

# CITY OF GRAND LEDGE

Zoning Administrator

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Established 1893

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Grand Ledge, MI 48837

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## NOTICE

The Grand Ledge Planning Commission will conduct its regular meeting on **Thursday, October 4, 2012 at 7:00 p.m.** The meeting will be held at Grand Ledge City Hall, 200 E. Jefferson St., Grand Ledge, MI.

## AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Approval of the Agenda
4. Approval of minutes of regular meeting held September 6, 2012
5. Notice of Agenda Item Conflicts
6. Business from the Floor

### New Business

### Old Business

7. 5607 E. Saginaw Highway, Rezoning from B-1, Highway Service to "I-1" Light Industrial District (conditional zoning for an auto body shop)
8. Zoning Ordinance Amendments – Exterior Lighting
9. Zoning Ordinance Amendments – Recreational Vehicles

### Other Business

10. Joint Planning Committee Report
11. Review of Violation Report
12. Zoning Administrator's Report
13. Zoning Board of Appeals Representative's Report
14. Council Representative's Report
15. Mayor's Comments
16. Comments from Commissioners
17. Chairman's Report

# MEMO

TO: Planning Commission

FROM: Susan Stachowiak  
Zoning Administrator

DATE: September 25, 2012

RE: Ordinance Violations - September, 2012

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Chris & Jessica Ladd 1125 Jenne Street	Violation of Ord. 124-8 Tall Grass/Weeds	Owner has complied
Sydney MacKenzie 701 E. Jefferson Street	Violation of Ord. 124-8 Tall Grass/Weeds	Owner is complying
James & Roberta Keenan 201 Oakwood Street	Violation of Ord. 220-57 Front Yard Parking	Owner has complied
Steven & Kristin Baxter 409 Booth Street	Violation of Ord. 220-57 Junk Vehicles	Owner is complying
Timothy & Susan Copeland 731 Fieldview Drive	Violation of Ord. 220-57 Junk Vehicle	Owner has complied
Suellen Dewitt 501 Jones Street	Violation of Ord. 124-3 Unlawful Accumulation of Junk	Owner has complied
Lisa Campbell 942 DeGross Street	Violation of Ord. 124-3 Unlawful Accumulation of Junk	Owner has complied
Charles & Janet Sawaya Trust 190 Grand Manor Drive	Violation of Ord. 124-3 Unlawful Accumulation of Junk	Owner has complied
Concrete Development 815 N. Clinton Street	Violation of Ord. 124-3 Unlawful Accumulation of Junk	Owner has complied
H&H Auto Care 505 E. Saginaw Hwy.	Violation of Ord. 220-78 Temporary Signs	Owner has not complied Final notice has been sent
L.A. Customs 530 E. Saginaw Hwy.	Violation of Ord. 220-78 Temporary Signs	Owner has not complied Final notice has been sent
Edythe E. Brunger Estate 629 Maple Street	Violation of Ord. 198-1 Dead Tree	Owner is complying

**September, 2012– Violation Report**

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Gilmer Lewis  
306 High Street

Violation of Ord. 220-13  
Illegal Home Occupation

Under review by City  
Attorney

James & Tina Seifert  
400 Lamson Street

Violation of Ord. 198-1  
Bushes obstructing vision

Owner still has time  
to comply

Fed. Home Loan Mortgage  
960 DeGroff Street

Violation of Ord. 198-1  
Bushes obstructing vision

Owner still has time  
to comply

City of Grand Ledge  
**Planning Commission Meeting**  
Minutes from Meeting Held on  
Thursday, September 6, 2012

Chairman Mike Stevens called the meeting to order at 7:00 p.m.

**Attendance:** Mike Stevens, Bob Doty, Ann Lawrence, Steve Willobee, Todd Gute, Jamie Malecki, Steve Baribeau, Bill Kane and Ron Graber. Absent: City Council Representative Jon Bonofiglio. Also present: Zoning Administrator Sue Stachowiak.

**Pledge of Allegiance** – Mr. Kane led those present in the pledge of allegiance.

**Approval of the Agenda**

Mr. Kane made a motion, seconded by Mr. Kane to approve the agenda as written. Motion carried 9 - 0.

**Approval of the Minutes**

Mr. Baribeau made a motion, seconded by Mr. Graber to approve the minutes from the regular meeting held on August 2, 2012 as written. Motion carried 9 - 0.

**Notice of Agenda Items Conflicts** - None

**Business from the Floor** - None

**NEW BUSINESS**

**Boat Launch & Non Motorized Pathway Project Updates**

Mr. LaHaie stated that the walkway project started in August and the new water main has been constructed along east side of Clinton through the Quality Dairy driveway. He said that there has been a lot of work on the slope between Jefferson and River Streets. He also stated that the sidewalks will all be 10 feet wide. Mr. LaHaie said that watermains are needed between Family Fare and Edwards Street, however, the city is still waiting for Consumer's Energy and Frontier to relocate their utility poles to acquire additional right of way from McDonalds. He stated that the contractor is on schedule and should be finished by the end of October.

Mr. Graber asked if there will be lights along the sidewalk leading down the slope.

Mr. LaHaie said that there will not be lights in this area.

Mr. Bob Doty distributed copies of a preliminary plan for the boat launch.

Mr. LaHaie stated that this project likely will not begin until spring. He said that Jim Foster will meet with the Park & Recreation Committee and the Planning Commission to review plans.

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Mr. Doty stated that there is additional land that was discovered during the survey that will help out with the parking spaces.

Mr. Stevens asked if the boat launch will be wide enough to accommodate the Princess Laura.

Mr. LaHaie said that it will be large enough. Mr. LaHaie updated the Commission on the Jefferson Street road reconstruction project. He said that E. Jefferson Street is now open to traffic and the work will be shifting to the west towards Bridge Street. Some of the handicap ramps in the Bridge, Jefferson, River Street area do not meet code and will be reconstructed. Once that work is complete, MDOT will mill and resurface the Bridge Street from Jefferson to the Bridge and the rest of Jefferson will have its final course of asphalt installed at that time as well.

Mr. LaHaie stated that new traffic signals will be installed and the Jefferson/Bridge intersection. Rather than the suspended lights that are there now, there will be an arm at each of the four intersection stops that will have its own light. Mr. LaHaie said that the pedestrian signals will be reinstalled.

Ms. Lawrence stated that there are pipes sticking out of ground on Jefferson Street.

Mr. LaHaie stated that they are conduits for future street lights. He said that there will be boxes installed that are flush with the ground around each of the conduits.

**Public Hearing, 5607 E. Saginaw Highway, Rezoning from B-1, Highway Service to "I-1" Light Industrial District (conditional zoning for an auto body shop)**

Ms. Stachowiak stated the subject property is located at the northeast corner of Saginaw and Charlevoix Drive and contains approximately 1.25 acres. The property was annexed into the City from Oneida Township in 2008. According to the Zoning Ordinance, upon annexation, property is immediately classified as "Ag" Agricultural until such time as a zoning map for the area has been adopted by the City Council, after review and approval by the Planning Commission. In 2008, the property was rezoned to "B-1" Highway Service district with the intent of developing the property for commercial purposes. The property has remained vacant ever since. The City's zoning ordinance contains two classifications of automobile repair. The first is Automobile Repair, General: Includes engine rebuilding, rebuilding or reconditioning of motor vehicles; collision service, such as body, frame or fender straightening and repair, overall painting and undercoating of automobiles. The second is Automobile Repair, Light: Includes repair or replacement of automotive components for maintenance purposes; such as tires, mufflers, glass, etc., not including any activity listed under the definition of "general automotive repair." "Automobile repair, light" is a use permitted by right in the "B-1" Highway Service district which is the current zoning of the property.

Ms. Stachowiak stated that the applicant is proposing to construct a new auto body facility (Vision Collision) on the subject property which fits under the category of "Automobile repair, general". Such use is only permitted in the "I-1" Light Industrial and "I-2" Heavy Industrial districts.

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Ms. Stachowiak stated that the proposed rezoning will have no negative impacts on future patterns of development in the area. The property to the north is currently proposed to be rezoned from "R-HD" Multiple Family Residential to "OS" Office Service District for future development as an office park. The proposed rezonings will represent a transitional zoning and land use pattern wherein the most intensive use (general automotive repair) is located along the major thoroughfare and is separated from the single family residential neighborhood (Candlewood Estates) to the north by offices which are considered very low impact uses. Furthermore, there is already a presence of quasi-industrial uses in the area such as the storage facility to the south and the car dealership to the east which includes an auto body/collision shop.

Ms. Stachowiak stated that this is a conditional rezoning request. She said that if this were not a conditional rezoning request, staff would not be able to recommend that it be approved since there are many uses permitted under the I-1 Light Industrial district that would not be appropriate for this location. Conditional zoning gives the city more control over the rezoning process as it allows the city to restrict the land uses and impose other conditions that ensure compatibility of the use with the surrounding area.

Ms. Stachowiak recommended approval of the request to rezone the property at 5607 E. Saginaw Highway from the "B-1" Highway Service District to the "I-1" Light Industrial district, subject to the following conditions which shall run with the land and be binding upon the successor owners of the land:

1. The land shall only be used for an "automobile repair, general" business;
2. All vehicles that are in need of body or repair services must be stored inside of an enclosed building or within a screened outdoor storage area;
3. The outdoor storage area shall be completely screened from the view of the street(s) and all adjoining properties by an opaque wood or vinyl fence or decorative masonry wall;
4. All work shall be conducted in a completely enclosed building;

Mr. Doty stated that he took photos of the Vision Collision shop in DeWitt and it looks very nice. He said that since the City has the ability to utilize conditional zoning, he is supportive of the proposal.

Mr. Graber questioned what would happen to the property if it is sold?

Ms. Stachowiak stated that zoning runs with the land rather than with the property owner. If the current owner or any future owners violate the conditions, the property automatically reverts back to the original zoning (B-1, Highway Service). Conditional zoning has been in effect for approximately 6 years although this is the first time it will have been utilized in Grand Ledge.

Mr. Baribeau and Mr. Graber expressed their concerns with regard to conditional zoning.

Mr. Kane stated that several years ago there was an Oldsmobile dealership that came to the Planning Commission wanting to locate at the corner of Saginaw and DeGroff, where the gas station is now. The Commission approved the drawing, however, the building never got constructed. He said that we have no

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control over something like that. Mr. Kane stated that if this property is rezoned, we need to make sure it is done correctly with proper fencing, landscaping, screening, buffering, etc.

Mr. Stevens opened the public hearing

**Ken Rauscher - 1106 Oneida Hills Blvd. (in the City)** asked if there is going to be an outdoor speaker system? He said that he can hear the speaker system from Sundance and it is annoying.

**Tom Dible - 904 Woodbury Drive (in the City)** stated that he owns the property in question. He said that he has had the property listed for quite some time. There has been some interest, mostly from gas stations, but he didn't think that we needed another restaurant or gas station in the city. Mr. Dible said that he thinks Vision Collision would be a nice asset to Grand Ledge. He said that when he bought the property it was solely to clean up the mess that was there and make a nice entrance for the city. That was 6 years ago and the intent was to have condos on the property to the north, but there is no longer a market for such a development.

**A.J. O'Brien - 5994 E Saginaw. (Oneida Township)** stated that he operates an auto repair facility across from Sundance. He said that there will be fumes and wrecked cars on the property which will not be compatible with the medical offices going in to the northwest. Mr. O'Brien said that in the future, new technology will eliminate car accidents and there will not be a need for body shops.

Mr. Stevens closed the public hearing.

Mr. Gute asked where the outside storage is located?

**Troy Yensen, 2010 Crofton Drive - General Manager, Vision Collision,** stated that the storage area will be on the north side of the building. He showed the Commission on the preliminary site plan where the storage area will be located.

Ms. Stachowiak stated that the condition should specifically state that the fence has to be at least 6 feet in height and not chain link.

Mr. Graber stated that he has concerns about the city would enforce a violation of the conditional zoning.

Ms. Stachowiak stated that the State Statute provides that the rezoning automatically becomes null and void and reverts back to the previous zoning if the conditions are not met.

Mr. Graber made a motion to table this request.

The motion died for lack of a second.

Mr. Kane stated that he is not opposed to further research and waiting a month to act on this issue.

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Mr. Baribeau stated that the Commission has never dealt with a conditional zoning before and he does not see a reason to rush this case through the process.

Mr. Willobee asked if the other Commissioners are looking for more information in terms of a site plan?

Mr. Graber stated "yes". He said that he wants to see what the fence would look like. He also said that he has a problem with conditional zoning and would like an opportunity for further discussion and time to review more information.

Mr. Kane asked if we heard anything from the property owners within 300 feet.

Ms. Stachowiak stated that 3 people contacted her. Mr. Rauscher expressed concerns about a road connecting the subject property to Candlewood Estates which she assured him is not part of the proposal. Mr. O'Brien expressed the same concerns as he stated here this evening and the other call was from the owner of the oil change facility across the street and he thought it would actually compliment his business.

Ms. Stachowiak stated that she tried to address all of the issues in her recommendation but if there are other concerns, she would like to know what they are so that she can make sure they are addressed prior to the next meeting.

Mr. Stevens stated that we may be mixing up site plan review and conditional zoning.

Mr. Graber said that he would like to see examples of other conditional rezonings that have worked. He would also like to see a copy of the statute.

Mr. Gute said that he would like to add the following as part of the conditions for the rezoning: 1. No loud speakers 2. Define storage area, potentially north or east of the building. 3. Minimum height of 6 feet for the fence, and 4. Possibly a limit on hours of operation?

Mr. Yensen said that their hours are 8-6 Monday-Friday. He said that they are sensitive to the neighbors and want to give the city exactly what it wants. He said that their insurance agents, which include Bye Insurance, wanted them to come to Grand Ledge. He said that if the Commissioners would like to come to see the DeWitt facility, they would be happy to show it to them.

Mr. Stevens stated that a landscape berm would make for a softer appearance from the road.

**Mr. Graber moved to table this request for rezoning. Mr. Willobee supported the motion. Motion carried unanimously.**

**Public Hearing, Vacant Property north of 5607 E. Saginaw Highway, Rezoning from R-HD, Multiple Family Residential to "OS" Office Service District**

Ms. Stachowiak stated that this property is north of the property that we just discussed. She said that this is not a conditional zoning. The subject property was annexed into the City from Oneida Township in

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2008. According to the Zoning Ordinance, upon annexation, property is immediately classified as "Ag" Agricultural until such time as a zoning map for the area has been adopted by the City Council, after review and approval by the Planning Commission. In 2008, the property that is the subject of this request was rezoned to "R-HD" Multiple Family Residential district with the intent of developing the property for residential condominiums. The property has remained vacant ever since.

Ms. Stachowiak stated that the proposed rezoning will have no negative impacts on future patterns of development in the area. Rezoning the property from "R-HD" Multiple Family Residential to "OS" Office Service District will still be consistent with the transitional zoning and land use pattern that the existing zoning pattern was intended to provide. In this case, the most intensive use (proposed general automotive repair) would be located along the major thoroughfare and the proposed offices would separate it from the single family residential neighborhood (Candlewood Estates) to the north. Offices are considered compatible with residential uses as they are quiet, do not generate much traffic and their activities are typically confined to normal working hours. Based on these findings, Ms. Stachowiak stated that she is recommending approval of the request

Mr. Graber stated that this appears to be a good idea. He asked Mr. Dible to explain in a little more detail what he plans are for the property.

Mr. Dible stated that he does not have a specific plan in place but he would envision maybe three parcels for office use. He said that he would push to have brick buildings and he would also intend to preserve the wooded areas as a buffer between the offices and Candlewood Estates.

Chairman Stevens opened the public hearing. Seeing no one wishing to speak, Chairman Stevens closed the public hearing.

Mr. Kane stated that there is a difference between multiple family housing and office buildings with regard to lot coverage. He said that it is important not to overbuild the site, particularly since it will be adjacent to a residential neighborhood.

**Mr. Willobee made a motion to recommend that the City Council approved the request to rezoning the property located north of 5607 E. Saginaw Highway from R-HD, Multiple Family Residential to OS, Office Service District. Mr. Doty supported the motion. On a roll call vote, the motion carried unanimously.**

### OLD BUSINESS

#### **Public Hearing, Zoning Ordinance Amendments, Child Care Centers in the CBD District**

Ms. Stachowiak stated that no changes have been made to the proposed amendments since the last meeting. She said that the amendments would allow child care centers in the Central Business District subject to the following conditions:

- (1) The outdoor play space shall have a total minimum area of not less than 1,200 square feet for up to six children.

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- (2) There shall be provided and maintained an additional area of 100 square feet of outdoor play space for each child licensed in the facility in excess of six.
- (3) All play areas shall be enclosed by a solid screen wall or fence, at least five feet in height. Chain-link or wire fences are not permitted.
- (4) At least one off-street pick up and drop off space shall be provided for children entering or leaving the facility between the hours of 6:00 a.m. and 8:00 p.m. Such space shall have unobstructed access to the door of the building.

Chairman Stevens opened the public hearing.

**Debbie Howland, 10686 Wacousta Road**, spoke in opposition to the proposed amendments. She stated that child care centers in the downtown will have a negative impact on the commercial area. She also stated that the proposed location on W. Scott Street will not have enough room for a play area, the door will be too close to the road and there will not be adequate parking. She said that no one benefits from day care inside the city as there are already a number of day care centers outside of the city.

Seeing no one else wishing to speak, Chairman Stevens closed the public hearing.

Mr. Willobee stated that the Commission has spent a lot of time on this matter. Several other Commissioners agreed and stated that it has the support of the DDA and all issues have been addressed.

**Mr. Doty made a motion, seconded by Mr. Willobee to recommend approval of the proposed ordinance amendments allowing child care centers in the Central Business District, subject to the four proposed conditions. On a roll call vote, 9-0, the motion carried**

**Public Hearing, Zoning Ordinance Amendments – Waste Receptacles**

Ms. Stachowiak stated that she has not made any changes to the proposed ordinance since the last meeting. She stated that the DDA has endorsed the ordinance although they questioned the need for a pedestrian door on the dumpster enclosures. Ms. Stachowiak stated that the idea for the pedestrian door came from the dumpster enclosure that was recently constructed on the new DDA parking lot behind Preston's.

Chairman Stevens opened the public hearing. Seeing no one wishing to speak, Chairman Stevens closed the public hearing.

**Mr. Doty made a motion, seconded by Ms. Lawrence to recommend approval of the proposed ordinance amendments regulating waste receptacles. On a roll call vote (9-0), the motion carried unanimously.**

**Public Hearing, Zoning Ordinance Amendments – Signs**

Ms. Stachowiak stated that no changes have been made to the proposed ordinance since the last meeting. She said that the amendments were forwarded to the DDA several months ago and we have no received any feedback.

The Commissioners agreed that this ordinance amendment has pending for a very long time and it is time to move it forward.

**Mr. Willobee made a motion, seconded by Mr. Gute to recommend approval of the proposed sign ordinance amendments. On a roll call vote (9-0), the motion carried unanimously.**

### **Zoning Ordinance Amendments – Exterior Lighting**

Ms. Stachowiak stated that she did significant research on this matter since the last meeting, particularly with regard to footcandle levels. She pointed out that there are a couple of charts in the packet that list typical footcandle levels for certain uses. She also provided a copy of the photometric plan for the new McDonald's. Ms. Stachowiak stated that one of the things lacking in the existing ordinance is a minimum foot candle level measured at a property line. To that end, she included language that would limit the light intensity at the property line, particularly where a commercial site is adjacent to a residential parcel of land.

Mr. Graber asked how the city would enforce this requirement.

Ms. Stachowiak stated that in the past, simply sending a letter has achieved compliance. She also said that there is no rush to finalize this ordinance amendment.

Mr. Stevens said that the Commission will continue its discussion on this matter at the next meeting.

### **Zoning Ordinance Amendments – Recreational Vehicles**

Ms. Stachowiak stated that there seemed to be some mixed opinions on this matter at the last meeting as to whether the ordinance was too restrictive or too permissive. She said that she did a lot of research on this matter and most cities have very restrictive regulations on recreational vehicles in residential neighborhoods.

Ms. Stachowiak stated that she has had a few complaints over the years with regard to recreational vehicles and most have involved large motor homes parked in driveways because they block the neighbor's views. Ms. Stachowiak stated that she made several changes to the ordinance since the last meeting trying to find a balance between protecting residential neighborhoods while not be too restrictive with regard to recreational vehicle owners. She said that the way the ordinance is written, a recreational vehicle that does not exceed 8 feet in height and 20 feet in length can be parked anywhere in a driveway at any time. If a recreational vehicle exceeds these dimensions, it can only be parked in a driveway if it is further back than the front wall of the house. That way it does not block the neighbor's views.

Ms. Malecki said that she thinks the ordinance is too restrictive. She said that 8' x 20' is very small. She also said that there are a lot of recreational vehicle owners that have nowhere else to park them without causing a significant hardship.

Mr. Doty asked that Ms. Stachowiak look at Delta Township, Eaton Rapids and Charlotte to see how they regulate recreational vehicles.

Ms. Stachowiak stated that she will conduct additional research and bring it back to the Commission for further review at the next meeting.

**OTHER BUSINESS**

**Joint Planning Committee Report**

Mr. Doty stated that the Committee prioritized the items on the wish list. He said that they ranked as follows:

1. Water & Power to the Scout Park
2. Expand the Scout Park, i.e., bathrooms, upgrade playground and sports area
3. Band shell
4. Open air structure for skating, farmer's market and bathrooms
5. Extend the river walk from the island to Fitzgerald Park
6. Signage for wide walks
7. Downtown lighting & trees
7. Fitzgerald property for Historical Society or Museum
8. Dam restoration

The Committee also recommends development of a comprehensive master plan for Jaycee Park.

There was discussion about whether the Commission could contribute to the cost of obtaining a study to determine the cost of the items on the list.

Mr. Willobee made a motion, seconded by Mr. Doty to make a formal request to seek proposals for a structural assessment, cost analysis and feasibility study for the dam restoration. On a voice vote (9-0), the motion carried unanimously.

Mr. Kane made a motion, seconded by Mr. Doty to contribute \$100.00 towards obtaining cost estimates for the items on the list, not including the dam restoration. On a voice vote (9-0), the motion carried unanimously.

**Review of Violation Report - None**

**Zoning Administrator's Report - None**

**Zoning Board of Appeals Representative's Report - None**

**Council Representative's Report - None**

**Mayor's Comments - None**

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**Comments from Commissioners**

Ms. Lawrence stated that she had a chance to go through the newly renovated apartments above MacDowell's and they are very nice.

Mr. Baribeau stated that the relocation of city hall and the police station will create additional traffic on Greenwood and there is no stop sign at Washington. He asked that the city look into this matter.

Mr. Doty pointed out that the City did not bring the widewalk plan back to the Commission before construction began.

Mr. Graber stated that he is opposed to conditional zoning but would like more information on the matter since this is the first time conditional zoning has been considered in Grand Ledge.

Mr. Kane stated that Ms. Stachowiak provided him with a copy of the proposed Delta Township master plan which he will be reviewing. He said that one of the things that would affect Grand Ledge is a bring at Nixon Road.

**Chairman's Report** - None

**Adjournment**

Ms. Doty made a motion, seconded by Ms. Malecki to adjourn the meeting at 9:35 p.m.

Submitted By:

Susan Stachowiak  
Zoning Administrator

Ann Lawrence, Secretary  
Planning Commissioner

**General Information**

APPLICANT: Genex Investments, LLC  
2520 S. Pennsylvania Avenue  
Lansing, MI 48910

OWNER: Tom Dible  
Dible Family Trust  
426 S. Clinton Street  
Grand Ledge, MI 48837

REQUESTED ACTION: Rezone the property at 5607 E. Saginaw Highway from  
“B-1” Highway Service District to “I-1” Light Industrial  
District with the condition that the site is only used for a  
“general automobile repair” business.

EXISTING LAND USE: Vacant

EXISTING ZONING: “B-1” Highway Service District

PROPOSED ZONING: “I-1” Light Industrial District (conditional)

PROPERTY SIZE & SHAPE: 198' x 280.22' = 55,483.5 square feet – Does not include 50  
feet of Saginaw Highway Right-of-Way  
1.27 acres  
Rectangular Shape

LEGAL DESCRIPTION: COM 782 FT W OF SE COR OF W 1/2 OF SE1/4 , W 198  
FT, N 330 FT, E 198 FT, S 330 FT TO BEG SEC 12  
T4NR4W CITY OF GRAND LEDGE

SURROUNDING LAND USES: N: Vacant  
S: Commercial  
E: Office  
W: Office

SURROUNDING ZONING: N: “R-HD” Multiple Family Residential District  
S: Township Zoning  
E: Township Zoning  
W: “B-1” Highway Service District

MASTER PLAN DESIGNATION: The master plan designates the subject property for  
commercial use.

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**SPECIFIC INFORMATION**

Genex Investments, LLC has requested that the vacant property at the northeast corner of Charlevoix Drive and Saginaw Highway (5607 E. Saginaw Highway), legally described as:

COM 782 FT W OF SE COR OF W 1/2 OF SE1/4 , W 198 FT, N 330 FT, E 198 FT, S 330 FT TO BEG SEC 12 T4NR4W

be rezoned from "B-1" Highway Service district to "I-1" Light Industrial District with the condition that the only use of the property will be for a general automobile repair business.

The Zoning Ordinance contains two classifications of automobile repair facilities:

**AUTOMOBILE REPAIR, GENERAL:** Includes engine rebuilding, rebuilding or reconditioning of motor vehicles; collision service, such as body, frame or fender straightening and repair; overall painting and undercoating of automobiles.

**AUTOMOBILE REPAIR, LIGHT**

Includes repair or replacement of automotive components for maintenance purposes; such as tires, mufflers, glass, etc. This does not include any item described by the definition of "general automotive repair."

"Automobile repair, light" is a use permitted by right in the "B-1" Highway Service district which is the current zoning of the property. The applicant is proposing to construct a new auto body facility (Vision Collision) which fits under the category of "Automobile repair, general". Such use is only permitted in the "I-1" Light Industrial and "I-2" Heavy Industrial districts.

**Background Information**

The subject property was annexed into the City from Oneida Township in 2008. According to the Zoning Ordinance, upon annexation, property is immediately classified as "Ag" Agricultural until such time as a zoning map for the area has been adopted by the City Council, after review and approval by the Planning Commission. In 2008, the property that is the subject of this request was rezoned to "B-1" Highway Service district with the intent of developing the property for commercial purposes. The property has remained vacant ever since.

**ANALYSIS**

**COMPLIANCE WITH MASTER PLAN**

The master plan designates the subject property for commercial land use. The only use allowed for the property under the conditional zoning will be an automobile repair/collision shop. The rezoning should be further conditioned upon the storage lot being completely screened from view of the street and all adjoining properties and upon all work being conducted within a completely enclosed building. With these conditions in place, the property will be consistent with the land use plan being advanced in the master plan.

**STREETS AND ACCESS**

Access to the property will be via a private drive from Charlevoix Drive that will also be designed to provide access to future development of the property to the north.

**ENVIRONMENTAL IMPACT**

No negative environmental impacts are anticipated to result from this request. The details of the drainage system will be reviewed during the site plan review phase of the project. In addition, the applicant will be required to comply with all local, state and federal regulations as regards the use and disposal of hazardous materials.

**IMPACT ON FUTURE PATTERNS OF DEVELOPMENT**

The proposed rezoning will have no negative impacts on future patterns of development in the area. The property to the north is currently proposed to be rezoned from "R-HD" Multiple Family Residential to "OS" Office Service District for future development as an office park. The proposed rezonings will represent a transitional zoning and land use pattern wherein the most intensive use (general automotive repair) is located along the major thoroughfare and is separated from the single family residential neighborhood (Candlewood Estates) to the north by offices which are considered very low impact uses. Furthermore, there is already a presence of quasi-industrial uses in the area such as the storage facility to the south and the car dealership to the east which includes an auto body/collision shop.

**SUMMARY**

Genex Investments, LLC has requested that the vacant property at the northeast corner of Charlevoix Drive and Saginaw Highway (5607 E. Saginaw Highway), legally described as:

COM 782 FT W OF SE COR OF W 1/2 OF SE1/4 , W 198 FT, N 330 FT, E 198 FT, S 330 FT TO BEG SEC 12 T4NR4W

be rezoned from "B-1" Highway Service district to "I-1" Light Industrial District with the condition that the only use of the property will be for a general automobile repair business.

With conditions restricting the use, development and function of the site, the proposed rezoning will be compatible with the existing zoning and land use patterns already established in the area and with the commercial land use pattern being advanced in the master plan. Furthermore, no negative impacts on traffic, the environment or future patterns of the development in the area.

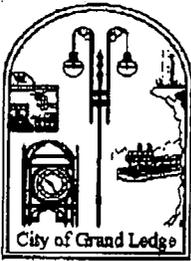
**RECOMMENDATION**

Staff recommends approval of the request to rezone the property at 5607 E. Saginaw Highway from the "B-1" Highway Service district to the "I-1" Light Industrial district, subject to the following conditions which shall run with the land and be binding upon the successor owners of the land:

1. The land shall only be used for an "automobile repair, general" business;
2. All vehicles that are in need of body or repair services must be stored inside of an enclosed building or within a screened outdoor storage area;
3. The outdoor storage area shall be completely screened from the view of the street(s) and all adjoining properties by a 6 foot high, opaque wood or vinyl fence or decorative masonry wall;
4. All work shall be conducted within a completely enclosed building; and
5. The use of load speakers is prohibited.

**Respectfully Submitted,**

**Susan Stachowiak  
Zoning Administrator**



# CITY OF GRAND LEDGE

Established 1893

Zoning Administrator

319 Taylor St.  
Grand Ledge, MI 48837

Ph: (517) 627-6469  
Fax: (517) 627-6788

sstachowiak@grand-ledge.com

## Rezoning Petition

For Office Use Only	
Fee Paid _____	Date Received: _____

Petitioner(s) Genex Investments LLC  
 Address 2520 S. Pennsylvania Ave. Daytime Phone 517 374 7033  
Lansing, MI 48910 Evening Phone 517 712 0972

Interest in Property (check one)

- Owner
- Represent Owner
- Other \_\_\_\_\_
- Option to buy
- Lessee

Complete address of property requested to be rezoned 5607 E. Saginaw Hwy.  
Grand Ledge, MI 48837

Owner Name(s) Thomas Dible Dible Family Trust #1  
 Address 426 S. Clinton P.O. Box 455 Daytime Phone 517 627 7219  
Grand Ledge, MI 48837 Evening Phone \_\_\_\_\_

Legal Description (indicate attached if needed): That part of the West 1/2 of the Southeast 1/4 of Section 12, T4N, R4W, Oneida Township, Eaton County, Michigan, described as follows; Commencing 782 feet West of the Southeast corner of said West 1/2 of the Southeast 1/4, thence West 198 feet; thence North 330 feet; thence East 198.20 feet; thence South 330 feet to the place of beginning.

Lot size: Width 198'5, 213'N Length 330.21' Area 1.55 Acres

Current zoning: B-1 Proposed zoning I-1

Proposed use of rezoned property Auto collision repair facility

Explain what changes or conditions make this proposed rezoning necessary Current zoning of property doesn't allow for proposed use. Zoning change to I-2 allows for proposed use. Request is for conditional zoning wherein the use would be restricted to an auto collision shop.

Residential property  
Single Family:  
Multiple Family

Number of bedrooms \_\_\_\_\_  
Efficiency \_\_\_\_\_  
One bedroom \_\_\_\_\_  
Two bedroom \_\_\_\_\_  
Three bedroom \_\_\_\_\_  
Total units \_\_\_\_\_  
Accessible onsite parking spaces \_\_\_\_\_

Commercial property

Employees 10  
Accessible onsite parking spaces Per City requirements  
Hours and days per week of operation 50

Petition must include photographs of the property, copies of any other required permits and a site plan, as follows:

- Drawn to a scale of at least 1"=100'
- Existing and proposed structures (buildings, trash receptacles, landscaping, etc.)
- Existing and proposed parking areas and driveways
- Existing and proposed roads, easements and other access points
- Flood plain elevations, if applicable
- Zoning classifications of all abutting land within 300 feet

I certify the statements made and the information provided in this rezoning application are true, accurate and complete.

Signature [Handwritten Signature]

Date 8/12/2012

Required Reviews

	Approve Petition	Deny Petition	Initials
<input checked="" type="checkbox"/> Zoning Administrator	<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/> Planning Commission	<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/> City Council	<input type="checkbox"/>	<input type="checkbox"/>	_____

Open Folder Inbox

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-  New Message
-  Folders
-  Search
-  Fetch Mail
-  Mail
-  Dynamic Mail
-  Mobile Mail
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-  Notes
-  Tasks
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-  Options
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### Inbox: Vision Collision Rezoning Petition (1 of 1)

Mark as:
Move
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This message to
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Message Source
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**Date:** Mon, 13 Aug 2012 13:40:45 -0400 [01:40:45 PM EDT]

**From:** Dible Builders <diblebuilders@comcast.net> 

**To:** sstachowiak@grand-ledge.com 

**Cc:** visioncollisionhr@yahoo.com 

**Subject:** Vision Collision Rezoning Petition

Sue,

I agree to the rezoning petition requested by Genex Investments LLC.

Should you need any further information, please contact me.

Sincerely,

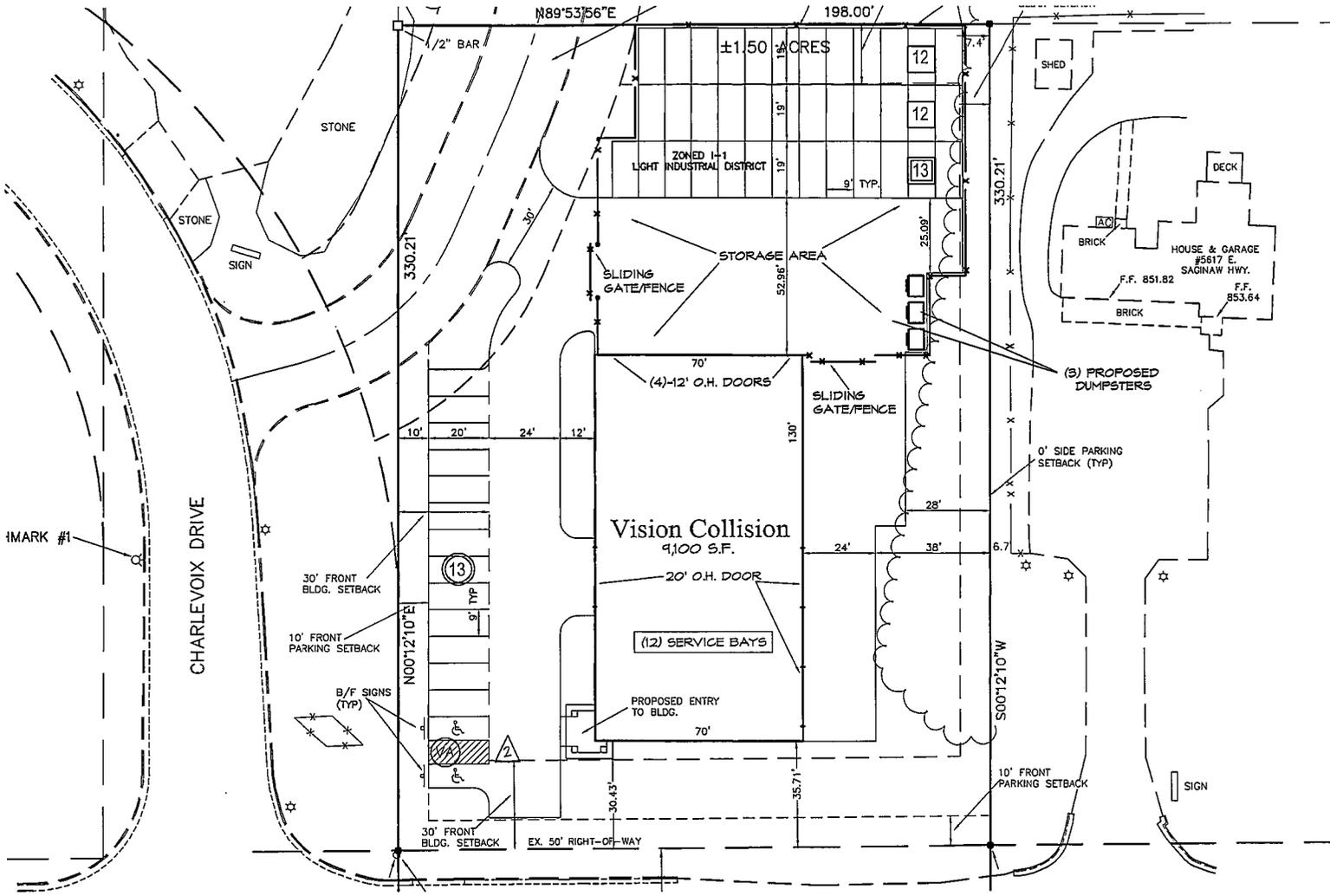
Thomas M. Dible

517-627-7219

Delete
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Message Source
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Headers

Mark as:
Move
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This message to
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CHARLEVOIX DRIVE

Vision Collision  
9,100 S.F.

(12) SERVICE BAYS

ZONED I-1  
LIGHT INDUSTRIAL DISTRICT

±1.50 ACRES

HOUSE & GARAGE  
#5617 E. SAGINAW HWY.  
F.F. 851.82 F.F. 853.64

MARK #1

30' FRONT BLDG. SETBACK

10' FRONT PARKING SETBACK

B/F SIGNS (TYP)

30' FRONT BLDG. SETBACK

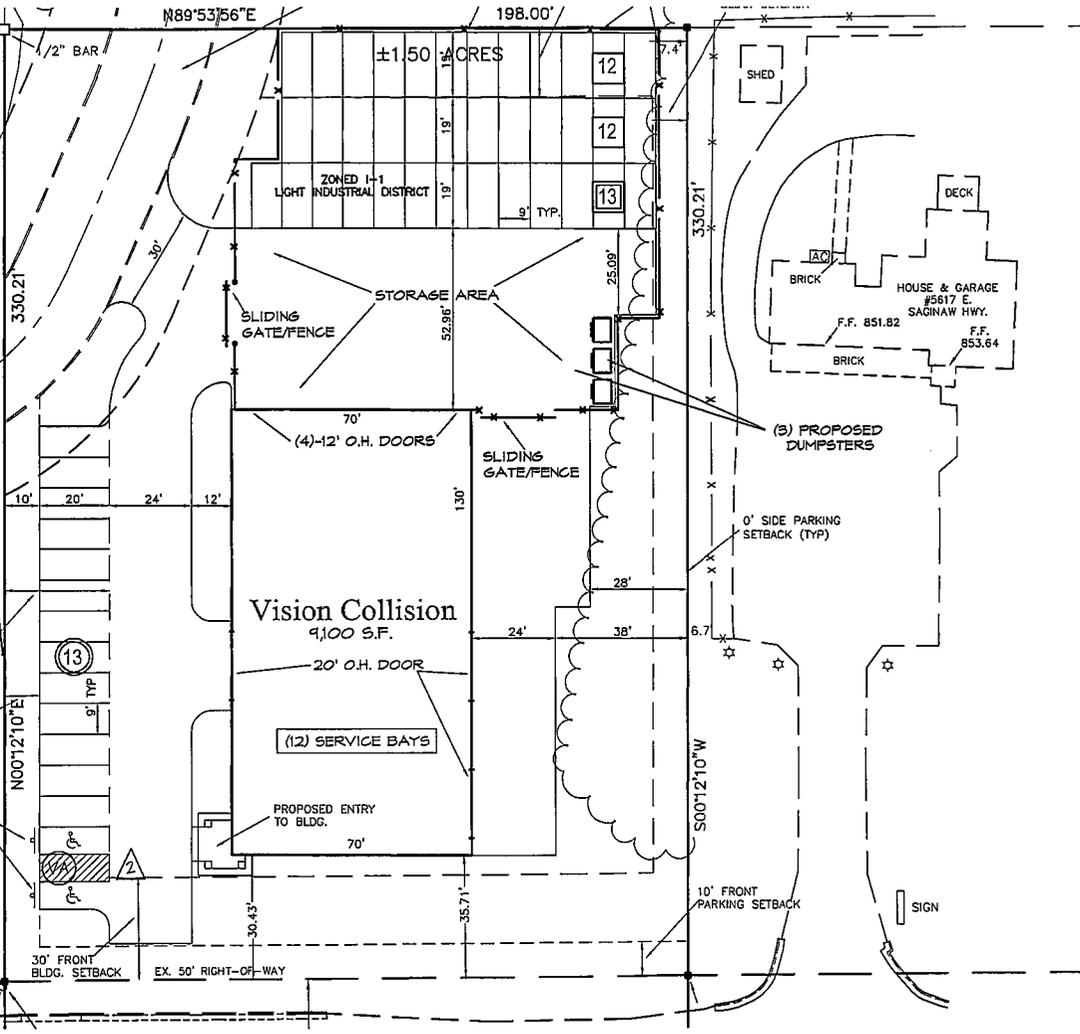
EX. 50' RIGHT-OF-WAY

10' FRONT PARKING SETBACK

0' SIDE PARKING SETBACK (TYP)

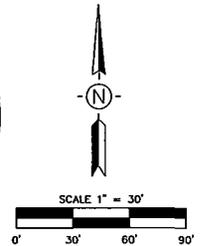
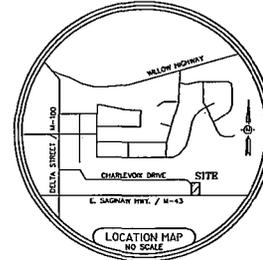
(3) PROPOSED DUMPSTERS

SIGN



# Vision Collision-Grand Ledge

CITY OF GRAND LEDGE, EATON COUNTY, MICHIGAN



**LEGAL DESCRIPTION:**

(As provided in Transaction Title Agency of Michigan Commitment No. 91037LANS dated July 05, 2012); Part of the Southeast 1/4 of Section 12, Town 4 North, Range 4 West, Dossida Township, Eaton County, Michigan, being more particularly described as follows: Commencing at the South 1/4 corner of Section 12; thence North 89°53'56" East 328.38 feet (previously described as 327.83 feet) along the South line of Section 12 to the point of beginning of the following described parcel; thence North 0°12'10" East 330.21 feet (previously described as 330.00 feet); thence North 89°53'56" East 198.00 feet; thence South 0°12'10" West 330.21 feet; thence South 89°53'56" West 198.00 feet along the South line of Section 12 to the point of beginning.

**CLIENT:**

VISION COLLISION  
2520 S. PENNSYLVANIA AVE.  
LANSING, MICHIGAN 48910  
PH: (517) 202-9358  
FAX: (517) 374-7065

**ENGINEER/SURVEYOR:**

KEBS, INC.  
2116 HASLETT RD.  
HASLETT, MI 48840  
PH: (517) 339-1014  
FAX: (517) 339-8047

**ARCHITECT:**

ROCKWOOD DESIGN  
2215 BURCHAM DRIVE  
E. LANSING, MICHIGAN 48823  
PH: (517) 290-6780  
FAX: (517) 347-1943

**PARKING REQUIREMENTS:**

TWO (2) SPACES PER EACH BAY,  
RACK DR PIT

12 BAYS x 2 = 24 REQUIRED SPACES

PARKING PROVIDED:  
28 SPACES (INCLUDES 6/F) FOR  
PARKING REQUIREMENT

24 SPACES FOR STORAGE

**BUILDING SETBACKS:**

FRONT CHARLEVOIX/SAGINAW 30'

SIDE 10'

REAR 20'

PARKING SETBACKS:

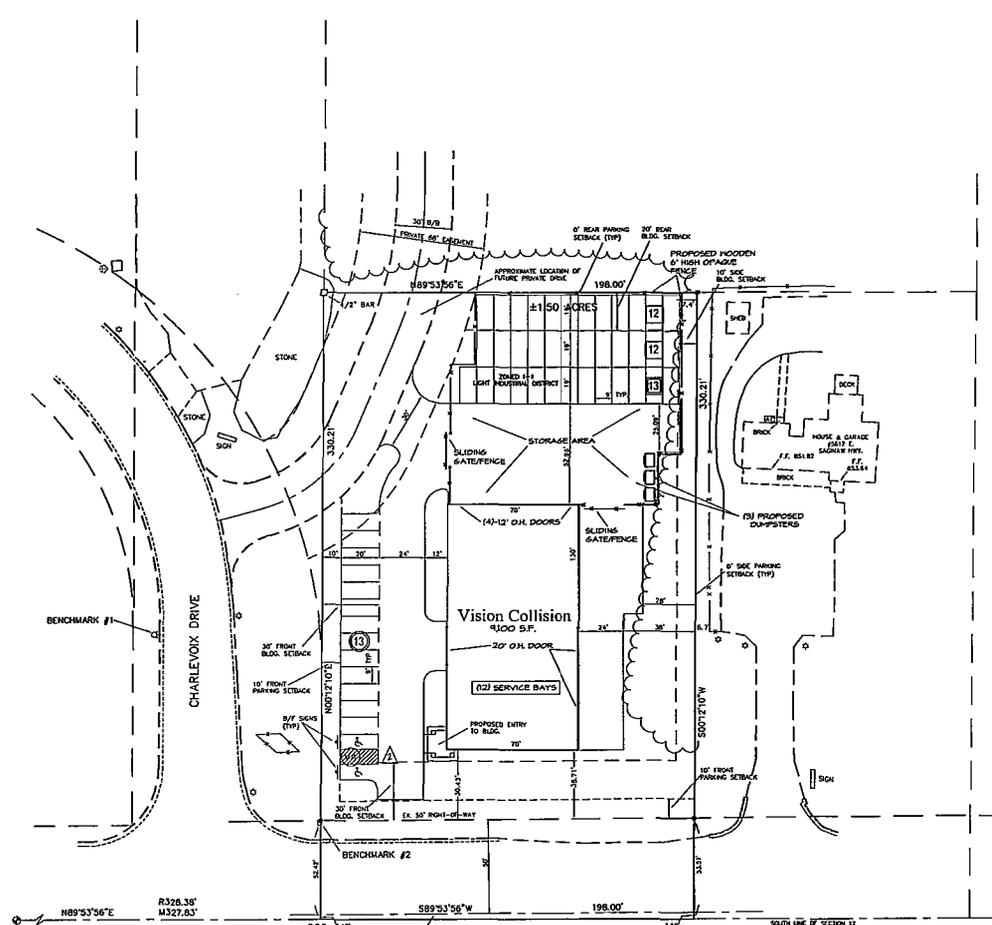
FRONT 10'

SIDE 0'

REAR 0'

MAXIMUM BUILDING HEIGHT = 2 STORY/40'

- (P)** DENOTES PARKING THAT FULFILLS PARKING REQUIREMENTS
- (D)** DENOTES PARKING THAT FULFILLS PARKING REQUIREMENTS
- (B)** DENOTES PROPOSED NUMBER OF 3x12 PARKING SPACES
- (D)** DENOTES PROPOSED NUMBER OF 5x12 PARKING SPACES
- (VA)** DENOTES VAN ACCESS BARRIER FREE
- (A)** DENOTES NUMBER OF D/F SPACES



**EX. LEGEND**

- = SET 1/2" BAR WITH CAP
- = FOUND IRON AS NOTED
- = DEEP LINC
- = INSTANCE NOT TO SCALE
- = FENCE
- = ASPHALT
- = CONCRETE
- = GRAVEL
- = EXISTING SPOT ELEVATION
- = EXISTING CONTIGOR ELEVATION
- = SANITARY SEWER
- = STORM SEWER
- = WATER LINE
- = GAS LINE
- = UNDERGROUND TELEPHONE
- = UNDERGROUND TELEVISION
- = UNDERGROUND ELECTRIC
- = OVERHEAD WIRES
- = EDGE OF WOODS
- = SANITARY MANHOLE
- = DRAINAGE MANHOLE
- = ELECTRIC MANHOLE
- = TELEPHONE MANHOLE
- = CATCH-BASIN
- = SANITARY CLEANOUT
- = FIRE HYDRANT
- = VALVE
- = UTILITY POLE
- = LIGHT POLE
- = GUY POLE
- = OUT WIRE
- = UTILITY PEDestal
- = TRANSFORMER
- = GAS METER
- = WATER METER
- = SIGN
- = POST

**LEGEND**

- = PROPOSED WATER MAIN
- = PROPOSED SANITARY SEWER
- = PROPOSED STORM SEWER
- = PROPOSED HYDRANT
- = PROPOSED GATE VALVE
- = PROPOSED SAN. M.H.
- = PROPOSED STORM M.H.
- = PROPOSED C.B.
- = PROPOSED CHANGES
- = PROPOSED TOP OF CURB ELEV.
- = PROPOSED TOP OF GROUND ELEV.
- = PROPOSED TOP OF PAVE ELEV.
- = PROPOSED TOP OF WALK ELEV.
- = REMOVED E.L.C. WIRING SYSTEM

**BENCHMARKS:**

BM#1 = BIG IRON OF 1ST FIRE HYDRANT NORTH OF SAGINAW HIGHWAY ON WEST SIDE OF CHARLEVOIX DRIVE  
ELEVATION = 858.34

BM#2 = 800 NAIL IN NORTH SIDE OF 1ST POWER POLE EAST OF CHARLEVOIX DRIVE ON NORTH SIDE OF SAGINAW HIGHWAY  
ELEVATION = 857.97

BENCHMARK DATUM IS FROM WALDO & BRANCH DRAIN PLANS DATED 11-1-99, FROM FRESH PEAR LEFTY SURVEY GROUP  
PROJECT NO. 052521



**72 HOURS  
(3 WORKING DAYS)  
BEFORE YOU DIG  
CALL MISS DIG  
800-482-7171  
(TOLL-FREE)**

**SAGINAW HIGHWAY / M-43**

EX. SEWER INVENTORIES:		STORM MANHOLE #180		CATCH BASIN #150	
SANITARY MANHOLE #200	TOC	TOC	TOC	INLET EL.	OUTLET EL.
8" WEST	854.56	30" NE	854.59	8" NE	854.74
8" NORTH	841.47	30" SOUTH	841.39	8" SW	852.19
SANITARY MANHOLE #201	TOC	STORM MANHOLE #181	TOC	CATCH BASIN #151	INLET EL.
8" NE	840.30	48" NW	854.80	8" NE	854.82
8" SOUTH	840.40	12" NW	848.92	12" WEST	850.82
SANITARY MANHOLE #202	TOC	48" SW	848.92	12" WEST	850.31
8" NORTH	839.64	12" WEST	848.92	12" WEST	850.31
STORM MANHOLE #151	TOC	CATCH BASIN #150	INLET EL.	OUTLET EL.	
36" NORTH	824.11	24" EAST	851.75	8" NE	854.82
30" NORTH	842.29	48" SE	844.65	12" WEST	850.82
30" SW	843.38	36" SW	838.45		

**UTILITY CONTACTS:**

- Gas and Electric: Consumers Energy Company, 230 West 99th Street, Lansing, Michigan 48909
- Telephone: American, 337 North Abbott Road, East Lansing, Michigan 48823
- Storm Sewer and Water: Eaton County Drain Commissioner, 1045 Independence Boulevard, Charlotte, Michigan 48813
- Road Construction Permits: Eaton County Road Commission, 112 Republic Road, Charlotte, Michigan 48813
- Sanitary Sewer and Water: City of Grand Ledge, Public Works Department, 1376 Leaven Road, Grand Ledge, Michigan 48837

TAX ID# 400-012-400-060-00

ADDRESS: 5607 E. SAGINAW HWY., GRAND LEDGE, MICHIGAN

REVISIONS		DATE		BY	

**KEBS, INC.** 2116 HASLETT ROAD, HASLETT, MI 48840  
PH: 517-339-1014 FAX: 517-339-8047

Manuel Gove Ph: 269-761-9880

**Vision Collision-Grand Ledge**

PRELIMINARY SITE PLAN

SCALE: 1" = 30'

DATE: 9-17-12

APPROVED BY: [Signature]

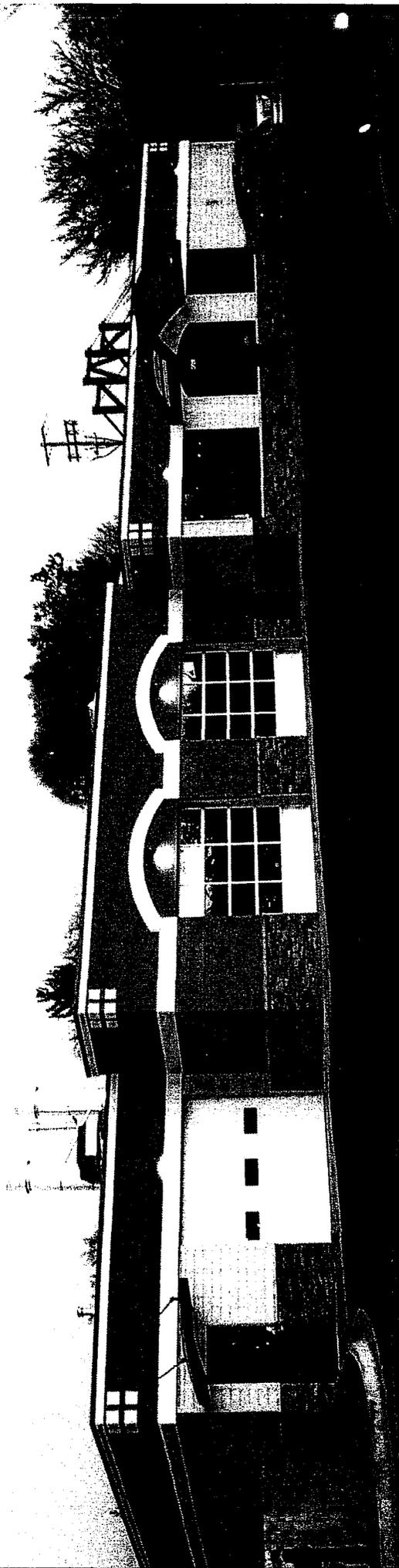
DESIGNED BY: [Signature]

PROJECT NO.: [Number]

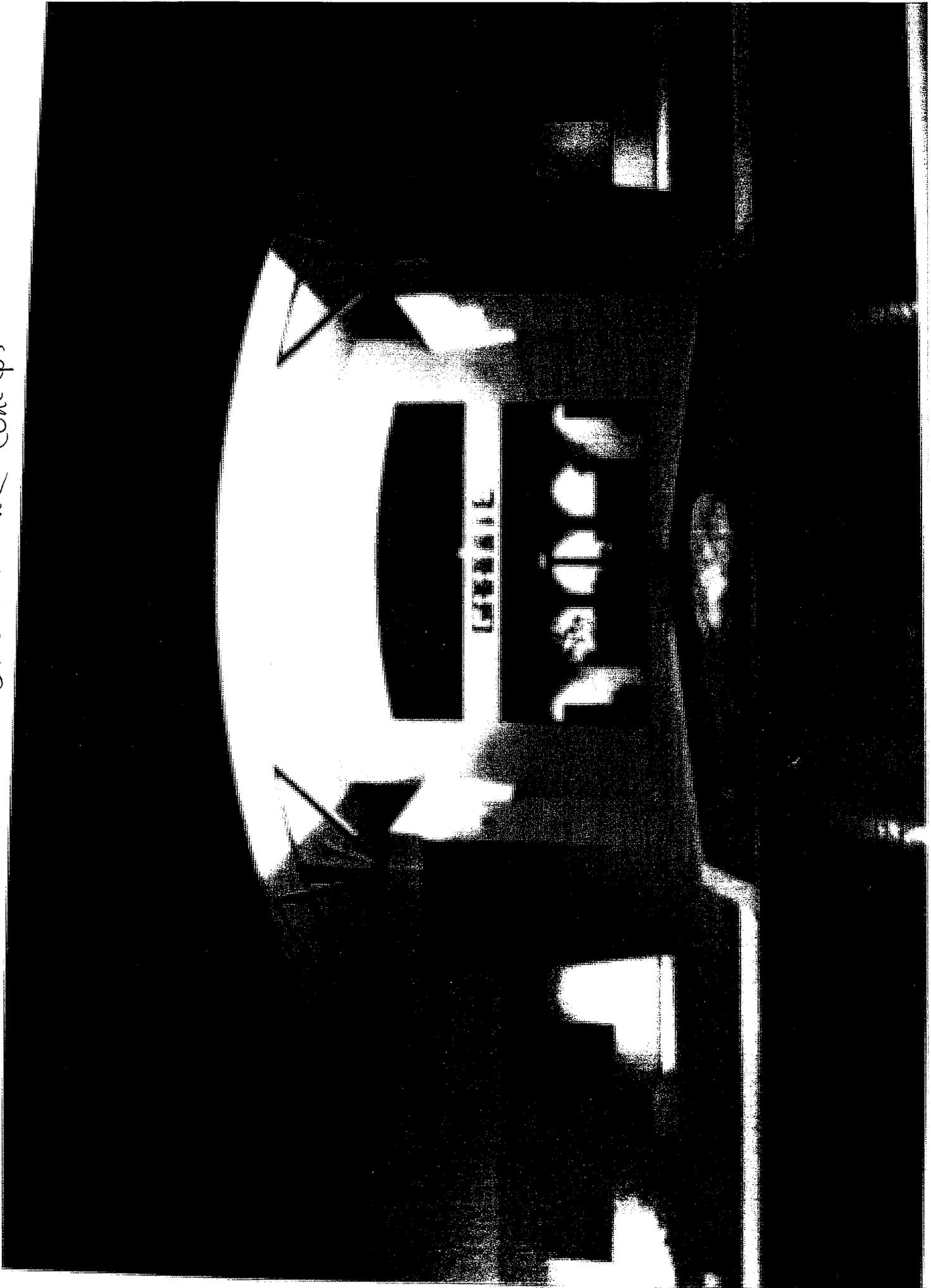
SHEET 1 OF 1

JOB # 05944

Dewitt Site  
13393 Old U.S. 27  
Dewitt, MI



Basic Entrance Concept



**EXISTING ORDINANCE:**

**Section 220-70. Exterior lighting.**

- ~~A. All outdoor lighting in all use districts used to illuminate the general area of a specific site shall be shielded to reduce glare and shall be so arranged as to reflect lights away from all adjacent residential districts or adjacent residences.~~
- ~~B. All outdoor lighting in all use districts shall be directed toward and confined to the ground area of lawns or parking lots.~~
- ~~C. All lighting of nonresidential uses for the external illumination of buildings, so as to feature said buildings, shall be placed and shielded so as not to interfere with the vision of persons on adjacent highways or adjacent property.~~
- ~~D. All illumination of signs and any other outdoor features shall not be of a flashing, moving, or intermittent type. Artificial light shall be maintained stationary and constant in intensity and color at all times when in use.~~
- ~~E. Parking lot lighting shall not exceed an intensity of five footcandles, nor shall it be less than 1.5 footcandles.~~
- ~~F. Exterior lighting shall in no way imitate directional or traffic lighting.~~

**PROPOSED ORDINANCE:**

**Section 220-70. Exterior lighting.**

- A. Lighting definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Canopy structure:* Any overhead protective structure which is constructed in such a manner as to allow pedestrians/vehicles to pass under.

*Flood or spot light:* Any light fixture or lamp that incorporates a reflector or refractor to concentrate the light output into a directed beam in a particular direction.

*Glare:* Direct light emitted by a lamp, luminous tube lighting or other light source.

*Lamp:* The component of the luminaire that produces the actual light including luminous tube lighting.

*Light fixture:* The assembly that holds a lamp and may include an assembly housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and a refractor or lens. A light fixture also includes the assembly for luminous tube and fluorescent lighting.

*Light pollution:* Artificial light which causes a detrimental effect on the environment, enjoyment of the night sky or causes undesirable glare or unnecessary illumination of adjacent properties.

*Light trespass:* The shining of light produced by a luminaire beyond the boundaries of the property on which it is located.

*Luminaire:* The complete lighting system including the lamp and light fixture.

*Luminous tube lighting:* Gas filled tubing which, when subjected to high voltage, becomes luminescent in a color characteristic of the particular gas used, e.g., neon, argon, etc.

*Outdoor light fixtures:* Outdoor artificial illuminating devices, outdoor fixtures, lamps and other similar devices, permanently installed or portable, used for flood lighting, general illumination or advertisement.

*Shielded fixture:* Outdoor light fixtures shielded or constructed so that light rays emitted by the fixture are projected below the horizontal plane passing through the lowest point on the fixture from which light is emitted, e.g. "shoebox-type" fixtures. A luminaire mounted in a recessed fashion under a canopy or other structure such that the surrounding structure effectively shields the light in the same manner is also considered fully shielded for the purposes of this article.

## B. Lighting standards.

Unless otherwise exempted by this Section, all lighting must comply with the following standards:

### 1. *Freestanding pole lighting.*

- a. Exterior lighting shall be fully shielded and directed downward to prevent off-site glare. Fixed (not adjustable), downward-directed, metal halide shoebox fixtures shall be used in an effort to maintain a unified lighting standard throughout the city and prevent "sky glow."
- b. The intensity of light shall not exceed 5 footcandles within any site. For sites abutting a residential district or use, the intensity of light cannot exceed 0.5 footcandles at the property line. A maximum of 10 footcandles is permitted within a site for gasoline stations and automobile dealerships as long as the light intensity does not exceed the allowable intensities at the property line.
- c. The Planning Commission may approve decorative light fixtures as an alternative to shielded fixtures when it can be proven that there will be no off-site glare and the proposed fixtures are necessary to preserve the intended character of the site.

- d. The maximum height of parking lot light fixtures shall be 20 feet, except that the planning commission may permit a maximum height of 30 feet within commercial, industrial, and office zoning districts and for institutional uses in residential districts when the poles are no closer than 150 feet to a residential district or use.

2. *Building-mounted lighting.*

- a. Building-mounted lighting shall be fully shielded and directed downward to prevent off-site glare. Fixed (not adjustable), downward-directed, metal halide fixtures shall be used in an effort to maintain a unified lighting standard throughout the city and prevent "sky glow."
- b. The intensity of light shall not exceed 5 footcandles within any site. For sites abutting a residential district or use, the intensity of light cannot exceed 0.5 footcandles at the property line. A maximum of 10 footcandles is permitted within a site for gasoline stations and automobile dealerships as long as the light intensity does not exceed the allowable intensities at the property line.
- c. The Planning Commission may approve decorative light fixtures as an alternative to shielded fixtures when it can be proven that there will be no off-site glare and the proposed fixtures will improve the appearance of the site.
- d. Luminous-tube and exposed-bulb fluorescent lighting is prohibited as an architectural detail on all buildings, e.g. along the roof line and eaves, around windows, etc. The planning commission may approve internally illuminated architectural bands when it can be shown that the treatment will enhance the appearance of the building or is necessary for security purposes.

3. *Window lighting.*

- a. Any light fixtures visible through a window must be shielded to prevent glare at the property line.
- b. Luminous tube and exposed bulb fluorescent lighting (visible from the property line) is prohibited unless it is part of a sign that meets the requirements of Section 220-78, Signs.

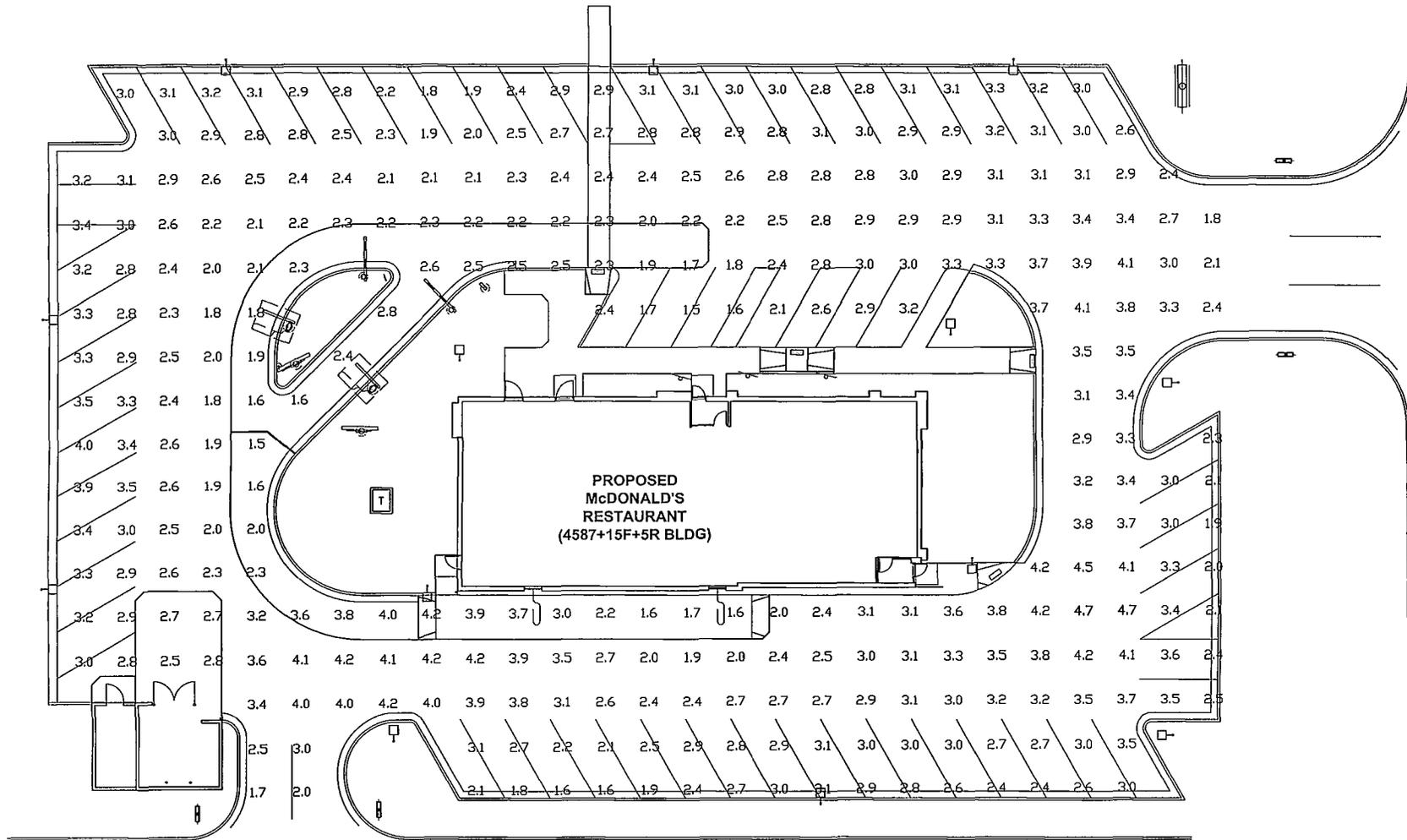
C. Exemptions.

The following are exempt from the lighting requirements of this article, except that the building official/zoning administrator may take steps to eliminate the impact of the exempted items when deemed necessary to protect the health, safety and welfare of the public:

1. Sports field lighting, in use no later than 10:00 p.m., provided they are located at least 1,000 feet away from any existing residential zone or use. Other sports field

lighting may be approved by the Planning Commission after a determination that compliance with the standards in this Section have been met to the greatest extent possible, and that all efforts possible were made to minimize any negative impacts to surrounding uses.

2. Swimming pools.
3. Holiday decorations.
4. Window displays without glare.
5. Shielded pedestrian walkway lighting.
6. Residential lighting with no off-site glare.
7. Street lights.



PAVED SURFACE READ:

Average	2.8
Maximum	4.7
Minimum	1.5
Avg:Min	1.89
Max:Min	3.13

# What are Guidelines for Effective Outdoor Lighting?

Lighting guidelines should reflect the different needs of the various parts of a town. Some general guidelines follow.

RECOMMENDED FOOT CANDLE STANDARDS		
Land Use	Minimum Foot Candles	Maximum Foot Candles
Pedestrian areas / sidewalks	0.2	1.0
Building entries	1.0	5.0
Street lighting	0.2	1.0
Parking areas w/ high nighttime activity	2.0	4.0
Parking areas w/ low nighttime activity	0.2	2.0
Playgrounds	---	5.0
Sports grounds	---	20.0
Site perimeter	---	0.5
Local road (residential)	0.3	0.4
Collector road (commercial)	0.8	1.0

Source: North Carolina Dark Skies Association & Chittenden County Regional Planning Commission

### Downtowns

These are areas more dependent on pedestrian traffic, and well designed façade lighting may be as important as having well illuminated sidewalks. Some towns require that façade lighting be turned off at the close of business hours. While the Illuminating Engineering Society of North America (IESNA) Lighting Manual recommends that street lights in downtown areas be spaced 300 feet apart and have a height of 30 feet, this may be excessive for smaller towns. For the smaller scale downtowns that typify most Maine communities, a lower height of 10-15 feet with closer spacing may be more appropriate.

### Historic Districts and Buildings

Fixtures that resemble lights appropriate to the period of the district are generally available from lighting manufacturers. These can be installed with shields and other devices that avoid light pollution. Generally speaking, the height

of lights should be lower than in commercial and industrial areas. Since each light would shine over a smaller area, more light fixtures might be needed. Some towns require incandescent lights in historic districts in order to assure the highest color rendering index.



### Industrial/Strip Commercial

While higher limits on foot candles and fixture height are normally advised, it is important to avoid over-lighting. Light trespass can be mitigated by requiring a reduction in lighting during the hours that the business is closed.

### Shoreland areas

It is important to assure that lights are shielded not only from surrounding properties but on the water side as well, since lights shining out onto the water can be seen for many miles. Lights on the exteriors of near-shore structures should have opaque shields to prevent direct visibility of the lamp to persons on public waters or adjoining lands. A Wisconsin ordinance recommends that lamps be not directly visible from more than 50 feet.

Public marinas may also need light regulation. The Wisconsin ordinance recommends use of opaque or shielded lights and that signs facing the water be limited to those necessary to comply with federal, state and local regulations and convey safety and related essential information. Illuminated signs should not be visible off the near-shore structures.

### Rural/conservation areas and parks

Lighting should be kept to a minimum in these areas. Shielding of allowed fixtures is very important.

Since regulating lighting on rural residential properties is a sensitive issue, land owner education may be a more effective strategy. Lighting impacts could also be addressed through the subdivision review process. Subdivision applicants could be required to show the lighting impacts of their developments.

Uses with special lighting needs such as airports, harbors, security facilities, communication towers

Federal and state standards dictate many of the lighting requirements for these uses. Local ordinances need to

Sample Lighting Ordinance continued

C. Building-mounted luminaires. In non-residential zoning districts, building-mounted luminaires must not be attached to a sloped roof and must not be taller than 30 feet or the height of the principal building, whichever is less. The use of wall-mounted unshielded luminaires (e.g. "wall-pack") is discouraged;

D. Overhead electrical lines prohibited. For new installations, electrical lines for luminaires mounted on freestanding poles must be placed underground between poles. This requirement does not apply to rural residential areas except as otherwise noted in the town of \_\_\_\_\_ subdivision ordinance;

E. Material for light poles. Light poles must be anodized, painted or otherwise coated so as to minimize glare from the light source;

F. Continued maintenance. Lighting installations must be maintained in good repair to meet the provisions of this ordinance on an on-going basis;

G. Lighting curfew. For parcels with non-residential uses, lighting in vehicle parking areas containing 20 parking spaces or more must be reduced to 50 percent of permitted levels one hour after the business closing to one hour before the business opens. If lighting levels are already below 50 percent of permitted levels, no curfew adjustment is required;

H. Luminaire types. Full-cutoff luminaires must be used in parking areas, along internal streets, and along pedestrian ways. The City/town may allow cutoff luminaires or semi-cutoff luminaires in these locations when the overall uplight would be less than for full-cutoff luminaries. To promote a unified development theme, post top luminaires (also referred to as period lighting) may be used as an alternate if they have built-in reflectors that effectively eliminate uplight. Except as provided in this ordinance, all other luminaires must be directed downward and the light source must be shielded so that it is not visible from any adjacent property;

I. Maximum average lighting levels. Average lighting levels must not exceed the standards provided for in Exhibit 1. For those areas not specified, the planning board must work with the applicant to set an appropriate level on a case-by-case basis in keeping with the intent of this ordinance;

J. Maximum uniformity ratio. In all parking areas and along

sidewalks and other pedestrian walkways, an average to minimum uniformity ratio of 6:1 or better must be maintained;

Exhibit 1. Maximum average light levels	
Location	Foot candles
At entries for residential, commercial, and industrial buildings	5.0
At loading areas (berths) associated with a commercial or industrial use	10.0
In parking areas for multi-family uses	3.0
In parking areas for non-residential uses	5.0
Along sidewalks and other pedestrian walkways	3.0
Under service station canopies	10.0
In general storage areas for commercial and industrial uses	8.0
In vehicular display areas	10.0

K. Minimum color rendering index (CRI). In all parking areas and along sidewalks and other pedestrian walkways, lighting must meet or exceed the minimum color rendering index as provided for in Exhibit 2.

Exhibit 2: Minimum color rendering index (CRI) for parking areas and pedestrian ways	
District	Minimum CRI
Residential zoning districts	60
Downtown	60
Mixed-use zoning districts	60
Commercial zoning districts except downtown	20
Industrial zoning districts	20
Historic District	80

VIII. SPECIAL STANDARDS FOR SPECIFIC APPLICATIONS

These standards are in addition to the foot candle standards and CRI standards specified in Exhibits 1 and 2.

A. Flag poles, statues and similar monuments. A flag pole bearing a state flag, a flag of the United States or a flag of a foreign nation may be illuminated, provided the following standards are met:

## Recommended Lighting Levels for Exterior Lighting

The Illuminating Engineering Society of North America (IESNA, or IES) gives in current IES publications quite a number of recommended illumination levels for outdoor lighting. We summarize some of these recommendations below, and in some cases the original tables have been simplified. Some of these illumination levels are currently under discussion by IES technical committees. It is important to note that these values are recommendations, not standards. Standards are set at the federal, state, county, or community level. The IES does not set standards, though IES recommendations are often used by those who set standards.

In fact, recommended illuminance levels are to some degree arbitrary. On p. 93 of the 1993 edition of the **IESNA Lighting Handbook**, it states that

*It remains to be determined whether the added accuracy in predicting visual performance will be utilized in the illuminance selection procedure. A model of visual performance, no matter how accurate, is only part of illuminance selection. The cost of equipment and energy will always be an important part of the Society's decision. If electric energy prices were to double, recommended illuminance levels would certainly become lower. Further, there are other, perhaps more important, lighting design factors that the practicing illuminating engineer must consider in setting illuminance levels.*

In all outdoor lighting applications, many factors come into play and should be considered: minimizing glare, mounting height and spacing, lighting system depreciation and life-cycle cost, conflict areas (such as between vehicles or between vehicles and pedestrians), access control and vandalism prevention, as well as the mix of commercial, industrial, and residential properties near the area to be illuminated. For example, in the presence of glare, one needs more illumination to try to overcome the adverse impact of the glare; without glare, lower illumination levels are possible, with an actual improvement in visibility. The key is that all outdoor lighting should be carefully done, with consideration given to all the relevant factors.

We give below a summary of the lighting illuminance levels in footcandles, as that is the most common unit used in the United States. However, lux is the preferred international unit, and the IES does officially recommend its use in the United States. A level of ten lux is about one footcandle (10.76 lx = 1 fc, exactly).

### Roadway Lighting

	Average Maintained Illuminance (fc)	Uniformity (Avg/Min)
Freeway Class A	0.6 - 0.8	3/1
Freeway Class B	0.4 - 0.6	3/1
Expressway	0.6 - 1.3	3/1
Major road	0.6 - 1.6	3/1
Collector road	0.4 - 1.1	4/1
Local road	0.3 - 0.8	6/1

### Parking Lots

Level of Activity:	Horizontal Illuminance (Footcandles)		Uniformity Ratio
	Avg	Min	
High	3.6	0.9	4/1
Major League Athletic Events Major Cultural or Civic Events Regional Shopping Centers Fast Food Facilities			
Medium			
Community Shopping Centers	2.4	0.6	4/1

Cultural, Civic, or Recreational Events  
 Office Parking  
 Airports, Commuter Lots, etc.  
 Residential Complex Parking  
 Hospital Parking

Low 0.8 0.2 4/1

Neighborhood Shopping  
 Industrial Employee Parking  
 Educational Facilities

Churches

IES also states that the "Low" values are appropriate wherever there is a requirement to maintain security at any time in areas where there is a low level of nighttime activity.

**Recommendations for other outdoor lighting levels (footcandles)**

Building exteriors

Entrances

Active (pedestrian and/or conveyance)	5
Inactive (normally locked, infrequently used)	1
Vital locations or structures	5
Building surrounds	1

Floodlit Buildings and Monuments      Dark surroundings      Bright surroundings

Light surfaces	5	15
Medium light surfaces	10	20
Medium dark surfaces	15	30
Dark surfaces	20	50

Loading and Unloading Platforms      20

Service Stations

Approach	1.5	3
Driveway	1.5	5
Pump Island	20	30
Service Areas	3	7

Storage Yards

Active	20
Inactive	1

Retail Outdoor Lighting

		Illumination Level of Surrounding Area		
		High	Medium	Low
Seasonal	Circulation	10	7	5
	Marketing area	30	20	10
	Feature display	60	40	20

Auto Lots

Circulation	10	7	5
Merchandise	50	30	20
Feature display	75	50	35

IES states that the illuminance in exterior retail selling areas should not exceed 10 times that of the surrounding area. Measurements should be referenced from the roadway.



**Michigan Association of Planning**  
A Chapter of the American Planning Association

Planning and Zoning Officials Academy Vol. 12, No. 7

The Planning and Zoning Officials Academy provides local elected and appointed officials with both basic and advanced topics addressing issues that are unique to the role as a local government representative. To suggest a topic, please contact Kelly McIntyre at (734)913-2000.

## **Exterior Lighting**

Artificial outdoor lighting now dominates the night sky of many communities. Such lighting serves a wide variety of purposes; it attracts attention, entertains, enhances security, warns of danger, and lights paths.

The character of outdoor lighting in any community is the result of many individual decision by government, businesses, electric utilities, advertisers, and property owners.

Theses decisions may be made without consideration of possible health, safety, and welfare impacts, resulting in unwanted glare, light trespass, and light pollution problems for neighboring properties and the community as a whole.

*Put these in a shaded box to the side:*

*Glare* is excessive brightness caused by an unshielded, high intensity light source, which can be a serious safety hazard for nearby pedestrians and motorists.

*Light trespass* is poorly controlled outdoor lighting that crosses property boundaries, detracting from the quality of life of adjacent property owners and confusing the instinctive daily and seasonal cycles of animals and plants.

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*Light pollution* is excessive, unshielded or undirected artificial light from signs, parking lots, streetlights and other sources that reflects off particles in the atmosphere, creating a characteristic "sky glow" which limits our enjoyment of the night sky, even in more rural areas.

The zoning ordinance is an effective tool to address these issues. An exterior lighting section should include each of the following elements.

#### **Maximum Illumination Levels**

Often the intensity of today's outdoor light sources exceeds what is needed for visibility, safety, and security at night. Illumination standards within a site and at any property line or street right-of-way should be established to ensure that all sites are adequately, but not excessively, lit at night. In general, a maximum illumination level of 10.0 footcandles with a site and 1.0 footcandle at any property line is more than enough for comfortable night visibility.

#### **Photometric Grid**

An outdoor lighting plan with a photometric grid showing illumination levels from all exterior light sources on a site (parking lot fixtures, building lighting, sign lighting, etc.) should be included with all site plans submitted for review.

#### **Light Fixture Design Standards**

Parking lot and building-mounted security lighting (often referred to as "wall-packs") should be "full cutoff" fixtures that are directed straight downward. High intensity lamps should be fully shielded to prevent off-site glare by using louvers, guards or reflectors. Sign lighting should be directed downward from the top of the sign to prevent light pollution.

#### **Standards by Type of Land-Use**

Special provision for gas stations (up to 20.0 footcandles maximum under the canopy) and automobile dealership sales lots (up to 15.0 footcandles within the lot) should also be included to minimize off-site glare and light pollution problems from these high-intensity users of light.

#### **Exceptions**

The ordinance should include exceptions for holiday decorations, special events, and decorative residential lighting. When reviewing an outdoor lighting plan, keep the following questions in mind:

**"Where is light needed...and where is it not wanted?"** Adequate light should be provided for high traffic areas, including sidewalks, parking lots, and building

entrances, but check plans carefully to insure that commercial and industrial sites do not cause light trespass problems for neighboring residents and natural areas.

**“How much light is needed for a particular site or level of activity?”** The human eye is the key factor in determining the proper light intensity for a particular activity. Temporary “night blindness” can be caused by unshielded light sources that interfere with the eye’s ability to adjust for low light conditions, or by extreme contrasts between bright and dark areas of a site. One of the best ways to understand how to particular light levels “feels” is to purchase or rent a small light meter and visit gas stations, parking lots, and other sites a night to measure the on-site lighting intensity. It will then be easier to judge possible impacts of proposed illumination levels shown on a photometric grid upon people actually visiting the site.

**“Which type of light fixture would be best suited for the task?”**

Lighting decisions are often based on the lowest cost, rather than the best design. Specific fixture design standards in a zoning ordinance help to promote the use of better quality lighting. For more information about outdoor lighting design, visit the International Dark-Sky Association ([www.darksky.org](http://www.darksky.org)), Indiana Council on Outdoor Lighting Education ([icole.home.att.net](http://icole.home.att.net)) or Illuminating Engineering Society of North America ([www.iesna.org](http://www.iesna.org)).

In addition, Kim Lighting ([www.kimlighting.com](http://www.kimlighting.com)) and Lithonia Lighting ([www.lithonia.com](http://www.lithonia.com)) are two of the many lighting manufactures that have published online catalogs with pictures and specifications for easy reference.

The zoning ordinance can be an effective tool for balancing outdoor lighting needs for a particular site or use with the possible health, safety and welfare impacts on the greater community. Exterior lighting provisions, combined with educational resources available on the Internet, can be used by professional planners and planning commissioners to promote high quality outdoor lighting design that preserves the night sky for all of us to enjoy.

**Amend Section 220-63, Storage of recreational equipment, trailers or vehicles, as follows:**

The storage of any recreational equipment, trailers or vehicles in any residential district shall be subject to the following:

- A. Such recreational equipment, trailers or vehicles must be owned by the resident of the dwelling.
- B. All recreational vehicles parked or stored in a residential area shall not be connected to sanitary facilities, shall not be occupied, and shall be locked at all times.
- C. ~~The parking of one boat in residential driveways from May 1 to October 1 is permitted.~~
- D. ~~No more than two vehicles or units shall be stored on a zoning lot except that~~ In no instance shall storage of such RECREATIONAL VEHICLES occupy more than 10% of a rear yard.
- E. Storage OF RECREATIONAL VEHICLES may be permitted in a SIDE OR rear yard only and ~~subject further to the applicable provisions of § 220-64, Accessory buildings, structures and uses~~ SHALL BE SETBACK AT LEAST 3 FEET FROM ALL PROPERTY LINES.
- F. RECREATIONAL VEHICLES MAY BE PARKED IN ANY FRONT, SIDE OR REAR YARD WHERE ON-SITE PARKING IS PERMITTED FOR UP TO 72 HOURS WITHIN A 7 DAY TIME PERIOD FOR THE PURPOSE OF LOADING AND UNLOADING OR FOR NORMAL MAINTENANCE AND CLEANING.

Alternate language for item C:

THE PARKING OF ONE RECREATIONAL VEHICLE, NOT EXCEEDING 8 FEET IN HEIGHT AND/OR 20 FEET IN LENGHT IS PERMITTED IN A RESIDENTIAL DRIVEWAY. A RECREATIONAL VEHICLE THAT EXCEEDS THESE DIMENSIONS MAY BE PARKED IN A RESIDENTIAL DRIVEWAY AS LONG AS IT DOES NOT PROJECT INTO THE REQUIRED FRONT YARD SETBACK.

**Sec. 18.04. - Storage and Parking of Commercial, Farm, and Recreational  
Vehicles in Residential Districts.**

City of Eaton Rapids

- A. *Location and Duration.* For motor homes, travel trailers, folding-type trailers, pickup campers, snowmobiles on trailers, boats and similar and related type units, and other recreational vehicles as defined by this Ordinance, or for farm implements and tractors on sites that are actively being cultivated, the regulations of outside storage on all lots zoned and/or used for residential purposes are as follows:
1. A total of two (2) but not more than one (1) of each such unit may be stored or parked outside on a lot which is zoned and/or used for residential purposes. The ownership of such units shall be in the name of a member of the immediate family of the lot's owner, tenant, or lessee. However, farm tractors, equipment, and implements may be stored either in an enclosed building or they may be stored outdoors provided that the subject site is being actively cultivated. Further, that restored antique farm equipment is exempt from this subsection if displayed for decorative purposes.
  2. Such units, when stored outside, shall be located in a side or rear yard, except as provided in the case of vacant lots. Such units shall be placed or parked on a lot with a principal building, structure, or use unless it is a lot which is attached to an occupied lot under the same ownership. Such units shall not be closer than ten (10) feet from any structure nor five (5) feet from any lot line, unless otherwise provided by this section.
  3. The combined area covered by the dwelling, accessory buildings, other above-ground structures and swimming pools, and the area covered by the outside storage of such units, may not exceed forty (40) per cent of the total area of the lot.
  4. Recreational vehicles or recreational equipment may be stored, parked, or placed within any front yard or within a public right-of-way whereon street parking is permitted for a period not exceeding forty-eight (48) hours for loading and unloading or in the process of normal maintenance and cleaning.
  5. In the case of corner lots, as defined with two (2) front yards, the regulations of this section shall apply to both front yards. The side yard facing the street will be considered a second front yard.
  6. In the case of through lots, parking shall be permitted in the side yard or in the effective rear yard, as determined by the building inspector, provided the parked vehicle meets the front and side yard principal building setback requirements of the zoning district.
  7. In the case of through lots on a corner (i.e., lots having frontage along three (3) streets), parking shall be allowed only in the side yard. The building inspector may permit parking in the effective rear yard, as noted in subparagraph 6. above, upon determination that such parking is allowed in the adjacent lot.
  8. In the case of lots where the location of the principal structure or site topography prevents access to the side or rear yard, the building inspector may permit parking of recreational vehicles or equipment in a driveway or on a paved parking pad within a front yard for a period of not more than one hundred eighty (180) days in any one (1) calendar year.
  9. None of such units or any recreational equipment parked or stored outside shall be connected to electricity, water, gas, or sanitary facilities for living, lodging, or housekeeping purposes and none of the same shall be used for living, lodging, or housekeeping purposes, unless otherwise approved by the chief of police in cases of emergency.
  10. All recreational equipment and vehicles shall be maintained in good condition, shall be

operable and shall have a current license and/or registration.

- B. *Prohibited Items.* The parking and/or storage of buses, converted buses, and boats in excess of thirty (30) feet in length for a period exceeding forty-eight (48) hours, is prohibited, unless a permit has been issued by the building inspector. Said permit shall be valid for a period not to exceed ten (10) consecutive days out of any ninety (90) days.
- C. *Storage on Vacant Lots.* Not more than one (1) recreational unit, motor home, travel trailer, pickup camper, folding-type trailer, boat, or similar and related type unit, and other recreational vehicles as defined by this Ordinance, may be parked or stored on a vacant residentially zoned lot, except as otherwise authorized by this Ordinance. When stored on a vacant lot, such unit shall be located only on the rear half of such lot.
- D. *Camper Tops.* Detachable camper tops shall not be stored in any residential district except in accordance with this section. Further, camper tops that are not installed on a licensed and operable vehicle must be placed on the ground and stabilized.
- E. *Handicapped Vehicles/Equipment.* A recreational vehicle and/or recreational equipment which is officially designated as handicapped in accordance with state law and which is used as the regular means of transportation by or for handicapped person may be parked within the required setback area.
- F. *Commercial Vehicles.* It shall be unlawful for the owner, tenant, or lessee of any lot in any residential zoning district to permit the open storage or outdoor parking of semi-tractor (WB-50 or larger) trucks and/or semi-trailers, bulldozers, earth carriers, cranes, or any other similar equipment or machinery, unless parked thereon while in use for approved construction on such lot.

## Delta Township

### C. Parking of Recreational Vehicles and Equipment:

No mobile homes, tent and travel trailers, motor homes, boats and snowmobiles and trailers designed for them, general purpose trailers, and similar equipment, shall be parked or stored within the primary front setback area in excess of forty-eight (48) hours, either consecutively or cumulatively, within a seven (7) day consecutive period. It is the intent of this section to provide clear vision areas in front of structures, to insure adequate emergency vehicle access to structures and to maintain the character of existing neighborhoods.

### D. In the RA, RB, and RC zoning districts, no motor vehicle parking space (driveway) shall be provided in the required front yard(s), except on a surface which is paved with concrete, bituminous, or 22-12 concrete unit/brick pavers, that occupies no more than 35% of the total area of the required front yard(s). (Amended 10/16/00)

- (1) On a corner lot, the 35% figure may not be applied cumulatively on two streets to increase the parking area on any one street above the 35% of the total area of the front yard on a single street.
- (2) If non-paved driveways presently exist on more than 50% of the properties on the same side of the street within 500 feet of the subject parcel, a non-paved driveway shall be permitted.
- (3) A paved driveway shall not be required if the driveway connects to a public or private street which is non-paved.
- (4) The entire width of the driveway shall be paved.
- (5) Non-paved driveways which existed prior to the effective date of this Ordinance shall be permitted to remain and normal maintenance, such as the application of gravel and grading, shall be permitted.

### E. Vehicles may be parked for periods of eight hours or less in any yard for purposes including, but not limited to, delivery, pick-up, or service to a dwelling. (Amended 10/16/00)

## City of Charlotte

- (11) Recreational equipment owned by residents of the city may be stored on their individual lots and shall be stored only within the confines of the rear yard and shall further respect the requirements of this section applicable to accessory buildings and structures, insofar as distances from principal structures, lot lines and easements are concerned. All recreational equipment parked or stored shall not be connected to sanitary facilities and shall not be occupied. In those instances where a rear yard is not accessible, the Building Official may allow recreational equipment to be parked or stored in a side yard, provided such parking or storage shall be behind the front of the principal building.
- (12) The parking of a trailer coach, travel trailer or camper trailer when in use or occupied for periods exceeding 24 hours on lands not approved for such use shall be expressly prohibited, except that the Building Official may extend temporary permits allowing the parking of such trailer coach, travel trailer or camper trailer in a rear yard on private property, not to exceed a period of 2 weeks. All trailer coaches, travel trailers or camper trailers parked or stored shall not be connected to sanitary facilities.
- (13) A resident of a dwelling unit may have not more than 1 motorized vehicle for sale on the site of such dwelling unit at any time and in no instance shall vacant residential lots or parcels be utilized for the sale of vehicles. A resident may conduct minor automobile repairs of vehicles of the resident such as oil changes and tune ups between the hours from sunrise to sunset on the property of the resident's dwelling unit; however, in no instance shall a resident repair the vehicle of other than a resident of the dwelling unit on such property. The sale of vehicles from a residential property shall not exceed 2 vehicles in any 1 year for a period not to exceed 2 weeks in any 1 year.

## City of Dewitt

*Recreational vehicle parking and storage.* The storage or parking in parking lots of travel trailers, motor homes, mobile homes, camper trailers, or parking other trailers or **recreational vehicles** or any combination of any such **vehicles** in parking lots for a period in excess of fourteen (14) days in any three hundred sixty-five (365) consecutive day period is hereby prohibited. In addition:

1. **Recreational vehicles** greater than one hundred four (104) inches in width or thirty-seven (37) feet in length shall not be parked or stored on any lot or parcel or on the road in any residential district.
2. **Recreational vehicles** one hundred four (104) inches in width or thirty-seven (37) feet in length or less shall be parked and stored in the side or rear yards.
3. For the purposes of loading and unloading, **recreational vehicles** may be parked anywhere in a driveway or parking area on a residential premises for a period not to exceed three (3) days.
4. **Recreational vehicles** shall not be parked or stored on any public right-of-way or public easement.
5. **Recreational vehicles** may not be stored or parked in residential districts for the purpose of making major repairs, refurbishing, or reconstructing the **recreational vehicle** or equipment.
6. **Recreational vehicles** must have a current or prior year license plate and registered to an occupant of the dwelling unit on the parcel on which it is stored.