amended Language:

TABLE 4.21 NON-RESIDENTIAL USE TABLE

Use Category	Commercial		Industrial		Public Facility	Specific Use Standard (Article, Section)
	C-1	C-2	I	BD	PF	
Vehicle Impound Lot						11.35

4. Section 7.02.N. 2., Open Space Preservation Development Option (OSPDO) (page 7:10): deleting this subsection.

Issue: The recording action contradicts language proposed for Zoning Map amendments in Section 4.02 above.

N. *Recording of Action.*

- ~~1.~~ Upon approval of a final site plan by the Planning Commission, or final approval of a preliminary plat by the Township Board, the applicant shall record an affidavit with the Washtenaw County Register of Deeds that contains the full legal description of the property in the OSPDO, specifies the date of Township approval, states the conditions the Planning Commission or Township Board imposed, and declares that all improvements shall be carried out pursuant to the approved OSPDO plan or plat, unless an amendment is endorsed by the Planning Commission or Township Board, whichever applies. The deed restrictions and conservation easement shall be duly filed with the Washtenaw County Register of Deeds. The applicant shall promptly submit copies of the recorded documents to the Township Clerk.

~~2. Upon approval of a final site plan by the Planning Commission, or final approval of preliminary plat by the Township Board, the Township Zoning Administrator shall promptly record the approval of the OSPDO on the Township's Official Zoning Map, which entry shall be signed by the Township Supervisor and attested to by the Township Clerk.~~

5. Section 8.03.B.2.a.vii. (page 8:2): Add provisions to allow cargo containers as a detached accessory structure.

Issue: Cargo containers are not specifically listed as an appropriate accessory structure. The Township has had a few requests to allow cargo containers as an accessory building.

B. Accessory Buildings in Agriculture and Residential Zoning Districts.

2. Detached Structures.

a. Lots under 2.5 acres.

- i. Detached accessory buildings shall be located behind the front building line of the principal building on the same property.
- ii. No detached accessory building shall be located closer than ten (10) feet to any main building, nor closer than six (6) feet to any side or rear lot line.
- iii. Detached accessory buildings and detached accessory supplemental buildings shall occupy not more than twenty-five percent (25%) of a required rear yard.
- iv. The combined ground floor area of all detached accessory buildings shall not exceed ten percent (10%) of the total lot area. However, in no instance shall the combined floor area of all detached accessory buildings exceed thirty-five hundred square feet (3,500 sq/ft).
- v. A detached accessory building shall not exceed one (1) story or fourteen (14) feet in height.
- vi. Accessory structures located on conforming lots within an Agriculture or Residential Zoning District used for agriculture purposes shall comply with Section 8.03.D.
- vii. ***Cargo Containers.*** Cargo containers may be used as detached accessory structure in accordance with the following provisions:
 - 1) Cargo containers used as detached accessory structures shall be located behind the principal structure.
 - 2) Cargo containers used as detached accessory structures shall only be located in the rear yard and shall meet the required side or rear setbacks of the district in which they are located.

- 3) Cargo containers shall not be stacked above the height of a single container.
 - 4) Cargo containers shall be fenced or screened from abutting properties and/or rights-of-ways.
 - 5) Cargo containers shall be located upon an approved foundation that will support the weight of the structure.
- b. Lots 2.5 acres or greater.
- i. Detached accessory buildings shall be located behind the front building line of the principal building on the same property, or sixty (60) feet from the front lot line, whichever is less.
 - ii. No detached accessory building shall be located closer than ten (10) feet to any main building, nor closer than six (6) feet to any side or rear lot line.
 - iii. Detached accessory buildings and detached accessory supplemental buildings shall occupy not more than twenty-five percent (25%) of a required rear yard.
 - iv. The combined ground floor area of all detached accessory buildings shall not exceed ten percent (10%) of the total lot area. However, in no instance shall the combined floor area of all detached accessory buildings exceed ten thousand square feet (10,000 sq/ft).
 - v. A detached accessory building shall not exceed one (1) story or fourteen (14) feet in height.
 - vi. Accessory structures located on conforming lots within an Agriculture or Residential Zoning District used for agriculture purposes shall comply with Section 8.03.D.
 - viii. **Cargo Containers.** Cargo containers may be used as an accessory supplemental building in accordance with the following provisions:
 - 1) Cargo containers used as detached accessory structures shall be located behind the principal structure.
 - 2) Cargo containers used as detached accessory structures shall only be located in the rear yard and shall meet the required side or rear setbacks of the district in which they are located.
 - 3) Cargo containers shall not be stacked above the height of a single container.
 - 4) Cargo containers shall be fenced or screened from abutting properties and/or rights-of-ways.

- 5) Cargo containers shall be located upon an approved foundation that will support the weight of the structure.

6. Section 8.04.E. (page 8:7): Modify provisions for temporary dwelling structure approval.

Issue: Under the current provisions, the Planning Commission must approve a conditional use to allow a temporary dwelling structure when needed due to a house fire or destruction of a residence by some other act of God.

E. Approval.

- ~~1. **Planning Commission Action.** Upon determining that an application conforms to all regulations of this Ordinance, and the requirements for a conditional use permit, the Planning Commission shall approve the conditional use permit. The Planning Commission may attach conditions to its approval which it deems necessary to protect the public health, safety, and welfare and to ensure compliance with this ordinance. The approved use shall be specifically state on the conditional use permit.~~
- ~~2. **Certificate of Occupancy.** A temporary structure shall not be occupied until a zoning compliance permit has been issued by the Zoning Administrator and a certificate of occupancy has been issued by the township Zoning Administrator Building Inspector. The Zoning Administrator shall not issue a certificate of occupancy until the Planning Commission has approved a conditional use permit, and zoning compliance until a performance guarantee has been deposited as required herein. The Zoning Administrator or Building Inspector may attach conditions to its approval which they deem necessary to protect the public health, safety, and welfare, and to ensure compliance with the Ordinance.~~
2. Approval for a temporary dwelling structure is valid for one (1) year from the date of Certificate of Occupancy. A one (1) year extension may be granted by the Zoning Administrator and Building Inspector, if request prior to expiration of the approval.

7. Section 11.24 (page 11:28): Modify massage therapy regulations.

Issue: Under the current provisions, massage therapy uses can only be conducted in association with another use. Proposed modifications would allow for stand-alone massage therapy facilities and categorizes them as “personal services”.

SECTION 11.24 MASSAGE THERAPY REGULATIONS

- A. **Standards.** A massage therapist must be licensed by the Department of Licensing and Regulatory Affairs, Bureau of Health Professions. All licenses shall be prominently displayed on the premises. Upon request or any officer of the Township licenses shall be provided for review and verification.
- B. **Authorized Location.** ~~Massage Therapy may only be performed in and in conjunction with a beauty salon, health club, athletic club, medical office or physical therapy clinic is considered a personal service.~~

C. **Inspection.** Every establishment operated as a licensed massage therapy establishment shall be open for inspection by duly authorized representatives of any township department, including but not limited to the department of public safety as well as any other department concerned with the licensing and supervision of such establishments during operating hours for the purpose of enforcing any provision of this Section or any other ordinances or regulations of the Township relating to public health, safety and welfare. It shall be unlawful for any person to refuse entry by Township representatives to the premises in which a massage establishment is being operated for the purpose of making lawful inspections.

~~C. **Massage Therapy in Beauty Salon, Spa, Health Club, or Athletic Club.** Massage therapy performed in and in conjunction with a beauty salon, spa, health club, or athletic club is subject to the approval of a conditional use permit and the following conditions:~~

- ~~1. Massage therapists must meet the qualifications established in this section.~~
- ~~2. Any establishment employing or contracting massage therapists shall annually submit proof to the Township that each therapist's license is current and valid.~~
- ~~3. Floor area for massage therapy shall not exceed twenty percent (20%) of the total floor area.~~
- ~~4. All licenses shall be prominently displayed on the premises. Upon request of any officer of the Township licenses shall be provided for review and verification.~~
- ~~5. Any additional conditions required by the Planning Commission such as hours of operation and massage therapy workspace visibility.~~

~~D. **Massage Therapy in a Medical Office or Physical Therapy Clinic.** Massage therapy performed in, and in conjunction with, a medical office or physical therapy clinic is exempt from the conditional use process, but the conditions of Section 11.24.C.2 and 4. above apply.~~

8. Section 11.37.F. (page 11:37): Add removal or relocation of soil and fill material to Extraction Operations provisions.

Issue: Currently, there are not any regulations for removal or relocation of soil and fill material onto a property within the Township. These new provisions will regulate this activity.

SECTION 11.37 EXTRACTION OPERATIONS / REMOVAL OR RELOCATION OF SOIL AND FILL MATERIAL

F. **Removal or Relocation of Soil and/or Fill Material.** It shall be unlawful for any person to remove, deposit, or relocate any sand, gravel, topsoil, clay, minerals, waste, or fill material, or other similar materials, in or from lands in the Township except as hereinafter provided, without first obtaining zoning compliance or an approved site plan, whichever is applicable.

1. **Application Requirements.** A zoning compliance application shall be filed with the Zoning Administrator. In addition to the application and required fee, the following supplemental materials shall be provided:
 - a. Maximum amount of material to be moved, removed, deposited, or relocated.
 - b. Type or kind of material to be moved, removed, relocated, or used for fill material.

- c. Measure to be taken by the applicant to control noise, vibration, dust, and traffic during the operations.
 - d. A description of any traffic control devices, public facilities, or public services that will be required by the proposed operations and that such costs be paid.
 - e. Timing of removal, relocation, grading, etc. of all operations to be undertaken with a completion date.
 - f. Verification the material has been tested and is clean and suitable for removal/relocation.
 2. In addition, the application shall describe in detail, by contour maps or otherwise, the contour and condition of the lands as they propose to leave them upon completion of the operations. Such a statement shall include proposed plans of landscaping or other stabilization control to be employed to leave the premises in a reasonably level and useable condition and to prevent erosion, dust, and unsightly conditions.
 3. **Permit Revocation.** Each permit shall apply only to the lands described in the application and may be revoked if the permit holder operates in any manner inconsistent with the statements in the application or any amendment or fails to comply with any special requirement the Zoning Administrator may order set forth in the permit to protect the public health, safety, and welfare in the special circumstances of the situation.
 4. **Exceptions.** This section shall not apply to normal and necessary excavation or grading done in the connection with construction of roads, normal and acceptable farming procedures, drains, sewers, construction of dwellings and other buildings where an applicable Township permit is granted under other Township Ordinances, nor shall it apply in any case where the amount removed from or relocated or deposited on any parcel of land in any one (1) calendar year is less than twenty (20) cubic yards of sand, gravel, clay, minerals, waste, or fill material or other similar materials. However, nothing contained in this section shall in any way permit any kind of mining, mineral removal or relocation or dumping of waste and fill materials in any amount where such use would interfere with the public health, safety, or welfare or create a public or private nuisance.
9. **Section 12.05.B. (page 12:6): Add provisions for the parking of commercial vehicles and recreational vehicles in residential zones.**

Issue: Zoning/Code Enforcement staff has had many complaints regarding the parking of commercial and recreational vehicles in residential zones, and no provisions to regulate and enforce.

SECTION 12.05 PARKING AND CIRCULATION

B. *General Off-Street Parking Requirements.*

1. There shall be provided in all districts at the time of erection or enlargement of any main building or structure, automobile off-street parking with adequate access to all spaces. The required off-

street parking spaces must be provided, prior to the issuance of a certificate of occupancy as hereinafter described.

2. Off-street parking for uses in all districts shall be on the same lot as the use or building served by the parking, unless joint parking with abutting properties and uses is provided in a form acceptable to the Township Attorney and executed and recorded by the parties sharing the parking.
3. Off-street parking spaces for single family detached units or duplexes on individual lots shall consist of a parking strip, driveway, garage, or combination thereof, and shall be located on the premises they are intended to serve.
4. Parking of motor vehicles, in residential zones and areas of residential uses, shall be limited to passenger vehicles, and not more than one commercial vehicle of the light delivery type, not to exceed three-quarter (3/4) ton shall be permitted per dwelling unit. The parking of any other type of commercial vehicle is prohibited in a residential zone. Parking spaces for all types of vehicles may be provided in an enclosed building.
5. Parking of recreational vehicles in residential zones shall be limited to the following:
 - a. **General Provisions.**
 - i. No recreational vehicle shall be stored on any public property.
 - ii. Parking of recreational vehicles is permitted in any enclosed structure when such structure conforms to the regulations of its zoning district.
 - iii. Recreation vehicles shall not be connected to electricity, gas, water, or sanitary sewer facilities, except that a temporary electrical connection may be made for the purpose of recharging batteries.
 - iv. Recreational vehicles equipped with liquefied petroleum gas containers must ensure that such containers must meet the current standards of the interstate Commerce Commission, the United States Department of Transportation or the American Society of Mechanical Engineers. Any valves must be closed at all times that the recreational vehicle is not in preparation for immediate use. Leaks in containers must be repaired immediately.
 - b. **Outside Storage.**
 - i. The recreational vehicle must be owned by and licensed to a full-time occupant of the zoning lot upon which the vehicle will be stored.
 - ii. No recreational vehicle shall be stored on a private property driveway for greater than forty-eight (48) hours. When parked in a private driveway, such parking may not be in the public right-of-way or overhang into the public right-of-way including any sidewalk.
 - iii. No recreational vehicle shall be stored outside unless in the rear yard or in an interior side yard behind the frontline of any primary building. The recreational vehicle must

be stored at least six (6) feet from any property line and must be screened from any adjacent properties in accordance with Section 13.02.C. Screening Alternative 1 or 2 or a fence.

- iv. Only one (1) such vehicle or vehicle trailer per lot.
 - v. Recreation vehicles must be operational and maintained in a clean, well-kept state.
- 6. Parking areas for uses other than single-family detached units or duplexes on individual lots shall be approved as part of a site plan. Minor changes to the parking layout, as determined by the Zoning Administrator, shall require a submittal of a parking plan.
 - 7. Off-street parking shall be provided for a principal use erected, altered, or expanded after the effective date of this Ordinance. Required off-street parking shall be maintained so as long as the principal use remains, unless an equivalent number of such spaces are provided elsewhere in conformance with this Ordinance.
 - 8. No existing off-street parking shall be reduced below the requirements established by this Ordinance.
 - 9. Within non-residential districts, off-street parking for continuous periods of more than twenty-four (24) hours shall be prohibited with the following exceptions:
 - a. Parking in conjunction with an automobile sales and service facility, major and minor automobile repair facility, and automobile towing service, as permitted and regulated by this Ordinance.
 - b. Automobiles and commercial vehicles owned and operated in conjunction with the principal use of the property.
 - 10. The storage of and/or the repair of merchandise, materials, equipment or vehicles are prohibited on required off-street parking or loading spaces.
 - 11. Off-street parking areas shall be designed to provide for removal and storage of snow.

10. Section 12.05.B.2. (page 12:6): Eliminate Township Attorney review of shared parking arrangements.

Issue: This is not current practice. Shared parking arrangements are reviewed and demonstrated through site plan review and shared easement documents.

Amended Language:

- 12.05.B.2: Off-street parking for uses in all districts shall be on the same lot as the use or building served by the parking, unless joint parking with abutting properties and uses is provided in a form acceptable to the Township ~~Attorney~~ and executed and recorded by the parties sharing the parking.

11. Section 13.03.A. (page 13:17): Add provision to require recycling containers for all non-residential and multiple-family developments.

Issue: Recycling facilities are not currently required to be provided for non-residential and multiple-family developments.

Amended Language:

13.03.A: ***Where Required.*** The standards set forth in this Section shall apply to all uses that have refuse and recycle disposal service by collective trash and recycling containers. This does not include curbside pickup for single-family residential uses; however, all residential buildings of more than two (2) dwelling units and non-residential uses shall provide trash and recycling enclosures.

12. Section 15.02.B.6., General Sign Regulations (page 15:1): adding prohibition of backlit signs.

Issue: The backlighting of awnings is currently prohibited. This addition will include prohibiting backlit signs.

B. ***Illuminated Signs.***

6. The backlighting of awnings and signs is prohibited.

13. Section 15.02.E.5. (page 15:3): Modification of sign setback requirements.

Issue: All signs must meet the setbacks of the district in which they are located. However, no separation distances from rights-of-way or driveways is provided.

E. ***Setback Requirements for Signs.***

5. All signs shall meet the minimum yard requirements for the district where located, as set forth herein. In addition, all ground signs shall be located a minimum of five (5) feet from any private driveway on or adjacent to the property containing the ground sign, and fifteen (15) feet from any right-of-way or property line.

14. Section 15.04.B. and E., Prohibited Signs – Garage and Estate Sale / Yard Sale Direction Signs (pages 15:6, 15:7): combine these provisions eliminating subsection E.

Issue: Combining these provisions for organization, clarity and to reduce redundancy.

B. ***Garage, Yard, and Estate Sales.*** Garage sale and estate sale signs in residential zoning districts, provided that such signs.

1. Are not attached to utility poles.
2. Do not exceed six (6) square feet in area; a maximum of three (3) feet in height.
3. Are erected no more than three (3) days before, and are removed within one (1) business day after, the announced sale.
4. Temporary directional signs, not exceeding three (3) square feet in area and three (3) feet in height, shall be permitted on approach routes to a private garage, yard, or estate sale, for a period not to exceed seventy-two (72) hours. Said signs shall contain the address and dates of the sale and shall be removed within four (4) hours of the end of the sale.

~~E. **Yard Sale Direction Signs.** In residential districts, temporary direction signs, not exceeding three (3) square feet in area and three (3) feet in height, shall be permitted on approach routes to a private garage or rummage sale, for a period not to exceed seventy-two hours. Said signs shall contain the address and dates of the sale and shall be removed within four (4) hours of the end of the sale.~~

15. Section 15.07.B.1.b. (page 15:16): Change the allowance of ground signs in the form-based district from one (1) per public street frontage to one (1) per lot.

Issue: This will further regulate ground signage in the form-based districts.

Amended Language:

15.07.B.1.b:

C. *General Regulations*

1. *Ground Signs.*

- b. *Number.*** One (1) ground sign shall be permitted for each ~~public street frontage~~
lot.

16. Section 15.12.B.8. (page 15:23): Add provisions to allow temporary signage for grand opening events.

Issue: The sign ordinance does not allow temporary commercial signage. The proposed provision would allow for temporary signage limited to grand opening events for a specified time with approval from the Zoning Administrator.

SECTION 15.12 TEMPORARY SIGNS

B. *Specific Sign Requirements.*

8. Banners, pennants, balloons, and other temporary signs are permitted at the initial opening of seven (7) consecutive days upon approval of the Zoning Administrator. Such signs shall not obstruct pedestrian or vehicular view.

Feel free to contact us with any questions.