

MARION TOWNSHIP PLANNING COMMISSION AGENDA

REGULAR MEETING

April 25, 2023

7:30 PM

Virtual access instructions to participate in the meeting are posted on www.mariontownship.com

Call to Order:

Pledge of Allegiance:

Introduction of Members:

Approval of Agenda for: April 25, 2023 Regular Meeting

Approval of Minutes from: March 28, 2023 Regular Meeting

Public Hearing: None

New Business: None

Unfinished Business:

- 1) GO#01-23 continue PDR (Purchase Development Rights) ordinance Update
- 2) Crypto Ordinance Data Processing Industrial District
- 3) Call to the public Policy - Add to Bylaws?

Special Orders:

Master Plan – Who needs a paper copy? Or just pages since Aug2022 copy?

- Announcements:

MTA's upcoming workshop:

Breaking the Zoning Code

May 15: Bavarian Inn Lodge, Frankenmuth

May 18: Four Points by Sheraton, Kalamazoo

May 18: Live online class (also includes access to on-demand recorded version)

May 9: Treetops Resort, Gaylord

Call for Public Comment:

Adjournment:

ARTICLE X: INDUSTRIAL DISTRICTS

Section 10.01 LI: Light Industrial District

- A. **Intent:** It is the intent of the Light Industrial District (LI) to provide for a variety of light industrial uses, including manufacturing, processing, assembling, packaging, or treatment of products from previously prepared materials, as well as commercial establishments not engaging primarily in retail sales. Such industrial areas should be free of incompatible uses, and designed to avoid negatively impacting adjacent conforming uses.

B. **Uses Permitted By Right:**

In the Light Industrial District, no building or land shall be used and no building or structure erected except for one or more of the following specified uses, unless otherwise provided for in this Ordinance. All uses permitted in this district are subject to the requirements and standards of Article XVIII, Site Plan Requirements prior to initiation of the use or structure.

The following are uses permitted by right when conducted in a permanent fully enclosed building:

1. Light industrial establishments that perform assembly, fabrication, compounding, manufacture, or treatment of materials, goods, and products, including, but not limited to:
 - a. Jobbing and machine shops.
 - b. Fabricated metal products.
 - c. Plastic products, forming and molding.
 - d. Processing of machine parts.
 - e. Monument and art stone production.
 - f. Industrial laundry operations.
 - g. Wood products processing facility.
 - h. Printing and publishing.
2. Storage facilities for building materials, sand, gravel, stone, lumber, and contractor's equipment.
3. Grain and feed elevators, bulk blending plants and/or handling of liquid nitrogen fertilizer and anhydrous ammonia.
4. Commercial uses not primarily involved in retail sales as a primary use, including but not limited to building material suppliers (excluding concrete mixing), retail lumber yards including incidental millwork, farm implement dealers and repair.
5. The manufacturing, compounding, processing and packaging of perfumes, pharmaceuticals, toiletries, and condiments (except fish, meat, fowl, vegetables, vinegar, and yeast).
6. The manufacturing, compounding, assembling or treatment of articles or merchandise from the following previously prepared materials: bone, cellophane, fur, glass, hair, horn,

leather, paper, plastics, precious or semi-precious metals or stones, zinc and aluminum pressure die casting, shell, textiles, tobacco, wood (excluding planing mill), yarns and paint not requiring a boiling process.

7. Distribution plants, parcel delivery service, ice and cold storage plants.
8. Assembly of electrical appliances, electronic instruments and devices, radios and phonographs, including the manufacture of small parts, such as condensers, transformers, crystal holders, transistor and computer boards, and the like.
9. Laboratories, experimental or testing.
10. Public utility service yard or electrical receiving transforming station.
11. Coal yards.
12. Freighting or trucking terminals.
13. Freight yards.
14. Painting, upholstering, rebuilding, conditioning, body and fender work, repairing, tire recapping or retreading, and battery manufacture.
15. Industrial park, subject to the following conditions:
 - a. Permitted uses shall include all uses permitted by right within this district. Special uses identified in Section 10.01 D may be permitted, subject to the special use provisions of Article XVI.
 - b. The minimum required land area for an industrial park shall be twenty (20) contiguous acres.
 - c. The development of an industrial park shall be in accordance to an overall plan for development of the park, which plan shall be approved by the Township Planning Commission.
 - d. The developer shall provide within the industrial park a sanitary sewage system that shall be of sufficient size and design to collect all sewage from structures within the industrial park.
 - e. The developer shall provide within the industrial park a storm drainage system which shall be of sufficient size and design as will, in the opinion of the Township Engineer, collect, carry off and dispose of all predictable surface water runoff within and draining into the industrial park, and shall be so constructed as to conform with the statutes, ordinances and regulations of the State of Michigan, the Livingston County Drain Commissioner and the Township.
 - f. If a public water system is not available, the developer shall provide within the industrial park a potable water system that shall be of sufficient size and design to supply potable water to each of the structures to be erected in the development.
 - i. The developer shall also provide a fire hydrant within four hundred (400) feet of each structure.
 - ii. Such water system shall conform to the statutes, ordinances, and regulations of the State of Michigan, the Livingston County Health

- a. Incidental offices for management and materials control.
- b. Restaurant or cafeteria facilities for employees working on the premises.

D. Uses Permitted By Special Use Permit:

1. Asphalt and concrete batching facilities.
2. Billboards.
3. Communication towers.
4. Junkyards.
- 4.5. Data Processing Facility

E. Site Development Requirements: The following minimum and maximum standards shall apply to all uses and structures in the LI: Light Industrial District unless they are specifically modified by the provisions of Article VI: General Provisions or Article XVII: Standards for Specific Special Land Uses; or as varied pursuant to Article V: Zoning Board of Appeals.

1. **Minimum Lot Area:** No building or structure shall be established on any parcel less than four (4) acres except in an approved industrial park where minimum lot sizes shall be one (1) acre.
2. **Minimum Frontage:** Each parcel of land shall have continuous frontage of not less than three hundred thirty (330) feet, except in an approved industrial park where each lot shall have continuous frontage of not less than one hundred twenty (120) feet.
3. **Yard and Setback Requirements:**
 - a. **Front yard:** One hundred (100) feet.
 - b. **Side yard:** Eighty (80) feet, except in the case where a side yard abuts a residential zoning district, in which case the minimum required side yard shall be one hundred fifty (150) feet.
 - c. **Rear yard:** Eighty (80) feet, except in the case where a rear yard abuts a residential zoning district, in which case the minimum required rear yard shall be one hundred fifty (150) feet.
 - d. See Section 10.01 B 15 o for the minimum yard and setback requirements in a planned industrial park.
4. **Maximum Lot Coverage:** Forty (40) percent.
5. **Maximum Height:** Unless otherwise provided in this Ordinance, no principal building shall exceed a height of forty (40) feet measured from the finished grade.
6. **Performance Standards:**
 - a. External areas for storage shall be screened on all sides by an opaque fence of not less than five (5) feet in height.
 - b. When a side or rear lot line abuts or is adjacent to property located within a residential district, a berm or buffer zone shall be required in addition to the minimum yard requirements, specific driveways and plantings of which shall be

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- b. Restaurant or cafeteria facilities for employees working on the premises.

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 - b. When a side or rear lot line abuts or is adjacent to property located within a residential district, a berm or buffer zone shall be required in addition to the minimum yard requirements, specific driveways and plantings of which shall be

determined through the site plan review process. (See Section 6.13.)

c. **Sound:**

i. **Non-Residential.** The intensity level of sounds shall not exceed the following decibel levels when adjacent to the following types of non-residential uses:

Decibels	Adjacent Use	Where Measured
55	Residential Dwellings	Common Lot Line
65	Commercial	Common Lot Line
70	Industrial and Other	Common Lot Line

ii. **Residential.** The intensity level of sounds shall not exceed the following decibel levels when directly adjacent to residential uses:

Residential Noise Level Limits		
Daytime (7 am–7 pm) 45 dB(A)	Evening (7-11 pm) 35 dB(A)	Night (11 pm-7 am) 30 dB(A)

The sound levels shall be measured with a type of audio output meter approved by the Bureau of Standards. Objectionable noises due to intermittence, beat frequency, or shrillness shall be muffled so as not to become a nuisance to adjacent uses.

- d. **Vibration:** All machinery shall be so mounted and operated as to prevent transmission of ground vibration exceeding a displacement of .003 of one inch measured at any lot line of its source.
- e. **Odor:** The emission of noxious, odorous matter in such quantities as to be readily detectable at any point along lot lines, when diluted in the ratio of one volume of odorous air to four or more volumes of clean air so as to produce a public nuisance or hazard beyond lot lines, is prohibited.
- f. **Gases:** The escape of or emission of any gas, which is injurious, destructive, or explosive, shall be unlawful and may be summarily caused to be abated.
- g. **Glare and Heat:** Any operation producing intense glare or heat shall be performed within an enclosure so as to completely obscure and shield such operation from direct view from any point along the lot line except during the period of construction of the facilities to be used and occupied.
- h. **Light:** Exterior lighting shall be so installed that the source of light shall not be visible and shall be so arranged as far as practical to reflect light away from any residential use, and in no case shall more than one (1) foot-candle power of light cross a lot line five (5) feet above the ground in a residential district.
- i. **Electromagnetic Radiation:** Applicable rules and regulations of the Federal Communications Commission, in regard to propagation of electromagnetic radiation, shall be used as standards for this Ordinance.
- j. **Smoke, Dust, Dirt and Fly Ash:** Any atmospheric discharge requiring a permit

from the Michigan Department of Environmental Quality or federal government shall have said permit(s) as a condition of approval for any use in this District.

- k. **Drifted and Blown Material:** The drifting or airborne transmission beyond the lot line of dust, particles, or debris from any open stock pile shall be unlawful and may be summarily caused to be abated.
- l. **Radioactive Materials:** Radioactive materials shall not be emitted to exceed quantities established as safe by the U.S. Bureau of Standards, as amended

from time to time.

- m. **Other Forms of Air Pollution:** It shall be unlawful to discharge into the atmosphere any substance not covered in parts C, D, and H and in excess of standards approved by the Michigan Department of Environmental Quality.
- n. **Liquid or Solid Wastes:** It shall be unlawful to discharge at any point any materials in such a way or of such nature or temperature as can contaminate any surface waters, land or aquifers, or otherwise cause the emission of dangerous or objectionable elements, except in accord with standards approved by the Michigan Department of Environmental Quality.
 - o. **Hazardous Wastes:** Hazardous wastes as defined by the Michigan Department of Environmental Quality shall be disposed of by methods approved by the Michigan Department of Environmental Quality.
 - i. All storage of materials on any land shall be within the confines of the building or part thereof occupied by said establishment.
 - ii. Material which normally and reasonably is discarded from industrial uses of property may be stored outside of an enclosed building for a reasonable time provided that such storage areas are completely screened by an opaque fence of not less than five (5) feet in height.
- p. Any complaint alleging a violation of any of the following performance standards shall be accompanied by evidence which supports that allegation.

- 7. **Provisions of Article XIV:** Parking and Loading Requirements.
- 8. **Provisions of Article XV:** Signs.
- 9. **Provisions of Article XVIII:** Site Plan Review.
- 10. **Provisions of Section 6.16:** Environmental Protection Standards.

MARION TOWNSHIP DATA PROCESSING FACILITY ZONING ORDINANCE AMENDMENT

An amendment the Marion Township Zoning Ordinance to amend and add definitions related to data processing facilities.

Marion Township Ordains:

SECTION 1. DEFINITIONS

Data Processing Facility: A building, dedicated space within a building, or group of structures located on one or more acres of land used to house a large group of computer systems and associated components, such as telecommunications and data processing systems, to be used for the remote storage, processing, or distribution of large amounts of data. Examples of such data include, but are not limited to, computationally intensive applications such as blockchain technology, cryptocurrency mining, weather modeling, genome sequencing, etc. Such facilities may also include air handlers, power generators, water cooling and storage facilities, utility substations, and other associated utility infrastructure to support operations.

SECTION 2. AMENDMENT OF ARTICLE X: INDUSTRIAL

ARTICLE X: INDUSTRIAL DISTRICTS

Section 10.01 LI: Light Industrial District

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The following are uses permitted by right when conducted in a permanent fully enclosed building:

1. Light industrial establishments that perform assembly, fabrication, compounding, manufacture, or treatment of materials, goods, and products, including, but not limited to:
 - a. Jobbing and machine shops.
 - b. Fabricated metal products.
 - c. Plastic products, forming and molding.
 - d. Processing of machine parts.
 - e. Monument and art stone production.
 - f. Industrial laundry operations.
 - g. Wood products processing facility.
 - h. Printing and publishing.
2. Storage facilities for building materials, sand, gravel, stone, lumber, and contractor's equipment.
3. Grain and feed elevators, bulk blending plants and/or handling of liquid nitrogen fertilizer and anhydrous ammonia.
4. Commercial uses not primarily involved in retail sales as a primary use, including but not limited to building material suppliers (excluding concrete mixing), retail lumber yards including incidental millwork, farm implement dealers and repair.
5. The manufacturing, compounding, processing and packaging of perfumes, pharmaceuticals, toiletries, and condiments (except fish, meat, fowl, vegetables, vinegar, and yeast).
6. The manufacturing, compounding, assembling or treatment of articles or merchandise from the following previously prepared materials: bone, cellophane, fur, glass, hair, horn, leather, paper, plastics, precious or semi-precious metals or stones, zinc and aluminum pressure die casting, shell, textiles, tobacco, wood (excluding planing mill), yarns and paint not requiring a boiling process.
7. Distribution plants, parcel delivery service, ice and cold storage plants.

8. Assembly of electrical appliances, electronic instruments and devices, radios and phonographs, including the manufacture of small parts, such as condensers, transformers, crystal holders, transistor and computer boards, and the like.
9. Laboratories, experimental or testing.
10. Public utility service yard or electrical receiving transforming station.
11. Coal yards.
12. Freighting or trucking terminals.
13. Freight yards.
14. Painting, upholstering, rebuilding, conditioning, body and fender work, repairing, tire recapping or retreading, and battery manufacture.
15. Industrial park, subject to the following conditions:
 - a. Permitted uses shall include all uses permitted by right within this district. Special uses identified in Section 10.01 D may be permitted, subject to the special use provisions of Article XVI.
 - b. The minimum required land area for an industrial park shall be twenty (20) contiguous acres.
 - c. The development of an industrial park shall be in accordance to an overall plan for development of the park, which plan shall be approved by the Township Planning Commission.
 - d. The developer shall provide within the industrial park a sanitary sewage system that shall be of sufficient size and design to collect all sewage from structures within the industrial park.
 - e. The developer shall provide within the industrial park a storm drainage system which shall be of sufficient size and design as will, in the opinion of the Township Engineer, collect, carry off and dispose of all predictable surface water runoff within and draining into the industrial park, and shall be so constructed as to conform with the statutes, ordinances and regulations of the State of Michigan, the Livingston County Drain Commissioner and the Township.
 - f. If a public water system is not available, the developer shall provide within the industrial park a potable water system that

shall be of sufficient size and design to supply potable water to each of the structures to be erected in the development.

- i. The developer shall also provide a fire hydrant within four hundred (400) feet of each structure.
- ii. Such water system shall conform to the statutes, ordinances, and regulations of the State of Michigan, the Livingston County Health Department, the Livingston County Drain Commissioner and the Township.
- g. All industrial parks shall have direct access to a paved street or major thoroughfare.
- h. Provision shall be made for safe and efficient ingress and egress to and from public streets and highways serving the industrial park without undue congestion or interference with normal traffic flow.
- i. All points of vehicular access to and from public streets shall be located not less than seventy-five (75) feet from the intersection of any public street lines with each other.
 - ii. No part of any parking access and/or service area may be located closer than one hundred fifty (150) feet to any residential property line.
- j. Parking, loading, or service areas used by motor vehicles shall be located entirely within the boundary lines of the industrial park.
- k. Any industrial park adjoining any residential development shall be provided with a buffer zone of at least sixty (60) feet that shall be provided adjacent to the property line. Such buffer shall be planted with evergreen and other suitable plantings and used for no other purposes as provided in Section 6.13. A landscaped planting area shall also be provided along all street frontages that shall not be less than sixty (60) feet in width.
- l. Lighting facilities shall be required where deemed necessary for the safety and convenience of employees and visitors. These facilities will be arranged in such a manner so as to protect abutting streets and adjacent properties from unreasonable glare or hazardous interference of any kind.

- m. Maximum building coverage on any lot within the industrial park shall not exceed forty (40) percent.
- n. Minimum lot sizes within an industrial park shall be one (1) acre.
- o. Minimum lot width within an industrial park shall be one hundred twenty (120) feet.
- p. Minimum yard setbacks within an industrial park shall be:
 - 1) **Front yard:** Forty (40) feet.
 - 2) **Side yard:** Thirty (30) feet.
 - 3) **Rear yard:** Forty (40) feet.

Minimum yard setbacks for lots, which abut property outside an industrial park, shall be as required for other uses in the district.

- 16. Landscape contractor's building, offices and yards as a use permitted by right.

C. Permitted Accessory Uses:

- 1. Accessory uses clearly appurtenant to the main use of the lot and customary to and commonly associated with the main use, such as:
 - a. Incidental offices for management and materials control.
 - b. Restaurant or cafeteria facilities for employees working on the premises.

D. Uses Permitted By Special Use Permit:

- 1. Asphalt and concrete batching facilities.
- 2. Billboards.
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 - a. **Front yard:** One hundred (100) feet.
 - b. **Side yard:** Eighty (80) feet, except in the case where a side yard abuts a residential zoning district, in which case the minimum required side yard shall be one hundred fifty (150) feet.
 - c. **Rear yard:** Eighty (80) feet, except in the case where a rear yard abuts a residential zoning district, in which case the minimum required rear yard shall be one hundred fifty (150) feet.
 - d. See Section 10:01 B 15 o for the minimum yard and setback requirements in a planned industrial park.
4. **Maximum Lot Coverage:** Forty (40) percent.
5. **Maximum Height:** Unless otherwise provided in this Ordinance, no principal building shall exceed a height of forty (40) feet measured from the finished grade.
6. **Performance Standards:**
 - a. External areas for storage shall be screened on all sides by an opaque fence of not less than five (5) feet in height.
 - b. When a side or rear lot line abuts or is adjacent to property located within a residential district, a berm or buffer zone shall be required in addition to the minimum yard requirements, specific driveways and plantings of which shall be determined through the site plan review process. (See Section 6.13.)
 - c. **Sound:**

- i. **Non-Residential.** The intensity level of sounds shall not exceed the following decibel levels when adjacent to the following types of non-residential uses:

Decibels	Adjacent Use	Where Measured
65	Commercial	Common Lot Line
70	Industrial and Other	Common Lot Line

- ii. **Residential.** The intensity level of sounds shall not exceed the following decibel levels when directly adjacent to residential uses, measured at the common lot line:

Residential Noise Level Limits		
Daytime (7 am–7 pm)	Evening (7-11 pm)	Night (11 pm-7 am)
45 dB(A)	35 dB(A)	30 dB(A)

The sound levels shall be measured with a type of audio output meter approved by the Bureau of Standards. Objectionable noises due to intermittence, beat frequency, or shrillness shall be muffled so as not to become a nuisance to adjacent uses.

- d. **Vibration:** All machinery shall be so mounted and operated as to prevent transmission of ground vibration exceeding a displacement of .003 of one inch measured at any lot line of its source.
- e. **Odor:** The emission of noxious, odorous matter in such quantities as to be readily detectable at any point along lot lines, when diluted in the ratio of one volume of odorous air to four or more volumes of clean air so as to produce a public nuisance or hazard beyond lot lines, is prohibited.
- f. **Gases:** The escape of or emission of any gas, which is injurious, destructive, or explosive, shall be unlawful and may be summarily caused to be abated.
- g. **Glare and Heat:** Any operation producing intense glare or heat shall be performed within an enclosure so as to completely obscure and shield such operation from direct view from any

point along the lot line except during the period of construction of the facilities to be used and occupied.

- h. **Light:** Exterior lighting shall be so installed that the source of light shall not be visible and shall be so arranged as far as practical to reflect light away from any residential use, and in no case shall more than one (1) foot-candle power of light cross a lot line five (5) feet above the ground in a residential district.
- i. **Electromagnetic Radiation:** Applicable rules and regulations of the Federal Communications Commission, in regard to propagation of electromagnetic radiation, shall be used as standards for this Ordinance.
- j. **Smoke, Dust, Dirt and Fly Ash:** Any atmospheric discharge requiring a permit from the Michigan Department of Environmental Quality or federal government shall have said permit(s) as a condition of approval for any use in this District.
- k. **Drifted and Blown Material:** The drifting or airborne transmission beyond the lot line of dust, particles, or debris from any open stock pile shall be unlawful and may be summarily caused to be abated.
- l. **Radioactive Materials:** Radioactive materials shall not be emitted to exceed quantities established as safe by the U.S. Bureau of Standards, as amended from time to time.
- m. **Other Forms of Air Pollution:** It shall be unlawful to discharge into the atmosphere any substance not covered in parts C, D, and H and in excess of standards approved by the Michigan Department of Environmental Quality.
- n. **Liquid or Solid Wastes:** It shall be unlawful to discharge at any point any materials in such a way or of such nature or temperature as can contaminate any surface waters, land or aquifers, or otherwise cause the emission of dangerous or objectionable elements, except in accord with standards approved by the Michigan Department of Environmental Quality.
- o. **Hazardous Wastes:** Hazardous wastes as defined by the Michigan Department of Environmental Quality shall be disposed of by methods approved by the Michigan Department of Environmental Quality.

- i. All storage of materials on any land shall be within the confines of the building or part thereof occupied by said establishment.
 - ii. Material which normally and reasonably is discarded from industrial uses of property may be stored outside of an enclosed building for a reasonable time provided that such storage areas are completely screened by an opaque fence of not less than five (5) feet in height.
 - p. Any complaint alleging a violation of any of the following performance standards shall be accompanied by evidence which supports that allegation.
- 7. **Provisions of Article XIV: Parking and Loading Requirements.**
- 8. **Provisions of Article XV: Signs.**
- 9. **Provisions of Article XVIII: Site Plan Review.**
- 10. **Provisions of Section 6.16: Environmental Protection Standards.**

ORDINANCE NO.37

AN ORDINANCE authorizing Marion Township to acquire property development rights in real estate within the township and establishing the procedure for acquiring and financing the acquisition of the development rights.

THE MARION TOWNSHIP BOARD OF TRUSTEES ORDAINS:

SECTION 1: Findings and Declaration of Purpose

The Board of Trustees finds that:

(1) Marion Township is a desirable place to live, work and visit in large part because of the expansive scenic views, agriculture, open spaces and wildlife habitat. These resources are all considered invaluable natural and aesthetic resources and should be protected.

(2) The Township is home to valued woodlands, wetlands, open space, and prime farmland that contribute to the aesthetic, environmental, and economic value of the community, including several thousand acres of land currently in agricultural production. Such lands contribute to the aesthetic, environmental, and economic value unique and benefits to the citizens of the Township and are an important part of the Township's natural and agricultural heritage.

(3) Marion Township is experiencing substantial residential development, however, because of its location to the highly urbanized areas of southeast Michigan, its attractive landscapes and its excellent public schools. The very same characteristics which have made this area so desirable for agricultural production and recreation also make it attractive for residential development.

(4) Generally, farmland which is close to urban centers has a greater market value for future residential development than its market value for farming or open space. Prime agricultural land often has the same features (such as perkable soils) that are components of desirable residential areas. This fact encourages the speculative purchase of these lands at high prices for future residential development, regardless of the current zoning of such lands. Farmland which has a market value greater than its agricultural value does not attract sustained agricultural investment and eventually this land is sold by farmers and removed from agricultural uses.

(5) The permanent acquisition of voluntarily offered interests in farmland within the Township, as provided in this Ordinance and as authorized by the Constitution and statutes of the State of Michigan, will permit these lands to remain in agricultural use near developing urban areas and provide long-term protection for the public interests which are served by farmland in the Township.

(6) To reinforce and supplement the desires, goals, and policies of the Township Master Plan, this Article will serve as another tool for the Township in its ongoing effort to provide for a safe, harmonious, healthy, balanced, and environmentally-sensitive environment.

(7) Properties on which the Township has purchased the development rights should remain substantially undeveloped in order to promote their agricultural use.

(8) The acquisition of interests in farmland as provided in this Ordinance is a public purpose of Marion Township as provided in this Ordinance and financing such acquisition requires that the Township enter into purchases or installment purchases not to exceed statutory limits.

(9) This ordinance is authorized by Sections 31 to 33 of the Township Zoning Act, MCL 125.301 B 125.303.

(10) Agriculture in Marion Township produces a notable array of products, from corn and soybeans to vegetables and cattle. The Township's agricultural acreage contributes tens of thousands of dollars to the local economy in direct sales of agricultural products at the farm gate. The agricultural industry in Marion Township provides the opportunity to harvest locally grown foods to sell at roadside stands, farmer's markets, local retail food stores and other local outlets in the area. Land suitable for farming is an irreplaceable natural resource with soil and topographic characteristics that have been enhanced by generations of agricultural use. When such land is converted to residential or other more developed uses which do not require those special characteristics, a critical community resource is permanently lost to the citizens of Marion Township.

(11) It is the policy of the State of Michigan and Marion Township to protect, preserve and enhance agricultural lands as evidenced by the Township General Development Plan, the Township Zoning Act, MCLA 125.271 *et seq.* and other state and local statutes and policies. Ordinances regulating land use by zoning and subdivision control enacted by the Township also serve these purposes. These measures by themselves, however, have not been effective in providing long-term protection of farmland under the pressure of increasing residential development.

SECTION 2: Definitions

(1) "Agricultural Rights" means an interest in and the right to use and possess land for purposes and activities related to open space, natural habitat, horticultural and other agricultural uses.

(2) "Agricultural Use" means substantially undeveloped land devoted to the production of plants and animals useful to humans, including fruits, nuts, vegetables, greenhouse plants, Christmas trees and lumber, forages and sod crops, grains and feed crops, dairy and dairy products, livestock (including breeding and grazing), poultry and other similar uses and activities.

(3) "Chairperson" means the member of the Farmland Preservation Board who is elected Chairperson by the Preservation Board.

(4) "Board of Trustees" means the Marion Township Board of Trustees.

(5) "Development" means an activity which materially alters or affects the existing conditions or use of any land.

(6) "Development Rights" means an interest in and the right to use and subdivide land for any and all residential, commercial and industrial purposes and activities which are not incident to agriculture and open space.

(7) "Development Rights Easement" means a grant by an instrument whereby the owner relinquishes to the public in perpetuity the right to develop the land as may be expressly reserved in the instrument, and which contains a covenant running with the land not to develop, except as this right is expressly reserved in the instrument.

(8) "Eligible Land" means farmland for which the purchase of "development rights easements" with tax funds and other monetary sources are authorized pursuant to this Ordinance.

(9) "Farmland" means those lands shown in the Township Master Plan as being zoned for agricultural uses, as adopted and amended from time to time by the Township Planning Commission.

(10) "Farmland Preservation Board" means the board formed pursuant to Section 6 of this Ordinance to advise the Board of Trustees in the selection of Eligible Lands for easement purchases.

(11) "Full Ownership" means fee simple ownership.

(12) "Governmental Agency" means the United States or any agency thereof, the State of Michigan or any agency thereof or any Township, City or municipal corporation.

(13) "Owner" means the party or parties having the fee simple interest in land.

(14) "Parcel" means all property under a single ownership that is included in the application.

(15) "Permitted Use" means any use contained within a development rights easement essential to the farming.

(16) "Supervisor" means the Marion Township Supervisor.

(17) "Value of Development Rights" means the difference between the fair market value of full ownership of the land (excluding the buildings thereon) and the fair market value of the agricultural rights plus any residential development rights to be retained by the owner.

SECTION 3: Authorization

(1) The Board of Trustees is hereby authorized to expend funds to acquire property interests in the farmland described and prioritized in Section 5 of this Ordinance. The property interest acquired may either be the development rights, or any lesser interest, easement, covenant or other contractual right. Such acquisition may be accomplished by purchase, gift, grant, bequest, devise, covenant or contract but only at a price which is equal to or less than the appraised value determined as provided in this Ordinance. The funds shall be used to acquire such property interests only upon application of the Owner and in a strictly voluntary manner.

(2) The Township is authorized to enter into cash purchase and/or installment purchase contracts, and agreements for the receipt of tax deductible donations of easements, consistent with applicable law. When installment purchases are made, the Township is authorized to pay interest on the declining unpaid principal balance at a legal rate of interest consistent with prevailing market conditions at the time of execution of the installment contract for the tax-exempt status of such interest.

(3) The Board of Trustees is further authorized to contract with recognized and legally established nonprofit land trusts (for example, American Farmland Trust and Washtenaw Land Trust) or other experienced and qualified nonprofit groups to participate jointly in the acquisition of interests in eligible lands.

(4) The Township may contract with recognized and legally established nonprofit land trusts or other experienced and qualified nonprofit groups or consultants that would share in the process of negotiating easements and establishing both the baseline studies and the procedures for monitoring of any conservation easements acquired under this Ordinance and would be done in accordance with "The Standards and Practices Guidebook" by the Land Trust Alliance.

SECTION 4: Eligible Lands and Priority of Acquisition

Funds shall be used to purchase property interests in the following lands in the following order of their priority subject to the provisions of Section 7.

Primary Criteria that all properties must meet:

Voluntary application by the property owner and those lands shown in the Township Master Plan as being zoned for agricultural uses, or as rural residential where agriculture is practiced on larger parcels, as adopted and amended from time to time by the Township Planning Commission.

Criteria for Selection:

The following criteria shall be used in determining the order in which applications will be prioritized in any Selection Round to purchase development rights on all eligible lands for which complete applications have been received by the Township. This numerical ranking system has been developed to prioritize farm sites for the purchase of conservation easements. It is the intention of the users of this system to direct efforts toward high quality farmland in areas of the Township where its preservation is most appropriate.

Appropriateness is determined by favorable natural conditions and location factors which make farming a viable undertaking both currently and in the future. Areas targeted for preservation are those lands shown in the Township General Development Plans as being zoned for agricultural uses, as adopted and amended from time to time by the Township Planning Commission.

DESCRIPTION OF THE SYSTEM. The farmland ranking system consists of four sections as follows. The maximum point value is 100, with some additional points possible in the event of a tie.

PART	TOTAL POINTS
I – Characteristics of the Land	44
II – Stewardship of the Land	18
III – Context	12
IV – Acquisition Considerations	26

PRIORITIES. The point value arrived at through the use of this system will be used to prioritize farm sites for purchase of conservation easements. Higher point values indicate higher priority for purchase. All property in a single ownership may be included in one application. Contiguous properties under the same ownership will be treated as a single entity.

PART I

CHARACTERISTICS OF THE LAND MAXIMUM POINTS = 44

A. Type of Agricultural Land

Multiply the percentage of the nominated parcel featuring prime, unique or locally important agricultural soils by 20.

B. Size of Parcel Offered for Development Rights Purchase

Acreage	Score
>80 acres	8
40-80 acres	5
<40 acres	2

C. Proximity to Protected Land

Distance	Score
Adjacent	8
One mile or less	5
More than one mile	2

D. Farm Buildings

Buildings	Score
Usable, functional farm buildings on site	4

E. Amount of Road Frontage

Frontage	Score
1,000 feet or more	4
500 to 999 feet	2

PART II

STEWARDSHIP OF THE LAND
MAXIMUM POINTS = 18

A. Conservation Plans

Extent of Conservation Plan	Score
Conservation plan fully implemented or conservation practices used to the fullest extent necessary	8
Conservation plan partially implemented or some practices used	4

B. Commitment to Farming

Enrollment in P.A. 116 or Duration of Ownership	Score
Farm is enrolled in P.A. 116 <u>and</u> land has been in the same ownership for at least 50 years	10
Farm is enrolled in P.A. 116 <u>or</u> has been in the same ownership for at least 50 years	6

PART III
CONTEXT
MAXIMUM POINTS = 12

A. Current Adjacent Zoning Classification

Percent of Perimeter in Agricultural Zoning	Score
90% or more	4
50-89%	2
<50%	1

B. Current Adjacent Land Use

Percent of Perimeter in Agricultural Use	Score
90% or more	4
50-89%	2
<50%	1

C. Groundwater Recharge Area

Percent of Property Serving as Groundwater Recharge	Score
>75%	4
50-75%	2
<50%	1

PART IV

ACQUISITION CONSIDERATIONS MAXIMUM POINTS = 26

A. Matching Funds

Percent of Appraised Value	Score
>50%	16
20-50%	10
<20% (but >0)	5

B. Landowner Donation

Percent of Appraised Value	Score
>20%	10
10-20%	6
<10% (but >0)	2

SECTION 5: Farmland Preservation Board

(1) A five-member Farmland Preservation Board (the "Preservation Board") shall be appointed by the Board of Trustees. The Board of Trustees shall seek the names of nominees for the Preservation Board by the means usually employed for other boards and commissions. The Preservation Board shall determine the selection of eligible lands on which development rights are offered for acquisition by their owners. Selection of eligible lands shall be made by a majority of Preservation Board members.

(2) The Preservation Board shall consist of residents of the Township. The Preservation Board shall include a representative of the Township Board of Trustees, a natural resources professional, a citizen and two representatives who own agricultural land or operate agricultural businesses. The Board of Trustees may appoint ex-officio members.

(3) The Preservation Board may consult experts as it may desire and the Board of Trustees may appropriate funds for that purpose.

(4) Members shall serve three-year terms, except that the initial term of three members shall be three years and terms of two members shall be two years. Members may be removed by the Board of Trustees for good cause as determined by the Board of Trustees. Members shall not be compensated for their services but shall be reimbursed for expenses

actually incurred in the performance of their duties. Members may be reappointed to successive terms.

(5) No member shall vote on the selection of individual parcels in which they have an interest or on individual parcels adjacent to property in which they have an interest.

SECTION 6: Selection

The Farmland Preservation Board shall conduct a voluntary property selection process (herein called the "Selection Round") generally as follows:

(1) In each selection round the development rights on all eligible land properties shall be eligible for purchase. In all selection rounds, properties of higher priority shall be purchased with available funds before properties of lower priority are purchased, provided:

a. The Preservation Board may negotiate for a lower price and/or seek outside funding for the purchase of development rights on any parcel offered.

b. In the interest of protecting a significant amount of agricultural land, the Preservation Board may determine not to buy all of any of the development rights on a particular parcel if the Preservation Board makes a finding that it is in the best interest of the program to protect a larger number of acres rather than a smaller number of acres of higher valued development rights.

c. The Preservation Board may receive and act on appeals of any factual nature by affected property owners.

(2) The Preservation Board shall begin each selection round by giving notice in one newspaper of general circulation in Marion Township. The notice shall describe the properties eligible for purchase in the selection round; the general procedure to be followed in the selection process (including an estimated time schedule for the steps in the process); and shall invite the owners of such properties to make application for purchase of development rights by the Township and to describe the property interest which the owner is willing to sell. Applications shall be submitted to a location to be specified by the Preservation Board and stamped with the date of receipt.

(3) Upon closing of the application period, the Preservation Board shall review each application received to determine the eligibility and priority classification of each property interest and to verify ownership by tax records.

(4) For those properties which meet the requirements of Section 4, the Preservation Board shall cause an appraisal of the applicant's property interest to be made. A "before and after" appraisal shall be made to determine the value of development rights. One appraisal shall determine the fair market value of full ownership of the land (excluding buildings thereon) and one shall determine the fair market value of the agricultural rights plus any specifically retained residential development rights.

(5) Appraisals shall be made by State certified appraisers selected by the Preservation Board. The selected appraiser shall not have a property interest, personal interest or financial interest in eligible lands. The same appraiser shall conduct the before and after appraisals.

(6) Appraisals shall be in writing and shall be furnished to the respective owners for review. Errors of fact in any appraisal may be called to the attention of the appraiser by the Preservation Board or by owners of the property appraised, but corrections of the appraisal may be made only by the appraiser.

(7) Terms and conditions of sale and information on the effect of the sale may be discussed by the entire Preservation Board with owners prior to the submission of written applications.

(8) Written applications by owners who desire to have their development rights purchased by the Township shall be submitted on forms provided by the Preservation Board. These written offers shall include any development options desired to be retained by the owners.

(9) Upon receiving the recommendations of the Preservation Board, the Board of Trustees shall take final action on such recommendations.

(10) Once action to select properties for the purchase of development rights has been taken by the Board of Trustees, the Preservation Board shall draft a baseline documentation report describing through photographic, pictorial and narrative means the condition of the property at the time of the grant and a development rights easement. The baseline report shall contain a signature page where the Owner and the Supervisor sign to state that the report is an accurate description of the property at the time of grant. The easement shall similarly feature a page where the signatures of the Owner and the Supervisor are notarized, following which the easement shall be recorded with the county register of deeds so that it is effective on all current and future owners.

(11) Upon the completion of a purchase of development rights transaction, the Township assessor will be notified of the development rights purchase.

(12) Additional residential dwellings are not permitted on lands from which development rights have been purchased. [AS1]

SECTION 7: Duration of Acquired Interests

(1) Development rights acquired pursuant to this Ordinance shall be held in trust by the Township for the benefit of its citizens in perpetuity. After 50 years have passed, however, the owner may make application to the Preservation Board that farmland described in this Ordinance has (a) become landlocked with non-agricultural uses, (b) farming is no longer feasible and (c) the release is for the public good. The Preservation Board evaluate the feasibility of farming by determining whether the land is no longer and never will be suitable for any kind of agriculture, with wooded land left fallow not necessarily to be considered unsuitable.

(2) Upon receiving the recommendations of the Preservation Board, the Board of Trustees shall take final action on such recommendations. The Board of Trustees must support the request by an owner to repurchase development rights by a five-member majority of the total seven Trustees.

(3) For those properties for which the Board of Trustees approves the return of development rights as specified in Subsection (1), the Preservation Board shall cause an appraisal of the applicant's property interest to be made at the owner's expense. Payment for this appraisal shall be made by the owner in advance. A "before and after" appraisal shall be made to determine the value of development rights. One appraisal shall determine the fair market value of full ownership of the land (excluding buildings thereon) and one shall determine the fair market value of the agricultural rights plus any specifically retained residential development rights.

(4) Appraisals shall be made by State certified appraisers selected by the Preservation Board. The selected appraiser shall not have a property interest, personal interest or financial interest in eligible lands.

(5) Appraisals shall be in writing and shall be furnished to the respective owners

for review. Errors of fact in any appraisal may be called to the attention of the appraiser by the Preservation Board or by owners of the property appraised, but corrections of the appraisal may be made only by the appraiser.

(6) At any time in this process, the owner may choose to withdraw the request for the return of development rights without penalty, while still being responsible for the Township's appraisal of the property as specified in Subsection (2).

(7) If the Board of Trustees approves the return of development rights, the Township shall have a right of first refusal to purchase the remaining rights at the fair market value of the agricultural rights plus any retained development rights, as determined by a State certified appraiser. Upon receiving the recommendations of the Preservation Board, the Board of Trustees shall take final action on such recommendations. If the Board of Trustees chooses to exercise this right of first refusal, an offer to purchase the remaining rights at the appraised value shall be submitted. Acquisition of lands shall not be made with funds authorized for development rights acquisition pursuant to this Ordinance. The owner may at that time choose to not sell the remaining rights and instead retain ownership of the property.

(8) If (a) a request to re-purchase development rights is denied by the Board of Trustees, or (b) the landowner chooses not to sell the remaining rights the Township chooses to exercise its right of first refusal or (c) more than a year passes from the Board of Trustees' authorization for the re-purchase of development rights, the landowner must wait five years before re-applying to re-purchase development rights.

(9) The Township may convey development rights acquired pursuant to this Ordinance to a conservation, open space preservation, historic preservation or similar organization under terms ensuring that the public benefits for which the Township purchased the development rights will be maintained.

SECTION 8: Related Costs

The costs of appraisal, easement development, baseline documentation, legal and other services lawfully incurred incident to the acquisition of interests in eligible lands by the Township shall be paid by the Township. The Township shall not be responsible for expenses incurred by the owner incident to this transaction.

SECTION 9: Supplemental Funds

Supplemental or matching funds from other governmental agencies or private sources may become available to pay a portion of the cost of acquiring development rights, or some lesser interest in eligible lands or to supplement or enlarge such acquisition. The Farmland Preservation Board is hereby authorized to utilize such funds to purchase interests in eligible lands or to otherwise supplement Township funds in the manner provided by this Ordinance and in accordance with the applicable laws or terms governing such grant.

SECTION 10: Purpose

The Board of Trustees finds and declares that the use of Township funds for the purpose of paying in whole or in part the cost of acquisition of interests in eligible lands as set forth herein, including any costs necessarily incident to such acquisition, and the monitoring and enforcement of development rights easements, or to participation with any party for such purposes will promote the public health, safety and general welfare of the people of Marion Township.

SECTION 11: Development Rights Acquisition Fund

The funds for purchasing development rights on farmland shall be placed in a designated Development Rights Acquisition Fund to be hereafter created in the office of the Treasurer of Marion Township (here and after "Acquisition Fund"). Money in such acquisition fund may be temporarily deposited in such institutions or invested in such obligations as may be lawful for the investment of Township money.

The funds and any interest received from the deposit or investment of such funds shall be applied and used solely for the purposes set forth in this Ordinance.

SECTION 12: Severability.

In the event any provision of this Ordinance shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provisions hereof.

This ordinance shall be effective seven (7) days after publication.

Made and passed by the Board of Trustees of the Township of Marion, County of Livingston, State of Michigan, at a duly noticed Special Meeting of the Marion Township Board of Trustees on the XX day of XXXX, 2023.

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*Approved by: _____
Larry Grunn - *Chairperson*

Date: _____

**MARION TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING
MARCH 28, 2023 @ 7:30PM**

PC MEMBERS PRESENT: LARRY GRUNN – PC CHAIRPERSON
JIM ANDERSON – PC VICE CHAIRPERSON
CHERYL RANGE – PC SECRETARY
BOB HANVEY – MARION TWP BOT REPRESENTATIVE
BRUCE POWELSON

OTHERS PRESENT: DAVID HAMANN - MARION TWP. ZONING ADMINISTRATOR
ALISSA STARLING - PLANNER W/ CARLISLE WORTMAN

MEMBERS ABSENT: NONE

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CALL TO ORDER

Larry Grunn called the meeting to order at 7:30pm.

APPROVAL OF AGENDA

Jim Anderson added agenda item "Budget to the agenda. Bruce Powelson made a motion to approve the March 28, 2023 amended agenda as presented. Bob Hanvey seconded. 5-0 **MOTION CARRIED**

APPROVAL OF MINUTES

Cheryl Range made a motion to approve the February 28, 2023 Planning Commission meeting minutes. Jim Anderson seconded. 5-0 **MOTION CARRIED**

NEW BUSINESS:

1) CRYPTO ORDINANCE

Cheryl Range suggested only allowing this in commercial and lite industrial.

Alissa Starling stated that she was speaking to Michael Homier regarding a different jurisdiction and he stated that Townships should definitely start thinking about Crypto ordinances but it does not need to be a priority at this time. Alyssa said that she can still create a definition for a 'data processing plant.' She agreed on putting it in lite industrial and treating it like a special use.

Alissa would also like to change the sound requirement in the performance standards. Specifically, the nighttime requirement.

Dave Hamann inquired about which one of the attorneys we should be consulting with. Bob Hanvey explained that Mike Homier was the attorney that was chosen to assist with the Solar Ordinance issues and John Gormley is still the Township attorney that is used for all other matters.

Alyssa will create a definition for a 'data processing plant' and also update the sound levels in the performance standards. Mark Mynsberge resides at 1019 Spirea and inquired about the rezoning options if someone wants to put a Crypto Farm on their property.

Sally Witkowski resides at 3111 Pinckney Road and suggested that we leave the language out altogether. She fears that creating this language will make Marion Township seem more inviting for Crypto companies.

Jim Anderson suggested that Alissa ask our attorney what the different risks are if we create language and if we do nothing.

Mike Brown resides in Conway Township and stated that it is always better to get ahead of the game because the State could come in at any time and take control of an ordinance. Mike also shared that typically Crypto Farms have a noise

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level of about 75-90 decibels. Our Solar ordinance allows for 45 decibels during the day and 35 decibels at night. Mike also wanted to say that he thought the Board did a really nice job with the Solar ordinance.

UNFINISHED BUSINESS

1) RZN# 01-23 MITCH HARRIS REZONING PARCELS 4710-02-400-014, 016, 017, 018 MAKE RECOMMENDATION AND FORWARD TO LCPD FOR REVIEW & COMMENT. THEN SEND TO BOT FOR FINAL DECISION

Mitch Harris has returned with changes/provisions to his rezoning application for parcels 4710-02-400-014, 016, 017 and 018. Since the last Planning Commission meeting Mitch Harris has communicated with The Meadows Condominium community President and has their blessing to move forward.

Larry Grunn read a letter from the Meadows president Richard Parker, which states their two conditions for their rezoning request, which resolve the concerns of the Meadows Condominium community.

1. *The property being re-zoned will not use a general private or public roadway connection through the existing Meadows Condominium project along Spirea Lane.*
2. *If connection through Spirea Lane is required by the governing fire authority, it will be set up with a gate that is controlled by the fire authority and will not be open for use of the general public.*

Jim Anderson is still concerned about the increased traffic in this area.

Mark Mynsberge resides at 1019 Spirea and is also concerned about the traffic impact but is more concerned with the possible commercial opportunities that could end up there if the re-zoning is not approved.

Alissa Starling believes that if this property is re-zoned to residential, it will be less of a nuisance to the surrounding community verses the possible commercial development options that could go there.

Rick Thompson resides at 1267 Morning Mist and is concerned about the increased traffic on D19.

Jim Anderson made a motion to recommend approval to the Township Board of Trustees after it is sent to the Livingston County Planning Department for review and comment. Bob Hanvey seconded. Larry Grunn voted NO for this recommendation. 4-1 **MOTION CARRIED**

2) GO #01-23 CONTINUE PDR (PURCHASE DEVELOPMENT RIGHTS) ORDINANCE DISCUSSION

Jim Anderson explained that the land owner has to initiate interest in having a PUD. The Township would then pay the landowner an agreed amount to leave their land the way it is and not develop the property for any other use than what is currently in place. For example, if the land is currently being used for farming, then the land could not be developed for a subdivision or a grocery store. The property would remain as it is and continue being used for farming.

Sally Witkowski resides at 3111 Pinckney Road and inquired about the property being used for solar farms under a PA-116, because the State has now declared Solar Farms to be considered an aggregate use.

Jim Anderson explained that the Township would not be purchasing the property to further any kind of develop on that property. They would simply be paying the landowner so THEY would not be able to change the current use of the property and decide to develop on their property.

Bob Hanvey asked the commissioners if they would be ok with the Township sharing the results from the Land Preservation survey on the website and inform residents where they can view these results.

Jim Anderson made a motion to share the results from the Land Preservation Survey that was taken over the Summer in 2022, on the Township website. Bruce Powelson seconded. 5-0 **MOTION CARRIED**

3) CALL TO THE PUBLIC POLICY – ADD TO BYLAWS?

Larry Grunn suggested changing the time limit for public speakers to three minutes instead of five minutes. Jim Anderson stated that we should add somethings stating that the public is allowed to comment during New and Unfinished Business agenda items. Jessica Timberlake will make these changes to the policy and send it to Jim Anderson for review when finished.

4) REVIEW SPREADSHEET AND DETERMIN WORK PLAN FOR 2023

Dave Hamann stated that we are still waiting for feedback on several items from John Enos and the Attorney. Development Standards, Code Enforcement and Civil Infraction are just a few. Dave will send the outstanding list to Alissa Starling so she can follow up with Planner, John Enos and Attorney, John Gormley.

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-EXTEND MEETING-

Bruce Powelson made a motion to extend the meeting beyond 9:30pm. Jim Anderson seconded. 5-0 **MOTION CARRIED**

5) BUDGET REVIEW

Bob Hanvey made a motion to approve the Planning Commission Budget for 2023-2024. Jim Anderson seconded.
5-0 **MOTION CARRIED**

SPECIAL ORDERS / ANNOUNCEMENTS

Jim Anderson asked Bob Hanvey to post the 2023-2024 Budget and PUD Survey results online, along with the Planning Commission packet for tonight's meeting. Bob agreed.

Cheryl Range asked if all the Commissioners could have a hard copy of the finalized Master Plan.

CALL TO THE PUBLIC

Suzi Macaluso resides at 4875 Pinckney Road and wanted to thank the Chairman for letting them speak during agenda items and for putting that in writing.

Mike Brown resides in Conway Township and wanted to second what Suzi said. Mike also wanted to know the name of the lady that presented here at the Township regarding land preservation.

Jim Anderson said her name is "Sara Thomas."

ADJOURNMENT

Jim Anderson made a motion to adjourn the meeting at 9:45pm. Cheryl Range seconded. 5-0 **MOTION CARRIED**

Marion Township Public Participation Policy at Township Planning Commission Meetings

The Public shall be given an opportunity to be heard at every Township Planning Commission Meeting following the adoption of this Policy.

The Planning Commission Chairperson is the moderator of the meeting. In the absence of the Chairperson, the Planning Commission VICE-Chairperson shall be the moderator of the meeting.

The Public attending the meeting either in-person or on-line may speak during the "Call to the Public" part of the meeting agenda. To preserve order, those attending in-person will speak first. When all in-person attendees have been heard, the moderator will ask if any on-line attendee wishes to speak.

When recognized by the moderator, in-person attendees shall come to the podium. The moderator will request that they give their name and address before they begin their comments.

When all in-person attendees have finished speaking, the moderator will ask if anyone attending the meeting on-line wishes to speak. On-line attendees may unmute themselves and when recognized by the moderator may speak. On-line attendees will also be asked for their name and address.

All comments shall be addressed to the Township Planning Commission members. The "Call to the Public" is for attendees to provide information or opinions to the Township Planning Commission and is not intended to be a dialog. Anyone needing a response should contact officials or staff during normal office hours.

The Public attending the meeting either in-person or on-line will be allowed to ask questions and make comments about NEW and UNFINISHED agenda items. These questions and comments must be made during the discussion of that agenda item. Anyone that would like to speak will raise their hand indicating their desire to speak.

When recognized by the moderator, in-person attendees shall come to the podium. The moderator will request that they give their name and address before they begin their comments.

When all in-person attendees have finished speaking, the moderator will ask if anyone attending the meeting on-line wishes to speak about the NEW or UNFINISHED agenda item. On-line attendees may unmute themselves and when recognized by the moderator may speak. On-line attendees will also be asked for their name and address.

The moderator can close the questions and comments session about a NEW and UNFINISHED agenda item at his/her discretion.

To preserve efficiency, at any time during the meeting, each speaker, whether in-person or online will be limited to THREE MINUTES.