

ACME TOWNSHIP
M-72 CORRIDOR ORDINANCE SUBCOMMITTEE OF THE
PLANNING COMMISSION
Acme Township Hall
10:30 a.m. Monday, February 2, 2004

Meeting called to Order at 10:38 a.m.

Members Present: H. Smith, Chair, D. Hoxsie, D. Krause, P. Salathiel (10:40)

Members Excused: None

Staff Present: S. Corpe, Office & Planning Coordinator/Recording Secretary
B. Kaye, Gourdie Fraser, Planning Consultant

The purpose of today's meeting is for the M-72 Corridor Ordinance Subcommittee of the Planning Commission to discuss the first draft of the proposed new Ordinance drafted by Brad Kaye, Gourdie Fraser. Smith stated that the Township Board retained Gourdie Fraser to work on this project on a contract bid basis. The meeting has been posted as open to the public because a quorum of the Planning Commission is serving on the committee. A public hearing will be held before the full Commission to allow public comment at a later date.

Kaye noted that a previous basis for discussion and the draft he has presented is a model ordinance that came out of the M-72 Corridor study. Many of the bullet points in the Intent and Purpose section come directly from this document. He noted that this ordinance will not seek to regulate the types of uses permissible along the M-72 Corridor, with the exception that it will prohibit wind turbines and wireless transmission towers.

A detailed review of the draft from the beginning commenced. Marked-up copy is attached and included as part of these minutes by reference. Some significant facets of discussion included:

- Enhancing the bullet points in the Intent and Purpose section to point out that appropriate landscaping and maintenance of defined viewsheds is significant.
- Mention of Russ Clark's M-72 Corridor Presentation that displayed the potential effect of development along scenic ridgelines.
- Five significant viewsheds have been defined by Clark. Kaye noted that trying to protect viewsheds in these instances will primarily protect views of fields. Do many fields have significant view properties that are important for municipal preservation? While maintaining rural character is important, what makes one field more important in this respect than others? Krause expressed concerns that viewsheds can be difficult to regulate effectively, in terms of enforcement. Kaye felt that it might be better to take a recommendation approach instead of a fully regulatory approach. Krause suggested that we note that impact on scenic views will be a consideration on a case-by-case basis. Smith read from the Master Plan a description of three defined viewsheds along the corridor. It was generally agreed that we should look to encourage preservation of

viewsheds but not to strictly require it, and to negotiate with each site owner as need be.

- At what point does any landscaping requirement begin to interfere with maintenance of the viewshed farther from the road corridor?
- A mention will be added regarding regulation of ridgeline development.
- Desire to maintain minimum 100' setback of structures and parking from M-72 right-of-way.
- Requirement that no parking be located between a structure and M-27, regardless of whether this area is defined as the "front yard" where parking is already prohibited.
- Sliding setback requirement based on building scale.
- Architecture: what is the "up north" character, or the "historic architecture" of the Grand Traverse Region. Are there pictorial examples in ordinances from surrounding municipalities that we can draw on? It can be difficult to effectively regulate taste. Can it best be done through dictating materials and colors?
- Rooflines: would cornices truly be enough to visually control the use of flat roofs? Flat roofs are part of the historic architecture of local downtown areas. In commercial buildings, flat roofs are often used for mechanical items. Should peaked roofs be required at all?
- The entire question of architecture and rooflines needs to be examined more?
- It might be good to find out the status of Gaylord's ability to require an alpine theme, and whether it was overruled.
- Landscaping standards need to be filled in with more specifics. There has been discussion about employing a set standard landscaping pattern within 50' of the right-of-way throughout the corridor. How should the corridor look overall? How can we prevent the right-of-way landscaping from interfering with established viewsheds? What would the theme of "themed landscaping" be? Krause feels that the existing landscaping standards in the Ordinance are generally urban in nature. He feels that they may also give too much design latitude to each individual parcel. He would like a landscape plan prepared for the 50' buffer along the right-of-way for the entire corridor. It would need to have a more rural feeling than the general landscaping standards. The plan dictated by the township would not contain any more elements than would already be required, but it would be firm. Kaye mentioned that one difficulty with this proposal is that in order to determine where all the landscaping would be, we would have to know where accessways would go, and sidewalks. Krause countered that when he has been involved in such an endeavor before, there was a notation made to the plan that landscaping elements displaced by accessways would be relocated to another space on the parcel frontage. The committee generally liked the idea. The master corridor landscape plan would be referenced by the ordinance, and can likely be ready by the time the ordinance itself is ready for approval.
- How should landscaping internal to the properties be handled: by existing landscaping requirements? Probably; requirements for the roadside buffer areas are the most critical to the committee.
- In existing situations, we will encourage utilities to be moved from above-ground to underground. In new-line situations we will require underground utility installation.
- We need to talk to Bob Otwell to find out what TART's trail plans along M-72 are and how we can interface in terms of asking property owners for potential connections.

Find out what happens when a non-motorized way comes up to a wetlands area – how do you cross?

- When discussing access management and driveway standards, it may be desirable to reference the maps produced by MDOT in the M-72 Access Management Plan showing where accesses to M-72 are desirable and which existing accesses are targeted for encouraging eventual closure.
- In 6.12.5(4)b, the 1,000 vehicle threshold comes from MDOT's reports and standards. Other statements in this section will be double-checked with current MDOT standards. Kaye will also add some pictures to better demonstrate the principles involved.
- Kaye plans to re-work the wording of 6.12.5(5) to tighten it up somewhat.
- Kaye will see if 6.12.5(6) can be strengthened to tend more to require shared driveways rather than merely encouraging them, and what practical methods to achieving this goal are being used in our area.
- A graphic will be inserted to demonstrate clear vision areas.
- The township Land Division Ordinance should be amended to refer back to Section 6.12.6.
- Where the ordinance discusses allowances for economic hardship, language may be inserted defining hardship as exceeding 20% of the cost of the other proposed improvements.
- The section on variance criteria (6.12.10) will be combined into the access management standards to which they particularly apply. Kaye will also ensure that these particular requirements for judging access management variance requests mesh well with the general variance requirements of Section 5.3.3.
- Entire section 7.2.8 will be eliminated, while ensuring that the provisions within it are contained within the new ordinance.

Kaye will work on revisions discussed today. The entire committee needs to think about how to deal with architectural standards and requirements and be prepared to discuss them at the next meeting.

The next subcommittee meeting is set for Wednesday, February 18 at 9:00 a.m. at the Township Hall, and will be advertised as a public meeting.

Meeting adjourned at 12:57 p.m.

SECTION 6.12 M-72 CORRIDOR OVERLAY DISTRICT

Section 6.12.1 Intent and Purpose

The Michigan Department of Transportation (MDOT) has jurisdiction within the M-72 highway right-of-way while Acme Township has authority over land use and site plan decisions along this corridor. Numerous published reports and studies have demonstrated the influence that land use and access decisions can have on traffic operations and safety.

The M-72 Corridor Overlay District is intended to preserve and enhance the arterial function of M-72 as a transportation corridor between I-75 and the Grand Traverse area while still providing adjacent land owners with reasonable road access. It is the intent of this overlay district to preserve the capacity of M-72 for through traffic movements while also minimizing the potential for traffic conflict. It is the further intent of this overlay district that access management standards be applied in such manner that the scenic qualities of this main gateway into the Grand Traverse area are maintained and enhanced as development and redevelopment of parcels along the corridor occurs.

Specific purposes of the M-72 Corridor Overlay District are to:

- Preserve the capacity of M-72 by limiting and controlling the number and location of driveways, and requiring alternate means of access through shared driveways, service drives, and access off cross streets
- Encourage efficient flow of traffic by minimizing the disruption and conflicts between traffic and turning movements
- Improve safety and reduce the potential for crashes
- Avoid the proliferation of unnecessary curb cuts and driveways, and eliminate or reconfigure existing access points that do not conform to the standards herein, when the opportunities arise
- Implement the recommendations of the Acme Township Master Plan, the M-72 Corridor Study, and the M-72 Corridor Access Management Plan
- Require longer frontages or wider minimum lot widths than required in other zoning districts to help achieve access management spacing standards
- Require coordinated access among adjacent lands where possible
- Require demonstration that resultant parcels are accessible through compliance with the access standards herein prior to approval of any land divisions to ensure safe accessibility as required by the Land Division Act
- Address situations where existing development within the corridor area does not conform with the standards of this overlay district
- Identify additional submittal information and review procedures required for parcels that front along M-72
- Avoid the need for unnecessary and costly reconstruction that disrupts business operations and traffic flow
- Ensure efficient access by emergency vehicles
- Provide landowners with reasonable access, though such access may be restricted to a shared driveway or service drive or via a side street, ~~or the number and location of access points may not be the arrangement most desired by the landowner~~
- Maintain and enhance the visual amenity of M-72 as a main gateway into the Grand Traverse area
- Provide appropriate standards to establish and maintain a consistent visual character along the corridor as development and redevelopment of parcels occurs
- Enhance the aesthetic appeal of the M-72 corridor through site and building design

▪ Provide for landscaped buffers along the full length of the M-72 corridor

Section 6.12.2 Applicability

The standards of this District shall apply to all lands with frontage along and within 500 feet of M-72, as illustrated on the M-72 Corridor Overlay District Map. The regulations of this District shall apply in addition to, and simultaneously with, all other applicable regulations of this Zoning Ordinance.

Section 6.12.3 Permitted Uses

Uses permitted by right, under special conditions, or by special use permit, shall be as permitted by the underlying zoning district as identified on the official Zoning Map except that wind energy conversion systems and wireless communication ~~towers~~facilities shall be prohibited within this overlay district.

Section 6.12.4 Site Design Standards

(1) Lot Width

All lots created within the M-72 Corridor Overlay District shall have a minimum lot width of 660 feet unless it can be demonstrated that the access management standards of this district shall be met through a shared access system. The lot width provisions of the underlying zoning district shall apply in such cases.

(2) Setbacks

b.a. Setbacks standards of this overlay district shall apply from the limits of the supplemental highway setback lines identified in Section 7.2.1 of this Ordinance.

b. All ~~buildings and~~ structures, including any parking areas or service drives, shall maintain a minimum setback of 50 feet from the M-72 right of way limit.

c. All buildings shall maintain the following setbacks from the M-72 right of way limit:

<u>Minimum Building Setbacks</u>	
<u>Building Size (in square feet)</u>	<u>Minimum Setback</u>
<u>0-20,000</u>	<u>100 feet</u>
<u>20,001-50,000</u>	<u>150 feet</u>
<u>50,001 or greater</u>	<u>200 feet</u>

(3) Site Design

a. Buildings shall be clustered together to preserve natural and landscaped open areas along M-72.

b. Buildings shall be arranged in a manner that creates well defined open spaces viewable from the traveled portion of M-72.

c. Maximum building width within three hundred (300) feet of the highway right-of-way shall not exceed forty percent (40%) of lot width measured along the highway right-of-way.

d. Building locations shall be coordinated with adjacent parcels to ensure the efficient flow of traffic between sites and to ensure visual continuity along the M-72 corridor.

e. Chain link fences shall be prohibited where visible from M-72. Where permitted, such fences shall be coated with a dark, non-reflective finish.

(4) Parking Areas

- a. Parking areas shall be designed and located so as to have minimal visual impact along the M-72 corridor.
- b. Parking area location, scale, landscaping and buffering shall be employed to provide a visual shield between M-72 and all parking areas.
- f. ~~Chain link fences shall be prohibited where visible from M-72. Where permitted, such fences shall be coated with a dark, non-reflective finish.~~

~~(4) Architecture~~ No parking areas shall be permitted within the M-72 setback area.

- c. Where a development application covers lands located adjacent to an existing parking lot used for similar purposes, a vehicular connection between the parking lots shall be provided where possible, as determined by the Planning Commission. For development applications adjacent to vacant properties, the site shall be designed and constructed to provide for a future connection.

(5) Architecture (to be reviewed at next meeting)

- a. Buildings shall have peaked roofs with a slope of at least 8:12 except that flat roofs that are hidden by a raised cornice shall also be permitted.
- b. Trademarked architecture that identifies a specific company by building features shall be prohibited within the overlay district, unless the applicant can demonstrate to the satisfaction of the Planning Commission that the design is compatible with the historic architecture of the Grand Traverse Region.
- c. Buildings having a footprint larger than 10,000 square feet, if permitted by the underlying zoning district, shall be broken up into smaller volumes through additive massing and use of building proportions found in the Grand Traverse Region's historic architecture. Exceptions to this may be permitted to allow the construction of buildings deemed by the Planning Commission to be essential as commercial anchors for the VillageTown Center.
- d. Architecture that is reflective of the Grand Traverse Region and enhances the visual character and aesthetic appeal of the M-72 corridor shall be encouraged.
- e. Architectural design that is reflective of the "up north" character shall specifically be encouraged along the M-72 corridor through the development application review and approval process.
- f. Architectural character and design shall be given preference over landscaping and setbacks as methods of preserving the visual character and appeal of the M-72 corridor. Development projects reflective of the standards set out in e.d. and f.e. above may, at the discretion of the Planning Commission, be granted relief from the landscape standards of section (5) below.

~~(5)~~**(6) Landscaping Standards**

- a. A continuous green landscaped buffer shall be maintained along M-72 consisting of trees, shrubs, meadows, natural areas and ~~lawns.~~ lawns within which no buildings or structures shall be permitted.
- b.
- c. ~~Minimum 3 inch caliper shade trees shall be provided and maintained along all interior access drives and pedestrian ways.~~
- d. ~~To the extent practical, existing trees, lawns and shrubs shall be preserved.~~

NOTE: Specific landscaping standards and the concept of a themed landscaping requirement were discussed at our last meetings but no direction was provided thereon.

Please be prepared to discuss this aspect of the ordinance. Detailed landscaping standards will be developed and circulated for further review following our meeting.

- b. (6) Specific landscaping requirements shall be as specified in (what reference shall we use?)
- c. Landscaping identified on (plan name) that is not installed due to driveway location shall be relocated within the buffer area. Such relocated landscaping shall be identified on all development plans and shall require the approval of the Planning Commission.
- d. Any development proposals considered prior to the completion of (plan name) shall comply with the landscaping standards of Section 7.5.6(3). Landscaping plans for such developments shall be required and shall require the approval of the Planning Commission. This standard shall not apply upon approval of the (plan name) referenced in subsection b. above.

(7) Ridge Lines and View Sheds

- a. Ridge lines and view sheds, as identified in the M-72 Corridor Study, shall be considered in all development proposal applications.
- b. Development on ridge lines within the M-72 Corridor shall not be permitted where alternative locations for development exist that would not be visible from M-72 or would have less visual impact as observed from M-72.
- c. Parcels having identified view sheds from M-72 shall be designed to minimize the visual intrusion of all buildings, structures and landscaping in the view shed.
- d. Building, structure and landscaping location shall not be permitted where alternative locations that would have less visual impact on the view shed, as observed from M-72, are available.

(8) Utilities

- a. Unless otherwise permitted by the Planning Commission on a finding that the installation of underground services would be unreasonable or have deleterious environmental impacts, all new utilities within this overlay district shall be located underground.
- b. Where utilities exist on a parcel proposed for development or redevelopment, the relocation of such utilities underground shall be encouraged.

(7)(9) Sidewalks/Pedestrian Pathways

- a. Pedestrian sidewalks or non-motorized ways shall be constructed to provide access along M-72. The location of such sidewalks and ways shall be separated from the traveled portion of M-72 wherever possible. The standards for sidewalk construction shall comply with Section 7.1.3 of this Ordinance.
- b. Pedestrian connection to and extension of the TART trail shall be encouraged in all development applications. Required trail connections and trail construction standards shall be identified and specified by the Planning Commission through the development application review process.

Specific sidewalk requirements and location shall be as specified in (what reference shall we use?)

- b. Any development proposals considered prior to the completion of (plan name) shall provide a sidewalk/pedestrian way across the full limits of the parcel frontage on M-72. Specific plans for such sidewalk/pedestrian way shall be required and shall

require the approval of the Planning Commission. This standard shall not apply upon approval of the (plan name) referenced in subsection b. above.

Section 6.12.5 Access Management Standards

(1) General Standards

The following standards shall apply to all proposals for development or redevelopment of lands within the M-72 Corridor Overlay District.

- a. The number of access points to M-72 shall be the fewest needed to allow motorists safe and reasonable access to the site.
- b. Where parcels have frontage on both a County road and M-72, access shall be provided off the County road.
- c. Access spacing from intersections and other driveways shall meet the standards of this district and shall be the maximum practical.
- d. Parking and maneuvering areas shall be located and designed to prevent conflicts with traffic entering and exiting access points.
- e. No building or structure shall be erected, nor shall any building or structure be enlarged, unless the regulations of this overlay district are met and maintained.
- ~~f. Site and building design shall enhance the aesthetic appeal of the M-72 corridor.~~
- f. The standards of this overlay district shall be considered the minimum standards acceptable for development and redevelopment within the overlay district.

(2) Number of Driveways

- a. Each parcel created prior to the adoption of this overlay district shall be permitted one driveway access to M-72. Such access shall consist of either a single two-way driveway or a paired driveway system wherein one driveway is designed and marked to accommodate only ingress traffic and the other is designed and marked to accommodate only egress traffic.
- b. ~~Whenever~~Wherever possible, the permitted driveway access shall be provided by a shared driveway or service drive.
- c. Additional driveway access to M-72 may be allowed when the need for such additional access is demonstrated by way of a supporting traffic impact study and such study finds that the additional driveway(s) will not create negative impacts on through traffic flow. Such study shall review and identify the minimum number of access points necessary to service the proposed development and shall include consideration of traffic generated by shared access from adjacent development. Additional driveways permitted shall comply with the access spacing standards of this overlay district.

(3) Driveway Location

In order to prevent left turn traffic conflicts, driveways and access drives shall be aligned with those across the street or offset in accordance with the spacing standards of Section ~~6.12.3.3,6.12.5.(8)~~, Table 1. Where direct alignment is not possible and the road frontage of a parcel is insufficient to meet the spacing standards of Section ~~6.12.3.3,6.12.5.(8)~~, Table 1, the driveway or access point shall be located and constructed so as to comply with the spacing standards as closely as is possible.

(4) Driveway Width

- a. Typical driveway design shall include one ingress lane and one egress lane with a maximum throat width of 30 feet, measured from curb face to curb face.
- b. Where exit traffic volumes are expected to exceed 1000 vehicles per day or in areas where congestion may create significant delays, as determined by the Planning

Commission, two exit lanes shall be required. Each exit lane shall be 12 feet in width, The entrance lane shall be 15 feet in width.

- c. Where separate ingress and egress lanes are provided, each lane shall be a minimum of 16 feet in width.
- d. As an alternative to separate ingress and egress lanes, driveway access may be designed with a center median dividing the lanes. The maximum median width shall be 10 feet. Where median driveways are proposed, the left turn exit lane shall comply with the driveway location standards of Section 6.12.5(8) below.
- e. Where MDOT standards are more restrictive than the provisions of this subsection, the MDOT standards shall apply.

Diagrams to illustrate standards to be inserted

(5) **Restricted Access Driveways**

~~Where left turn access is available through alternative means of access, driveway design and signing that discourages certain considered. Where such driveway access is located in a segment of M-72 that is defined in Township corridor studies as having a high accident/crash rate or significant traffic congestion/delays, driveway design and signage that discourages such alternative means of access shall be required. Such means of access shall be encouraged throughout the balance of the overlay district.~~

(6) **Shared Driveways**

~~Where properties are not serviced by a frontage road or service drive, shared or joint use of a driveway shall be encouraged. Such driveway shall be constructed along the midpoint between the two properties unless a written easement is provided which allows an alternative location.~~

(7) **Frontage Roads and Service Drives**

- a. ~~Frontage roads or service drives shall be required where recommended in the M-72 Access Management Plan. Access for properties along such road or drive shall be provided via the frontage road or service drive rather than by direct access to M-72.~~
- b. ~~In areas where frontage roads or service drives are recommended, but adjacent properties have not yet been developed, the site shall be designed to accommodate the required future frontage road or service drive. The alignment of the service drive may be refined to meet the needs of the site, providing the resulting terminus allows the drive to be extended through the adjacent site(s). This may require the use of aerial photographs, property line maps and topographic maps to ensure the future extension remains feasible. In cases where the subject site is interior (does not have access to a side street or service drive) temporary direct access to M-72 may be permitted provided the plan is designed to accommodate the future service drive and a written agreement is submitted that the temporary access shall be removed by the applicant at such time as the frontage road or service drive is constructed. This may require posting of a financial performance guarantee.~~
- c. ~~Frontage roads or rear service roads shall comply with the standards of Section 7.2.10 of this Ordinance.~~

~~(8) — Access Spacing Standards~~

~~a. Each access point shall meet the following spacing standards as recommended in the M-72 Corridor Access Management Plan~~

~~Table 1
Minimum Spacing Between Driveways Accessing M-72~~

Posted Speed	Minimum Driveway Spacing *
25	150 feet
35	300 feet
40	420 feet
45	550 feet
50+	660 feet

~~*For the purposes of this table, driveway spacing shall be measured from the centerline of each driveway.~~

~~Table 2
Minimum Spacing Between Intersections and Driveways~~

Street Access	Minimum Driveway Spacing*
M-72	400 feet
County Road (40+ posted speed)	250 feet
County Road (35 or less posted speed)	150 feet

~~*For the purposes of this table, driveway spacing shall be measured from the edge of the pavement of the intersecting street to the centerline of the driveway.~~

~~b. Where the road frontage of a parcel is insufficient to meet the spacing standards of this overlay district and shared access by way of a frontage road or rear access service drive from an adjacent parcel is not available, the driveway shall be located and constructed along the property line furthest from the intersection to facilitate future shared driveway use.~~

~~(9) — Parking Area Connections~~

~~Where a development application covers lands located adjacent to an existing parking lot used for similar purposes, a vehicular connection between the parking lots shall be provided where possible, as determined by the Planning Commission. For development applications adjacent to vacant properties, the site shall be designed and constructed to provide for a future connection.~~

~~(10) — Clear Vision Areas~~

~~Access points shall not be located in designated “clear vision” areas, as specified by the standards of MDOT and the Grand Traverse County Road Commission.~~

~~(11) — Turning Lanes and Tapers~~

~~Applications for development of lands along the M-72 corridor that are expected to generate daily traffic volumes exceeding 1000 vehicles shall include an assessment of the need for turning lanes and tapers. Such assessment shall be undertaken in consultation with MDOT and shall require final MDOT review and approval.~~

~~Section 6.12.6 — Land Divisions~~

~~No land division shall be approved within the M-72 Corridor Overlay District unless compliance with the access management standards of Section 6.12.3 has been demonstrated.~~

~~Section 6.12.7 — Traffic Impact Studies~~

~~Submittal of a traffic impact study may be required for any request that does not meet the access management standards of this overlay district or for any use expected to generate 100 or more vehicle trips during any peak hour or 100 or more vehicle trips daily. The traffic impact study shall be prepared by a qualified traffic engineer. The methodology and analysis of the study shall be in accordance with accepted principles as described in the handbook "Evaluating Traffic Impact Studies, a Recommended Practice for Michigan" developed by the Michigan Department of Transportation (MDOT) and other Michigan transportation agencies.~~

~~Section 6.12.8 — Existing Situations~~

- ~~(1) Any change in use on a site that does not meet the standards of this overlay district shall be required to submit a site plan for approval by the Planning Commission and submit information to the MDOT to determine if a new access permit is required.~~
- ~~(2) For building or parking lot expansions, or changes in use as described above, the Planning Commission shall determine the extent of upgrades to bring the site into greater compliance with the standards of this overlay district. In making its decision, the Planning Commission shall consider the existing and projected traffic conditions, any sight distance limitations, site topography or natural features, impacts on internal site circulation, and any recommendations from the MDOT. Required improvements may include removal or rearrangement or redesign of site access points. The standards of this overlay district shall be complied with to the extent practical, although full compliance shall not be required if it would impose unnecessary economic hardship or would discourage property owners from improving their properties.~~
- ~~(3) Existing access points which do not meet the standards of this overlay district and are on property included within a development action which will not add any additional vehicle trips to that access are exempt from this district, except as may otherwise be required by the MDOT. Notwithstanding, improvements at these existing access points that will improve traffic movements and more closely reflect the purpose and standards of this overlay district will be encouraged.~~

~~Section 6.12.9 — Informational Requirements~~

~~The following information shall be provided with any site plan, land division, subdivision or condominium request within the M-72 Corridor Overlay District:~~

- ~~(1) Existing access points within 500 feet of the frontage, along both sides of M-72, shall be shown with dimensions from the proposed access points.~~
- ~~(2) Dimensions between proposed and existing drives and intersections shall be shown.~~
- ~~(3) Dimensions for all access points, shared access systems and the adjacent roadway including: width, radii, curbing, driveway throat length, length of deceleration lanes and tapers, and all pavement markings or directional signs.~~
- ~~(4) Where shared access is to be provided or is required by the Township, a shared access and maintenance agreement shall be submitted for approval. Once approved, this agreement shall be recorded with the County Registrar of Deeds.~~

- ~~(5) The applicant shall provide correspondence that the proposal has been submitted to the MDOT for their information and review. Any correspondence from the MDOT shall be provided to the Township and shall be considered during the development application review process. The Township may require attendance at a coordination meeting with representatives of MDOT.~~
- ~~(6) The site plan shall illustrate the route and dimensioned turning movements of any expected truck traffic, tankers, delivery vehicles, waste receptacle vehicles and similar vehicles. The plan should confirm that routing the vehicles will not disrupt operations at the access points not impede maneuvering of parking within the site.~~

~~Section 6.12.10 ——— Variance Criteria~~

~~Where it can be demonstrated that conditions prohibit adherence to the access standards of this overlay district, the Zoning board of Appeals may consider a variance from the standards herein. In such cases, the Board shall make a finding that the application for variance meets all of the following criteria:~~

- ~~(1) Practical difficulties exist on the site that make compliance unreasonable (topography, wetlands, drainage, unique site configuration or shape, sight distance limitations or a unique traffic operations situation).~~
- ~~(2) The practical difficulty cannot be resolved by use of a shared access system.~~
- ~~(3) The MDOT has been consulted and supports the need for some type of variance.~~
- ~~(4) The variance is consistent with the general intent of this overlay district and the M-72 Access Management Plan.~~
- ~~(5) A traffic study by a qualified traffic engineer has demonstrated that the variance is in the public interest and supports the proposed access design.~~
- ~~(6) Such variance shall be demonstrated to be the minimum necessary.~~

~~SECTION 7.2.8 SUPPLEMENTAL REGULATIONS – M-72 CORRIDOR:~~

- ~~(1) Structure Setback. No structure other than signs, as allowed in Section 7.4, and utility structures, that are not buildings, transfer stations or sub stations, shall be permitted within one hundred (100) feet of the highway right of way.~~
- ~~(2) Parking Setback & Green Zone. No parking to be located within fifty (50) feet of highway right of way. Fifty (50) feet setback to be landscaped with informal clusters of trees and shrubs suitable to the soil type encountered.~~

~~Note 2: the above standards currently exist within the ordinance and are at odds with the direction provided to date relative to setbacks. Discussion and direction on this is required.~~

- ~~(6) left turn traffic movements shall be considered.~~
- ~~a. Where left turn ingress is available through alternative means of access, left turn traffic movements shall not be permitted.~~
- ~~c. Restricted left turn movements shall be encouraged throughout the balance of the overlay district.~~

- ~~(6) Shared Driveways~~

- a. Where properties are not serviced by a frontage road or service drive, shared or joint use of a driveway shall be encouraged where MDOT standards can be met.
- b. Shared driveways shall be constructed along the midpoint between the two properties unless an alternate location is approved by the Planning Commission.
- c. Written easements shall be provided for all shared driveways.

(7) Frontage Roads and Service Drives

- a. Frontage roads or service drives shall be required where recommended in the M-72 Access Management Plan. Access for properties along such road or drive shall be provided via the frontage road or service drive rather than by direct access to M-72.
- b. In areas where frontage roads or service drives are recommended, but adjacent properties have not yet been developed, the site shall be designed to accommodate the required future frontage road or service drive. The alignment of the service drive may be refined to meet the needs of the site, providing the resulting terminus allows the drive to be extended through the adjacent site(s). This may require the use of aerial photographs, property line maps and topographic maps to ensure the future extension remains feasible. In cases where the subject site is interior (does not have access to a side street or service drive) temporary direct access to M-72 may be permitted provided the plan is designed to accommodate the future service drive and a written agreement is submitted that the temporary access shall be removed by the applicant at such time as the frontage road or service drive is constructed. This may require posting of a financial performance guarantee.
- c. Frontage roads or rear service roads shall comply with the standards of Section 7.2.10 of this Ordinance.

(8) Access Spacing Standards

- a. Each access point shall meet the following spacing standards as recommended in the M-72 Corridor Access Management Plan

Table 1
Minimum Spacing Between Driveways Accessing M-72

<u>Posted Speed</u>	<u>Minimum Driveway Spacing *</u>
<u>25</u>	<u>150 feet</u>
<u>35</u>	<u>300 feet</u>
<u>40</u>	<u>420 feet</u>
<u>45</u>	<u>550 feet</u>
<u>50+</u>	<u>660 feet</u>

*For the purposes of this table, driveway spacing shall be measured from the centerline of each driveway.

Table 2
Minimum Spacing Between Intersections and Driveways

<u>Street Access</u>	<u>Minimum Driveway Spacing*</u>
<u>M-72</u>	<u>400 feet</u>
<u>County Road (40+ posted speed)</u>	<u>250 feet</u>
<u>County Road (35 or less posted speed)</u>	<u>150 feet</u>

*For the purposes of this table, driveway spacing shall be measured from the edge of the pavement of the intersecting street to the centerline of the driveway.

b. Where the road frontage of a parcel is insufficient to meet the spacing standards of this overlay district and shared access by way of a frontage road or rear access service drive from an adjacent parcel is not available, the driveway shall be located and constructed along the property line furthest from the intersection to facilitate future shared driveway use.

(9) Intersection Sight Distance

Access points shall not be located in designated “intersection sight distances”, as specified by the standards of MDOT set out below.

<u>Minimum Intersection Sight Distance</u>	
<u>Posted Speed</u>	<u>Sight Distance</u>
<u>45</u>	<u>500 feet</u>
<u>55</u>	<u>610 feet</u>

Diagram to be inserted

(10) Turning Lanes and Tapers

Applications for development of lands along the M-72 corridor that are expected to generate daily traffic volumes exceeding 1000 vehicles shall include an assessment of the need for turning lanes and tapers. Such assessment shall be undertaken in consultation with MDOT and shall require final MDOT review and approval.

(11) Variance Criteria

Where it can be demonstrated that conditions prohibit adherence to the access standards of Section 6.12.5, the Zoning Board of Appeals may consider a variance from the standards herein. In such cases, the Board shall make a finding that the application for variance meets the standards of Section 5.3.3 and all of the following criteria:

- (1) Practical difficulties exist on the site that make compliance unreasonable (topography, wetlands, drainage, unique site configuration or shape, sight distance limitations or a unique traffic operations situation).
- (2) The practical difficulty cannot be resolved by use of a shared access system.
- (3) The MDOT has been consulted and supports the need for some type of variance.
- (4) The variance is consistent with the general intent of this overlay district and the M-72 Access Management Plan.
- (5) A traffic study by a qualified traffic engineer has demonstrated that the variance is in the public interest and supports the proposed access design.
- (6) Such variance shall be demonstrated to be the minimum necessary.

Section 6.12.6 Land Divisions

No land division shall be approved within the M-72 Corridor Overlay District unless compliance with the access management standards of Section 6.12.5 has been demonstrated.

Section 6.12.7 Traffic Impact Studies

Submittal of a traffic impact study may be required for any request that does not meet the access management standards of this overlay district or for any use expected to generate 100 or more vehicle trips during any peak hour or 1000 or more vehicle trips daily. The traffic impact study shall be prepared by a qualified traffic engineer. The methodology and analysis of the study shall be in accordance with accepted principles as described in the handbook "Evaluating Traffic Impact Studies, a Recommended Practice for Michigan" developed by the Michigan Department of Transportation (MDOT) and other Michigan transportation agencies.

Section 6.12.8 Existing Situations

- (1) Any change in use on a site that does not meet the standards of this overlay district shall be required to submit a site plan for approval by the Planning Commission and submit information to the MDOT to determine if a new access permit is required.
- (2) For building or parking lot expansions, or changes in use as described above, the Planning Commission shall determine the extent of upgrades to bring the site into greater compliance with the standards of this overlay district. In making its decision, the Planning Commission shall consider the existing and projected traffic conditions, any sight distance limitations, site topography or natural features, impacts on internal site circulation, and any recommendations from the MDOT. Required improvements may include removal or rearrangement or redesign of site access points. The standards of this overlay district shall be complied with to the extent practical, although full compliance shall not be required if it would impose unnecessary economic hardship or would discourage property owners from improving their properties.
- (3) For the purposes of (2) above, full compliance with the standards of this district shall not be required where the cost of compliance would exceed 20% of the construction or improvement cost. In the event consecutive improvements are made to a property within a three (3) year time period, the cumulative total cost of the separate improvements shall be considered when determining the need for compliance with the provisions of this district.
- (4) Existing access points which do not meet the standards of this overlay district and are on property included within a development action which will not add any additional vehicle trips to that access are exempt from this district, except as may otherwise be required by the MDOT. Notwithstanding, improvements at these existing access points that will improve traffic movements and more closely reflect the purpose and standards of this overlay district shall be encouraged.

Section 6.12.9 Informational Requirements

The following information shall be provided with any site plan, land division, subdivision or condominium request within the M-72 Corridor Overlay District. These requirements shall apply in addition to the standards of Section 8.1.

- (1) Existing access points within 500 feet of the frontage, along both sides of M-72, shall be shown with dimensions from the proposed access points.
- (2) Dimensions between proposed and existing drives and intersections shall be shown.
- (3) Dimensions for all access points, shared access systems and the adjacent roadway including: width, radii, curbing, driveway throat length, length of deceleration lanes and tapers, and all pavement markings or directional signs.
- (4) Where shared access is to be provided or is required by the Township, a shared access and maintenance agreement shall be submitted for approval. Once approved, this agreement shall be recorded with the County Registrar of Deeds.

- (5) The applicant shall provide correspondence that the proposal has been submitted to the MDOT for their information and review. Any correspondence from the MDOT shall be provided to the Township and shall be considered during the development application review process. The Township may require attendance at a coordination meeting with representatives of MDOT.
- (6) The site plan shall illustrate the route and dimensioned turning movements of any expected truck traffic, tankers, delivery vehicles, waste receptacle vehicles and similar vehicles. The plan should confirm that routing the vehicles will not disrupt operations at the access points nor impede maneuvering of parking within the site.
- (7) Landscaping plans in compliance with Section 6.12.4.(6).
- (8) Sidewalks in accordance with 6.12.4.(9).

DEFINITIONS TO ADD

Wind Energy Conversion System

A tower, pylon, or other structure, including all accessory facilities, upon which any, all, or some combination of the following are mounted:

1. A wind vane, blade, or series of wind vanes or blades, or other devices mounted on a rotor for the purpose of converting wind into electrical or mechanical energy.
2. A shaft, gear, belt, or coupling device used to connect the rotor to a generator, alternator, or other electrical or mechanical energy-producing device.
3. A generator, alternator, or other device used to convert the energy created by the rotation of the rotor into electrical or mechanical energy.

Wireless Communication Facilities

All structures and accessory facilities relating to the use of the radio frequency spectrum for the purpose of transmitting or receiving radio signals. This may include, but shall not be limited to, radio towers, television towers, telephone devices and exchanges, microwave relay towers, telephone transmission equipment building and commercial mobile radio service facilities. Not included within this definition are: citizen band radio facilities; short wave facilities; ham, amateur radio facilities; satellite dishes; and, governmental facilities which are subject to state or federal law or regulations which preempt municipal regulatory authority.