



## **VAN BUREN COUNTY PLANNING COMMISSION**

219 E. Paw Paw Street, Suite 201, Paw Paw, MI 49079  
Telephone (269) 657-8253 Fax (269) 657-0579

August 28, 2024 - 6:30 pm

### **Meeting Agenda**

- 1. Call to Order & Attendance**
- 2. Approval of Agenda**
- 3. Approval of Minutes from July 24, 2024**
- 4. Public Comment**
- 5. Reports**
  - a. County Board of Commission (BOC)
  - b. Land Preservation Board (LPB) – next meeting is September 11, 2024
  - c. Southwest Michigan Planning Commission (SWMPC)
  - d. Local Visits Report / Coordination of Local Visits
  - e. Staff Report
- 6. Unfinished Business**
  - a. Planning Commission By-Laws.....Review
- 7. New Business**
  - a. Member Appointment Application - Gordon Andrews.....Recommendation
  - b. Member Appointment Application - Nicholas Carlson.....Recommendation
  - c. Proposed Columbia Township Zoning Ordinance Text Amendment.....Concur or Not Concur
  - d. Proposed Antwerp Township Zoning Ordinance Map Amendment.....Concur or Not Concur
  - e. Proposed Paw Paw Township Zoning Ordinance Text Amendment.....Concur or Not Concur
- 8. Adjournment - Next Meeting: September 25, 2024 at 6:30 pm**

# VAN BUREN COUNTY PLANNING COMMISSION

219 Paw Paw St., Suite 201, Paw Paw, MI 49079

www.vanburencountymi.gov

269.657.8200 X 1073

## Van Buren County Planning Commission County Administration Building – 219 E Paw Paw St, Suite 201

### July 24, 2024 - Meeting Minutes

1. **Call to Order & Attendance** - The meeting was called to order by Scott Cedarquist at 6:30 PM.  
**Present:** Tom Motycka, Scott Cedarquist, Jan Petersen, Will Pugsley, Celinda Gilmore and Tony Hemenway. Others present included Lisa Imus Ransler  
**Absent:** Alyssa Hosbein, Kurt Doroh, Barbara Rose
2. **Approval of Agenda** - Motion by Pugsley supported by Motycka, to approve the July 24, 2024, agenda. Motion approved unanimously.
3. **Approval of Minutes** - Motion by Motycka, supported by Peterson, to approve the minutes from the Special meeting of June 3, 2024, meeting. Motion approved unanimously.
4. **Public Comment** - No public comments were received.
5. **Reports**
  - a. **County Board of Commissioners Liaison Report:** No report.
  - b. **Land Preservation Board:** Ransler shared that marketing efforts are being developed for the upcoming grant in December. Work on the application process has been updated, and outreach will begin in an attempt to recruit additional township participation in land preservation efforts. The next meeting will be September 11, 2024.
  - c. **Southwest Michigan Planning Commission:** No report.
  - d. **Local Visits:** The Decatur Planning Commission enacted a moratorium on short-term rentals, with Hamilton Township following a similar approach. Cedarquist discussed renewable energy trends with discussion on expanded township regulations. Petersen reported that Hamilton Township had finalized a storage container ordinance.
  - e. **Staff Report:** Short-Term Rental Ordinances - With the increasing discussion on the growing trend of townships enacting short-term rental moratoriums and the potential impacts on communities. Ransler mentioned a potential webinar/seminar by MSU Extension to educate local townships on short-term rental regulations. The board was asked if they would like to sponsor this event. The decision to sponsor or participate in this webinar was deferred pending further details.
6. **New Business**
  - a. **Paw Paw Township Text Amendment:** A text amendment for Paw Paw Township was presented regarding an ordinance amendment to allow adult use marijuana processing facilities in the AGR and ARR zoning districts. After discussion, Motycka, supported by Gilmore, made a motion to concur with the recommendation. Motion approved by acclamation.
  - b. **Bylaws:** Planning Commission Bylaw changes were presented and will be further reviewed by the Planning Commission for discussion in the upcoming future.
7. **Adjournment** - Motion by Gilmore, supported by Cedarquist, to adjourn the meeting at 7:10 PM. Motion carried unanimously.



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF AGRICULTURE  
AND RURAL DEVELOPMENT

DR. TIM BORING  
DIRECTOR

July 30, 2024

Edward L Reed  
Kelly M Reed  
55150 Miller Rd  
Marcellus MI 49067

SUBJECT: Farmland Development Rights Agreement Application 72915

Mr. and Mrs. Reed:

On July 18, 2024, our office received your appeal of rejection for a Farmland Development Rights Agreement. The appeal letter included a copy of the recorded document correcting an error in the legal description on the deed that transferred ownership of the property. This document was required to successfully complete our review and approve the application for a development rights agreement.

Our office mailed the application rejection letter on May 7, 2024, which included the right to appeal pursuant to MCL 324.36104(11). Applicants have 30 days to appeal the rejection by our office and send the appeal by certified mail to the director of the department. Your appeal of rejection is dated July 3, 2024, and is beyond the 30-day appeal processing period. Your appeal was also not sent by certified mail to the director of the department. The appeal of rejection is therefore denied.

You can reapply for a Farmland Development Rights Agreement after a one-year waiting period from the date of notification of the last rejection (May 7, 2024). If you choose to reapply, the application must first be submitted to your local government prior to submission to our office. Please contact our office at 517-284-5663, if you have any questions.

Sincerely,

Stevie Glaspie  
Producer Services Division Director  
Agricultural Development Bureau

cc: Porter Township, Clerk  
Van Buren County Planning Commission, Chairperson  
Van Buren County Conservation District

**Bylaws of the Van Buren County Planning Commission**  
**Approved by Planning Commission 7/24/02**  
**Approved by the Van Buren County Board of Commissioners**

**Article I – Name**

The name of this Commission shall be the Van Buren County Planning Commission hereby referred to as the Commission. This Commission was created by resolution of the Van Buren County Board of Supervisors passed on August 12, 1968. As authorized by Act 282 of Public Acts of 1945, as amended.

**Article II – Object**

Section 1 The general purpose of the Commission is to plan for integrated county conservation and development to serve the needs and general welfare of the residents of this county in accordance with Act 282 as amended. In addition, the Commission works to enhance the community and county services by providing guidance in and leadership to issues brought before the Commission.

Section 2 The Commission shall have all the powers, authority, obligations and duties conferred or imposed upon it by said Act 282 as amended by the State of Michigan.

**Article III – Members**

Section 1 The Commission shall consist of up to 11 members with one of those members being a representative of the Van Buren County Board of Commissioners. Members will represent all geographical areas of the county and have qualifications that will be beneficial to the Committee.

Section 2 The Van Buren County Board of Commissioners makes all appointments to the Commission. The planning Commission may make recommendations to the Board of Commissioners prior to appointments being made.

Section 3 A regular term of office is two years.

Section 4 Members can be re-appointed to the Commission.

Section 5 Members of the Commission shall receive compensation and mileage specified by the County Board of Commissioners. All members of the Commission shall be reimbursed for actual, reasonable and necessary expenses incurred in the discharge of their duties.

Section 6 Members of the Commission cannot simultaneously serve on a city, village or township government's planning or zoning board, zoning board of appeals or hold elected office on a city, village or township board.

Section 7 If any member fails to attend three (3) consecutive regular scheduled meetings of the Commission, without approval of the chairperson, a vacancy shall exist and an appointment shall be made by the Board of Commissioners as soon as possible.

Section 8 The Van Buren County Planning Director (Director) shall act as the Secretary of the Planning Commission

#### **Article IV – Duties of Planning Staff**

Section 1 The Director shall be responsible for all technical studies, investigations, surveys, reports and recommendations authorized or prepared on behalf of the Commission.

Section 2 The Director shall report monthly on the status of planning issues his or her office is handling.

Section 3 The Director shall be responsible for maintaining the records of the Commission's actions minutes receipts and disbursements, etc. All such official records shall be kept on file in the Planning and Land Management Office.

Section 4 The Director shall be responsible for preparing the annual budget for the Commission's consideration and for administering and maintaining the budget as reviewed by the Planning Commission Chairperson and approved by the Commission.

Section 5 The Director shall be responsible for the day to day conduct and administration of the Commission's business and the Commission's staff, work assignments and those other administrative duties necessary to the effective disposition of the Commission's ongoing activities.

Section 6 If the Commission shall have occasion to make disbursements from funds under its control, all checks, the Director (or other designee as set by the Commission) shall handle drafts and orders for payment of money in the name of the Planning Commission with prior review and approval by the Commission.

#### **Article V – Officers**

Section 1 The officers of the Planning Commission shall be elected by the members of the Commission at their regular annual meeting. If the election of officers is not held at such meeting, the election shall be held as soon thereafter as conveniently possible. New offices shall be created and filled at any meeting of the Commission. Each officer shall hold office until his or her successor has been duly elected.

Section 2 The Commission shall elect a Chairperson and Vice- Chairperson from its appointed members and shall appoint a secretary and create and fill such other offices as it may be determined necessary.

Section 3 The Chairperson shall preside at all meetings, appoint committees as needed subject to the approval of the planning Commission, and perform such duties as may be delegated by the Planning Commission.

Section 4 The Chairperson shall be the official spokesperson for the Commission policy matters.

Section 5 The Vice-Chairperson shall preside in the absence of the Chairperson.

Section 6 The Secretary may not be a member of the Planning Commission.

Section 7 The Chairperson shall appoint a nominating committee for the selection of officers at the December meeting. The recommendation of officers from that committee will be voted on at the regular Annual meeting.

### **Article VI – Meetings**

Section 1 Regular meetings shall be held on the 4<sup>th</sup> Wednesday of each month commencing at a regular time to be set at the annual meeting. November and December meetings are held on the 3<sup>rd</sup> Wednesday of the month and shall be convened at a time set at the annual meeting or as set by the Chairperson.

Section 2 The regular annual meeting shall take place in January or as set by the Chairperson.

Section 3 Special meetings may be called by the Chair or Vice-Chairperson, or by three or more members of the Commission, at such time and place as deemed necessary after proper notice. Notices of special meetings, together with an agenda and purpose shall be given to members not later than 24 hours preceding such meeting.

Section 4 All meetings for the taking of official action shall be open to the public. The Commission may meet in executive session upon affirmative vote of a majority of a quorum.

Section 5 Regular meetings of the Commission shall be held at a time and place as the Commission determines (the 4<sup>th</sup> Wednesday of the month).

Section 6 A majority of the members in office constitutes a quorum for the transaction of business. A majority vote of the members present at a meeting shall constitute the action of the Commission, unless a larger majority is required by statute or elsewhere in these bylaws.

### **Article VII – Executive Committee**

When the execution of any contract, conveyance of other instrument has been authorized without specification of the executing officers, the chairperson of the planning Commission or the Vice-chairperson and the Secretary may execute the same in the name of the Planning Commission.

The Commission shall have the power to designate the officers and agents who shall have authority to execute any instrument on behalf of the Planning Commission.

### **Article VIII– Committees**

Standing and special committees shall be as authorized by the Commission and appointed by the Chairperson as necessary, subject to the approval of the Commission.

### **Article IX Parliamentary Authority**

The rules obtained in the current edition of Robert’s Rules of Order Newly Revised shall govern this Commission in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order that the Commission may adopt.

### **Article X – Amendments**

Section 1 Recommendations of changes to these bylaws can be made at any regular meeting by a majority vote of the members on the Planning Commission, provided the proposed changes have been read at a preceding meeting.

Section 2 The County Board of Commissioners must approve all amendments to these by-laws.

# **Comparison of Van Buren Planning Commission Bylaws to Michigan Planning Enabling Act and Required Changes:**

## **1. Membership and Terms:**

- **Current Bylaws (Section III):**
  - The Commission consists of up to 11 members with 2-year terms.
  - Members can be re-appointed.
- **Act 33 (Sec. 15):**
  - A county planning commission should consist of 5, 7, 9, or 11 members.
  - Members (excluding ex officio members) are appointed for 3-year terms.

### **Required Change:**

- Adjust the term length in the bylaws from 2 years to 3 years to align with the Act.

## **2. Ex Officio Members:**

- **Current Bylaws:**
  - No specific provision for ex officio members.
- **Act 33 (Sec. 15(5)):**
  - Ex officio members, including members of the legislative body or the chief elected official, may be appointed. These members have full voting rights unless otherwise stated.

### **Required Change:**

- Include provisions for ex officio members in the bylaws, specifying their roles and voting rights as outlined in the Act.

## **3. Conflict of Interest:**

- **Current Bylaws (Section III, Section 6):**
  - Members cannot serve simultaneously on other planning or zoning boards within the county.
- **Act 33 (Sec. 15(9)):**
  - Members must disclose any potential conflict of interest before voting on a matter. Failure to disclose constitutes malfeasance in office.

### **Required Change:**

- Add a section on conflict of interest requiring members to disclose any potential conflicts before voting, in accordance with the Act.

## **4. Meetings:**

- **Current Bylaws (Section VI):**
  - Regular meetings are held monthly; special meetings require 24 hours' notice.
- **Act 33 (Sec. 21):**
  - The planning commission must hold at least 4 regular meetings each year. Special meetings require 48 hours' notice.

**Required Change:**

- Amend the bylaws to ensure that at least 4 regular meetings are held each year and adjust the notice period for special meetings to 48 hours.

**5. Annual Report:**

- **Current Bylaws:**
  - No specific requirement for an annual report.
- **Act 33 (Sec. 19(2)):**
  - The planning commission must make an annual written report to the legislative body on its operations and the status of planning activities.

**Required Change:**

- Include a requirement in the bylaws for an annual report to the legislative body.

**6. Adoption of Bylaws:**

- **Current Bylaws (Article IX):**
  - No specific procedure for bylaw adoption or amendment.
- **Act 33 (Sec. 19(1)):**
  - The planning commission must adopt bylaws for the transaction of business.

**Required Change:**

- Formalize the procedure for the adoption and amendment of bylaws to ensure compliance with the Act.

**Recommended Adjustments:**

**Bylaws of the Van Buren County Planning Commission**

1. **Article III – Members:**
  - Amend Section 3 to state: "A regular term of office is three years."
  - Add a new section for ex officio members: "Ex officio members may be appointed as outlined in the Michigan Planning Enabling Act, with full voting rights unless otherwise specified."
2. **Conflict of Interest:**

- Add: "Members must disclose any potential conflicts of interest before voting on a matter. Failure to disclose constitutes malfeasance in office."
- 3. **Meetings:**
  - Amend Section 1 to include: "The Commission shall hold at least 4 regular meetings each year."
  - Amend Section 3 to state: "Notices of special meetings shall be given to members not later than 48 hours preceding such meeting."
- 4. **Annual Report:**
  - Add a new article: "The Commission shall make an annual written report to the legislative body concerning its operations and the status of planning activities."
- 5. **Adoption of Bylaws:**
  - Add to Article IX: "The Planning Commission shall adopt bylaws for the transaction of business, which shall be kept as a public record."

After the Citizen Planner Course, there may be additional changes you would like to make that we can discuss. These are the minimum necessary changes to bring into compliance with the Michigan Planning Enabling Act - Act 33 of 2008.

## Committee Appointment Application

Van Buren County Committees	Van Buren County Planning Commission
Open to All Committees	<i>Field not completed.</i>
Jury Board Requirement	<i>Field not completed.</i>
First Name	Gordon
Last Name	Andrews
County of Residence	Vanburen
Email Address	andrewgo@gvsu.edu
Address	40900 County Road 215
City	Lawrence
State	Michigan
Zip Code	49064
Cell Phone Number	269-491-6223
Alternative Phone Number	<i>Field not completed.</i>
Present Occupation:	Professor of History
Experience in civic/private organization:	Past Executive Director for the Michigan Council for History Education
Governmental Service Experience:	<i>Field not completed.</i>
Educational Background:	PhD US History
Other:	<i>Field not completed.</i>

## Committee Appointment Application

Van Buren County  
Committees

Van Buren County Planning Commission

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Open to All Committees *Field not completed.*

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Jury Board Requirement *Field not completed.*

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First Name Nicholas

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Last Name Carlson

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County of Residence Van Buren

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Email Address [nicholascarlson11@gmail.com](mailto:nicholascarlson11@gmail.com)

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Address 124 Wheeling Street

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City Bangor

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State MI

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Zip Code 49013

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Cell Phone Number 2315710646

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Alternative Phone Number *Field not completed.*

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Present Occupation: Warehouse Supervisor, Getman Corporation

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Experience in civic/private organization: *Field not completed.*

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Governmental Service Experience: Election Worker, November 2008, Egelston Township, Muskegon

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Educational Background: Associate of Applied Science: Computer Repair and Networking, Muskegon Community College  
  
Bachelor of Science: Geographic Information Systems, Minors in Political Science & Computer Science, in progress

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**COLUMBIA TOWNSHIP**  
PO BOX 323 - 53053 CR 388  
GRAND JUNCTION, MI 49056-0323  
PHONE (269) 434-6227 FAX (269) 434-6916

August 16, 2024

Van Buren County Planning Commission  
219 Paw Paw Street Suite 302  
Paw Paw Michigan 49079

*Sent via email*

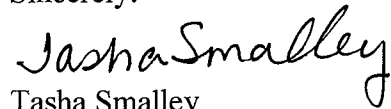
RE: Proposed Zoning Text Amendment to the Columbia Township Zoning Ordinance  
30 Day Review Period

To Whom It May Concern:

Enclosed please find a copy of a zoning ordinance text amendment to the Columbia Township Zoning Ordinance and meeting minutes. The amendment was recommended for adoption by the Columbia Township Planning Commission after a public hearing held on July 29, 2024, and decision special meeting August 5, 2024

If you have any questions you can contact me at 800-626-5964.

Sincerely:



Tasha Smalley  
Columbia Township  
Zoning Administrator  
*(on behalf of the Township Clerk, Phelps)*

Cc: PC chairperson, clerk, supervisor

COLUMBIA TOWNSHIP

VAN BUREN COUNTY, MICHIGAN

ORDAINS:

SECTION I  
PURPOSE AND INTENT

The purpose of this Ordinance is to amend the Township Zoning Ordinance to establish minimum requirements and regulations for the construction, erection, placement, location, maintenance, modification, operation, and decommissioning of Battery Energy Storage Systems in the Township in a manner that promotes economic development and ensures the protection of health, safety, and welfare while also avoiding adverse impacts to the Township.

SECTION II  
DEFINITIONS ADDED TO SECTION 7

The following definitions shall be added to Section 7 of the Township Zoning Ordinance, and shall be inserted into said Zoning Ordinance so that all definitions are in alphabetical order:

*Battery Energy Storage System:* One or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time, not to include a stand-alone 12-volt car battery, an electric motor vehicle, or small store-bought batteries designed and used purely for household electronic items.

*Battery Energy Storage System, On-Site:* a Battery Energy Storage System that is an accessory use that is intended to primarily serve the needs of the consumer on-site.

*Battery Energy Storage System, Small Off-Site:* A Battery Energy Storage System that is a principal use (or co-located with a second principal use) and that is designed and built to connect into the distribution or transmission grid with a nameplate capacity less than 50 megawatts.

*Battery Energy Storage System, Large Off-Site:* A Battery Energy Storage System (BESS) that is a principal use (or co-located with a second principal use) and that is designed and built to connect to the transmission grid with a nameplate capacity of 50 megawatts or more.

*Non-Participating Property:* Any property that is adjacent to a participating property but is not part of the battery storage system.

*Participating Property:* A battery energy storage system host property or any real property that is the subject of an agreement that provides for the payment of monetary compensation to the landowner from the system owner (or affiliate) regardless of whether any part of a system is constructed on the property.

**SECTION III**  
**ADD A NEW SECTION 4.14 V, "OFF-SITE BATTERY ENERGY STORAGE SYSTEM REGULATIONS"**

A new Section 4.14 V, entitled "Off-Site Battery Energy Storage Systems" is hereby added to the Township Zoning Ordinance to read as follows:

**Article 4, Section 4.14 V. Off-Site Battery Energy Storage Systems.**

The following requirements shall apply to all off-site battery energy storage systems:

1. Site Selection.
  - a. Minimum parcel size for Battery Energy Storage System, Small Off-Site is five (5) acres and Large Off-site is ten (10) acres.
  - b. In the Agricultural Zoning District (AG) this land use shall not unreasonably diminish farmland, including, but not limited to, prime farmland and, to the extent that evidence of such farmland is available in the evidentiary record, farmland dedicated to the cultivation of specialty crops.
2. Battery Energy Storage Systems, Small Off-Site shall be allowed as a special land use in the following zoning districts:
  - a. Agricultural
3. Battery Energy Storage Systems, Large Off-Site shall be allowed as a special land use in the following zoning districts:
  - a. Agricultural
4. The following minimum setbacks shall be required. Setbacks are measured from the nearest facility container, building or equipment to the nearest point on the associated item:

<i>Setback Distance</i>	<i>Setback Description</i>
133 feet	Street front measured from centerline.
100 feet	Side and rear measured from property line.
50 feet	Lake, pond, stream, creek, wetland

3. Height. The height of battery energy storage system structures, except for electric distribution and transmission poles, shall not exceed a height of fifteen (15) feet as measured from the natural grade of the property beneath the structure. Stacking of battery storage system components is prohibited.
4. Fencing. The system shall be completely enclosed with fencing in compliance with the latest version of the National Electrical Safety Code or any applicable successor standard approved by the Michigan Public Service Commission.
5. Sound. The system may not generate a maximum sound in excess of 55 average hourly

decibels as measured at the property line. Decibel modeling shall use the A-weighted scale designed by the American National Standards Institute. The Planning Commission and/or Township Board may require the applicant to provide a sound study as part of the special land use review process.

6. Lighting. The system must implement dark sky-friendly lighting solutions.
7. Impacts of Battery Energy Storage System, Small Off-Site and Battery Energy Storage System, Large Off-Site.
  - A. The following requirements shall apply to the entire system, or to designated components of the system, as indicated:
    1. Safety Signage. The system shall post signs in compliance with NFPA 70/70E or any applicable successor code in place at the time of application for approval. Additionally, signage shall be provided per NFPA 855 7.4.4, or any applicable successor code in place at the time of application for approval, including information on the system type and technology, special hazards, fire suppression system and 24-hour emergency contact information, including reach-back phone number. A clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations.
    2. Other Signage: Additional signage may be permitted or required by the Planning Commission and/or Township Board as is necessary to ensure the safe operation of the system.
    3. The facility shall comply with NFPA 855 "Standard for the Installation of Stationary Energy Storage Systems" or any applicable successor standard adopted by the Michigan Public Service Commission.
  - B. The Planning Commission and/or Township Board may require reasonable measures to minimize visual impacts by preserving existing natural vegetation, requiring new vegetative screening or other appropriate measures. In making this determination the Planning Commission and/or Township Board is specifically authorized to consider whether additional visual screening measures are appropriate where a system is proposed to be located on property adjacent to a residential use and/or a residential district zoning classification.
  - C. If the system includes an access drive(s) for maintenance purposes, the surface of the access drive(s) shall be permeable (unless on brownfield land or on an already paved surface at the time of application for approval, such as a parking lot or former building foundation.)
  - D. Except as otherwise depicted on and subject to approval of the Planning Commission and/or Township Board, the area within which the system is located shall not be paved with asphalt/concrete or any other surface material that is impermeable to water other than for slab foundations for structures and equipment. This shall not apply to a system located on brownfield land or on an existing paved area such as a former building slab or in an unused parking area when adequate parking remains for all other uses on the site.
  - E. All surface water runoff shall be effectively managed on-site.
8. Installation and Operational Safety. The system shall comply with all of the following requirements:

- A. The system shall be designed and constructed for interconnection to a Michigan Public Service Commission or Midcontinent Independent System Operator regulated utility electrical power grid and shall be operated with such interconnection.
  - B. The system and all foundation elements shall comply with all applicable building and electrical code requirements, and any applicable federal/state regulations. The manufacturer's engineer or another qualified engineer shall provide written certification that the design, installation (including foundations), and interconnection is compliant with the manufacturer and industry standards, all applicable local construction and electrical codes, and any applicable federal/state regulations.
  - C. Other than transmission or distribution lines for interconnection to the electric power grid, all electrical wiring shall be buried underground; except where the manufacturer's engineer or a qualified engineer employed by the utility that owns/operates the electrical power grid to which the system shall be interconnected certifies an underground wiring installation is not permitted by an applicable code and/or applicable federal/state regulation, with attached complete documentation supporting any such certification.
  - D. The system shall be designed, located, and maintained so as to comply with all applicable codes and regulations.
9. Repair and Augmentation. In addition to repairing or replacing facility components to maintain the system, the facility may at any time be augmented without the need to submit a new site plan so long as the augmentation is within the same footprint (e.g., same dedicated use building or on footings/foundations in the same location) as the original permit. If there is a change in the battery chemistry, an updated Hazard Mitigation Analysis and Emergency Operation Plan shall be provided. When a facility is anticipated to be augmented over its lifetime by adding additional components, the applicant shall apply for the final/augmented site arrangement. Modifications that increase a facility's footprint or total energy capacity by 10% or more require site plan and special land use approval by the Planning Commission and Township Board.
10. Decommissioning and Removal. The system shall comply with all of the following requirements:
- A. A Decommissioning Plan, including a Decommissioning Agreement in a form recordable at the Van Buren County Register of Deeds, shall be provided and shall address the following:
    - 1. State the anticipated life of the project;
    - 2. Describe estimated decommissioning costs in current dollars and provide that this figure will be updated every third (3rd) year after commercial operation of the system;
    - 3. Be signed by the party responsible for decommissioning, and shall bind all successors, heirs and assigns;
    - 4. Define the conditions upon which decommissioning will be initiated (e.g.; end of land lease, no power storage for 12 months, etc.);
    - 5. State that all equipment, conduit, structures, fencing, roads, and foundations will be removed to a depth of four (4) feet by the end of the decommissioning period;

6. Require property to be restored as near as reasonably possible to the condition it was in prior to the development of the system;
  7. Describe the timeframe for completion of decommissioning activities;
  8. Describe any agreement (e.g., lease) with the landowner regarding decommissioning;
  9. State the party currently responsible for decommissioning; and
  10. Describe any plans or circumstances requiring an update of the decommissioning plan.
- B. A recorded copy of the Decommissioning Agreement shall be submitted to the Township.
  - C. Decommissioning shall be completed within 12 months of determination by the Township Board that the system is no longer being maintained in an operable state of good repair, unless the current responsible party provides substantial evidence to the Planning Commission of the intent to maintain and reinstate operation of the system.
  - D. The Decommissioning Plan shall include financial assurance in the form of a bond, or an irrevocable letter of credit, but excluding cash. The amount of the financial assurance shall not be less than the estimated cost of decommissioning the system. Salvage value shall not be included in the estimated cost of decommissioning. The financial assurance must be posted in full (125%) by the start of full commercial operation and continuously maintained for the period of the life of the system.
11. Special Land Use Permit and Site Plan Application Requirements. Applications for special land use permit approval shall comply with Section 4.13 and 4.14 of this Ordinance. A formal application for site plan approval for this land use shall comply with Section 4.12 of this Ordinance. An incomplete application will not be accepted. Each such application shall also be subject to the following additional submission requirements:
- A. The site plan shall be submitted with the special land use permit application.
  - B. The submission shall include content responsive to all of the following, to the extent not otherwise provided pursuant to the above referenced sections:
    1. All information and supporting materials relied upon by the applicant to demonstrate compliance with all special land use permit approval standards and site plan approval standards as specified in this Ordinance.
    2. A Fire Response Plan as required by the Clean and Renewable Energy and Energy Waste Reduction Act, as amended, MCL 460.1001 *et seq.*
    3. An Emergency Operations Plan for the proposed system when operational, including the means by which firefighters and other emergency services personnel can access and shut down the system on an emergency basis. The approved emergency plan shall include a 24-hour emergency contact telephone number for use by emergency services providers. The means of emergency access and the means of an emergency shutdown of the system by emergency services personnel shall be provided to the Township or other appropriate agency managing emergency response. An Evacuation Plan for surrounding residence in case of fire or other emergency.
    4. A Groundcover and Vegetation Establishment and Management Plan shall be provided as part of the site plan. Vegetation establishment must include native

species and natural seed mixes and may not include invasive plant species or noxious weeds and shall satisfy Section 226(6)(a) and Section 226(6)(b) of Michigan Public Act 233 of 2023.

5. Equipment specification sheet(s) for the system components, if available.
  6. All proposed changes to the landscape of the existing site, including grading, vegetation removal, fencing and vegetative screening. Views shall be minimized from adjacent properties to the extent reasonably practicable using architectural features, earth berms, landscaping or other screening methods that will harmonize with the character of the property and surrounding area while not interfering with ventilation or exhaust ports.
  7. Environmental impact statement, engineering data, and other additional information proving this project will not have an adverse impact on natural topography, well water aquifers, drainage, wetlands, rivers, creeks, water bodies, floodplains, or other natural features.
  8. Drawings showing the layout of the proposed system, including distances from all existing and proposed structures/buildings and fencing on the site to all lot lines including to all boundaries of a leased site, where applicable, and to all structures/buildings on adjacent nonparticipating properties.
  9. An Augmentation Plan demonstrating the proposed augmentation phases including which structures/components are expected to be installed and in which time frames shall be provided.
  10. The height of all existing and proposed buildings/structures.
  11. An electrical schematic plan for the proposed system, including disconnect and overcurrent devices.
  12. Anticipated life expectancy of the system components including the estimated schedule for battery replacement to maintain megawatts over the system's lifetime.
  13. A proposed haul route during construction of the facility; providing a report of the roads pre-construction. A post construction report shall be required. If any damage has occurred the facility is required to pay the repair costs.
  14. A Decommissioning Plan and Decommissioning Agreement as described above.
  15. An executed escrow fee agreement signed between the applicant and the Township to defray the costs of processing the applicant's battery storage system special land use application.
- C. Modifications that increase a facility's footprint or total energy capacity by 10% or more require site plan and special land use approval by the Planning Commission and Township Board.
12. Waiver. Because of the ever-changing technical capabilities of battery storage infrastructure and of new technology in general, the Planning Commission and/or Township Board shall have the authority to review and consider alternatives in both the dimensional and physical requirements contained in this ordinance as part of the special land use review process.
  13. Building Permit. Prior to issuance of a Building Permit, the following information shall be provided.

- A. Equipment specification sheets.
- B. Identification and contact information for the installer(s) of the proposed system.
- C. Augmentation Plan.
- D. Decommissioning Plan and Decommissioning Agreement approved by the Township.
- E. Life expectancy of the system components including the anticipated schedule for battery replacement to maintain megawatts over the system's lifetime.
- F. Hazard Mitigation Analysis.
- G. Operation and Maintenance Manual.
- H. Electrical schematic plan for the system, including disconnect devices.
- I. Final Emergency Operation Plan Approved by the Fire Chief.
- J. An executed Community Host Agreement of \$2,500 per MW of nameplate capacity located within the Township, which the Township may use for police, fire, public safety, or other infrastructure.
- K. Proof of financial guarantee for decommissioning.
- L. Any other federal, state, county, local permits required.

**SECTION IV**  
**ADD A NEW SECTION 4.19, TITLED "ON-SITE BATTERY ENERGY STORAGE SYSTEM REGULATIONS"**

New Section 4.19, entitled "On-Site Battery Energy Storage Systems" is added to the Township Zoning Ordinance to read as follows:

**Section 4.19. On-Site Battery Energy Storage Systems.**

- A. On-Site Battery Energy Storage Systems shall be allowed as a permitted use in all zoning districts, except RMH, subject to the provisions of this Zoning Ordinance.
- B. A building permit shall be required for all on-site battery energy storage systems.
- C. On-Site battery energy storage with an aggregate energy capacity of more than 1 megawatt are subject to additional regulations in the applicable fire code, and required documentation shall be submitted along with the building/electrical permit applications.
- D. Coverage. Lot coverage shall not exceed the otherwise permissible percentage of lot coverage for buildings in the applicable district.
- E. Setbacks. All battery energy storage system structures and related structural apparatus not physically attached to a building shall satisfy the setback requirements in the

applicable district.

**SECTION V**  
**AMEND SECTION 3.01**

Section 3.01 of the Township Zoning Ordinance is amended to add the following use as a permitted use in the R-1 Residential District:

- On-Site Battery Energy Storage System.

**SECTION VI**  
**AMEND SECTION 3.02**

Section 3.02 of the Township Zoning Ordinance is amended to add the following use as a permitted use in the R-2 Residential-Resort District:

- On-Site Battery Energy Storage System.

**SECTION VII**  
**AMEND SECTION 3.03**

Section 3.03 of the Township Zoning Ordinance is amended to add the following use as a permitted use in the RO Residential-Old Plats District:

- On-Site Battery Energy Storage System.

**SECTION VIII**  
**AMEND SECTION 3.04 A&B**

Section 3.04 A&B of the Township Zoning Ordinance is amended to add the following use as a permitted use in the A Agricultural 10acres/less than 10 acres District:

- On-Site Battery Energy Storage System.

**SECTION IX**  
**AMEND SECTION 3.05**

Section 3.05 of the Township Zoning Ordinance is amended to add the following use as a permitted use in the C Commercial District:

- On-Site Battery Energy Storage System.

**SECTION X**  
**AMEND SECTION 3.06**

Section 3.06 of the Township Zoning Ordinance is amended to add the following use as a permitted use in the I Industrial District:

- On-Site Battery Energy Storage System.

**SECTION XI**

## **AMEND SECTION 3.04A&B**

Section 3.04A&B of the Township Zoning Ordinance is amended to add the following use as a special land use in the Agricultural Zoning District:

- Battery Energy Storage System, Large Off-Site.
- Battery Energy Storage System, Small Off-Site.

## **SECTION XII SEVERABILITY**

The provisions of this ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision is hereafter declared void or unenforceable for any reason by a court of competent jurisdiction, it shall not affect the remainder of such ordinance which shall continue in full force and effect.

## **SECTION XIII REPEALER AND EFFECTIVE DATE**

All ordinances or parts of ordinances in conflict herewith are hereby repealed. This ordinance shall take effect 8 days after publication as required by law.

**MINUTES  
PLANNING COMMISSION MEETING  
COLUMBIA TOWNSHIP, MI**

---

**MONDAY, JULY 29, 2024**

**7:00 PM**

**TOWNSHIP HALL**

---

**1 CALL TO ORDER**

The meeting was called to order at 7:00pm by C Bull.

**2 PLEDGE OF ALLEGIANCE**

**3 ROLL CALL**

All members present.

**4 AGENDA**

a)

**MOT-1-2024**

Moved by Trustee 2 Jason Bull

Seconded by Planning Commission Member Trevor Phillips

Move to approve the agenda with the change to add E. Catherine Kaufman presentation.

**Carried**

**5 PUBLIC COMMENTS/COMMUNICATIONS RECEIVED**

a) Bev Sherrer 52 nd St – appreciate when information is placed in the Reminder.  
Tasha will verify permission to place ads.

b) Pr

**6 PUBLIC HEARING**

a) Open public hearing

Open public hearing at 8:29pm

b) Text amendment for Battery Energy Storage facility draft reviewed.

c) Comments/questions

Community in attendance asked questions for discussion about text and current proposed ordinance.

Karen Gruss – Can text decisions be made at next meeting?

Tasha – yes. We need to create a draft then recommend to the board.

PC can send text to the county – yes (required)

Board can still make changes.  
Lynn Allman – 24th Ave & 50th St  
Where are these meetings posted?  
SH Tribune, website, soon to be in the Reminder. Notification subscription available through the township website. (Karen to verify with Kara)

Becky Lee - 52 nd St in Grand Junction  
Next step is county – what work has been done with them?  
That step is just a formality.

Bev Sherrer – We should defer to the state. But we should be proactive and keep control.  
It's different on this side of the table.

- d) Close public hearing

Public hearing closed at 8:59pm.

## 7 Presentation

- a) Catherine Kaufman – council at Bauckham, Thall in Portage.  
Presented details on the laws regarding renewable energy.  
Was voted in 11/2023. Goes into effect 11/29/24  
We have 3 options for addressing any applications we receive.  
Let the State handle  
CREO (compatible renewable energy ordinance)  
Create our own workable ordinance  
Discussion about presentation  
Open House dates with Vesper Energy  
August 7 5:30p-7  
August 28 7p-8:30

## 8 NEW BUSINESS

- a) Discuss/decide text amend Battery Energy Storage System  
  
Deliberation postponed to a Special meeting for August 5 at 6pm.
- b) Any other business that may come before the commission  
  
No new business to discuss

## 9 OLD BUSINESS

- a) any business that may come before the commission  
  
No old business

**10 PUBLIC COMMENTS**

None

**11 ADJOURNMENT**

Move to adjourn the meeting at 9:11pm.

a)

**MOT-2-2024**

Moved by Trustee 2 Jason Bull

Seconded by Planning Commission Member Trevor Phillips

Move to adjourn the meeting at 9:11pm.

**Carried**

Planning Commission Meeting – Special

8/5/2024 6pm

Columbia Township Fire Station

A. The meeting was called to order at 6:07 pm by chairperson C Bull.

B. Pledge of Allegiance

C. Roll call

Present: C Bull, J Bull, T Phillips, D Marcelletti, A Manley

D. The agenda was approved with the change to remove E. Moved by J. Bull and supported by Phillips. Voice vote. All aye.

~~E. Approval of Previous Minutes~~

F. Public Comments / Communications received

No communications received.

Mike Jones – CR 384

Looking for information on the battery storage facility. Will there be ground and well testing?

Reminded public in attendance about the Open House on Wednesday, August 7 at 5:30.

Another one is scheduled for August 28.

Matt Elvin – 49<sup>th</sup> St

Regardless of what we ask and what ordinance we pass; this project is going to happen. Is there any public money provided to this project?

G. New Business

G.1. Discuss / Decide text amendment: Battery Storage Facility

Discussed proposed text. Need clarification from attorney on some points. Will review text with changes at August 14 meeting. Next step is VanBuren County review. Then to Columbia Township Board for approval.

It was moved by C Bull and supported by Phillips to recommend approval of the text amendment to the township board with the following clarifications per PC attorney: add Township Board where appropriate, add environmental impact study, add evacuation plan. Roll call vote. C Bull - yes, A Manley - yes, J Bull - yes, T Phillips - yes, D Marcellitti – yes. All yes. Motion carried.

G.2. any other business that may come before the commission

H. Old Business

I.1. No old business

I. Public Comments

J. Adjournment

It was moved by J Bull and supported by Phillips to adjourn the meeting at 8:31pm. Roll call vote. All aye. Motion carried.

## Antwerp Township Planning Commission

<b>Memo Date:</b>	August 1, 2024	<b>Meeting Date:</b>	August 7, 2024
<b>Request:</b>	Rezoning to GC	<b>Applicant:</b>	Jack and Rebecca Traugher
<b>Address:</b>	28201 Red Arrow	<b>Project Name:</b>	N/A
<b>Parcel:</b>	80-02-009-005-70	<b>Plan Date:</b>	N/A
<b>Acreage:</b>	2.59	<b>Zoning District:</b>	R-1/Commercial Overlay
<b>Prepared By:</b>	David M. Jirousek, AICP	<b>Recommendation:</b>	Approval

### Overview

The applicant requests the rezoning of a parcel from Rural Estate Residential (R-1) and Commercial Corridor Overlay (CO) to General Commercial (GC). As a residential-zoned property with frontage on Red Arrow Highway, the parcel is also subject to the overlay district. Based on this designation, it may currently be developed in a residential or commercial manner. However, the proposed use of the property is only permitted in the General Commercial zoning district.

*Proposal:* The intent of the potential buyer is to use the subject building for a CrossFit gym.



### Guidelines

The following guidelines shall be considered by the Planning Commission and Township Board when considering amendments to the Zoning Map (Section 14.7 B.2):

- A. *Whether or not the proposed rezoning is consistent with the goals, policies and future land use map of the Antwerp Township Master Plan; or, if conditions have changed significantly since the Master Plan was adopted, consistency with recent development trends in the area.*

**Comment.** The General Commercial zoning district corresponds with the commercial designation noted on the Future Land Use Map within the Antwerp Township Master Plan.

**Commercial**

*Commercial development is to be focused in nodes at key intersections along the Red Arrow Highway and M-40. This includes retail, restaurant, and office uses and is intended to serve the Antwerp Township community outside of the incorporated villages. The intent is for high quality commercial development in these nodes. Mixed-use development including residential units above commercial establishments is appropriate in these locations.*

- B. *Whether the proposed district and the uses allowed are compatible with the site’s physical, geological, hydrological and other environmental features. The potential uses allowed in the proposed zoning district shall also be compatible with surrounding uses in terms of land suitability, impacts on the community, density, potential influence on property values and traffic impacts.*

**Comment.** The site is already developed with a commercial building, parking lot, and driveway. The building has been occupied for various uses over the years, most recently a retail antique store.

The impact of commercial usage and activity is minimal based on the adjacent land uses. A farm field exists to the west, and commercial storage units exist to the east. A residential property exists to the south, and the rear yard of the abutting property is wooded. The subject building is approximately 280 feet from the dwelling on this property.

The Commercial Corridor Overlay allows for various office, service, and retail uses. However, the requested General Commercial district allows for a greater range of commercial uses. Although uses in the General Commercial district can be more intense than the Commercial Corridor Overlay, those with greater impacts or outdoor activities are typically classified as “special land uses, ” allowing for increased public input and review against a more comprehensive set of development standards. Additionally, any redevelopment or expansion of the building or use must comply with all zoning requirements, including landscaping and screening.

Overall, the impact of the rezoning to General Commercial is negligible, and impacts can be mitigated through future review processes. The current zoning district already allows commercial use, and the property can be redeveloped within the Commercial Corridor Overlay District

- C. *Whether, if rezoned, the site is capable of the accommodating the uses allowed, considering existing or planned infrastructure including roads, sanitary sewers, storm sewer, water, sidewalks, and road lighting.*

**Comment.** As mentioned earlier, the site is already developed for commercial use. The site includes a commercial driveway and a parking area for clients and customers. While the rezoning will expand the allowable use of the site, the site has already been capable of accommodating non-residential land uses.

## Recommendation

The Planning Commission held a public hearing on August 7, 2024. They recommended approval of the application by a vote of 4 to 0. Draft minutes are included below.

**6. Public Hearing and Consideration of a Zoning Map Amendment.** Jack and Rebecca Traugher request a rezoning from Rural Estate Residential (R-1) and Commercial Corridor Overlay (CO) to General Commercial (GC) for the property located at 28201 Red Arrow Highway, Paw Paw, MI 49079 (Parcel 80-02-009-005-70).

### Public Hearing

Chairman Tarchala opened the Public Hearing at 6:33 PM.

Viva Lawson-Questions in regards to uses permitted at this site. Concerns with traffic, possible building height, and guidelines that would/will be set for this site.

Penny Wilsee-Question in regards to the change of zoning at this site.

Jackie Kimball-Question as to what type of businesses could go in at this site.

There being no further public comment the Public Hearing was closed at 6: 36 PM.

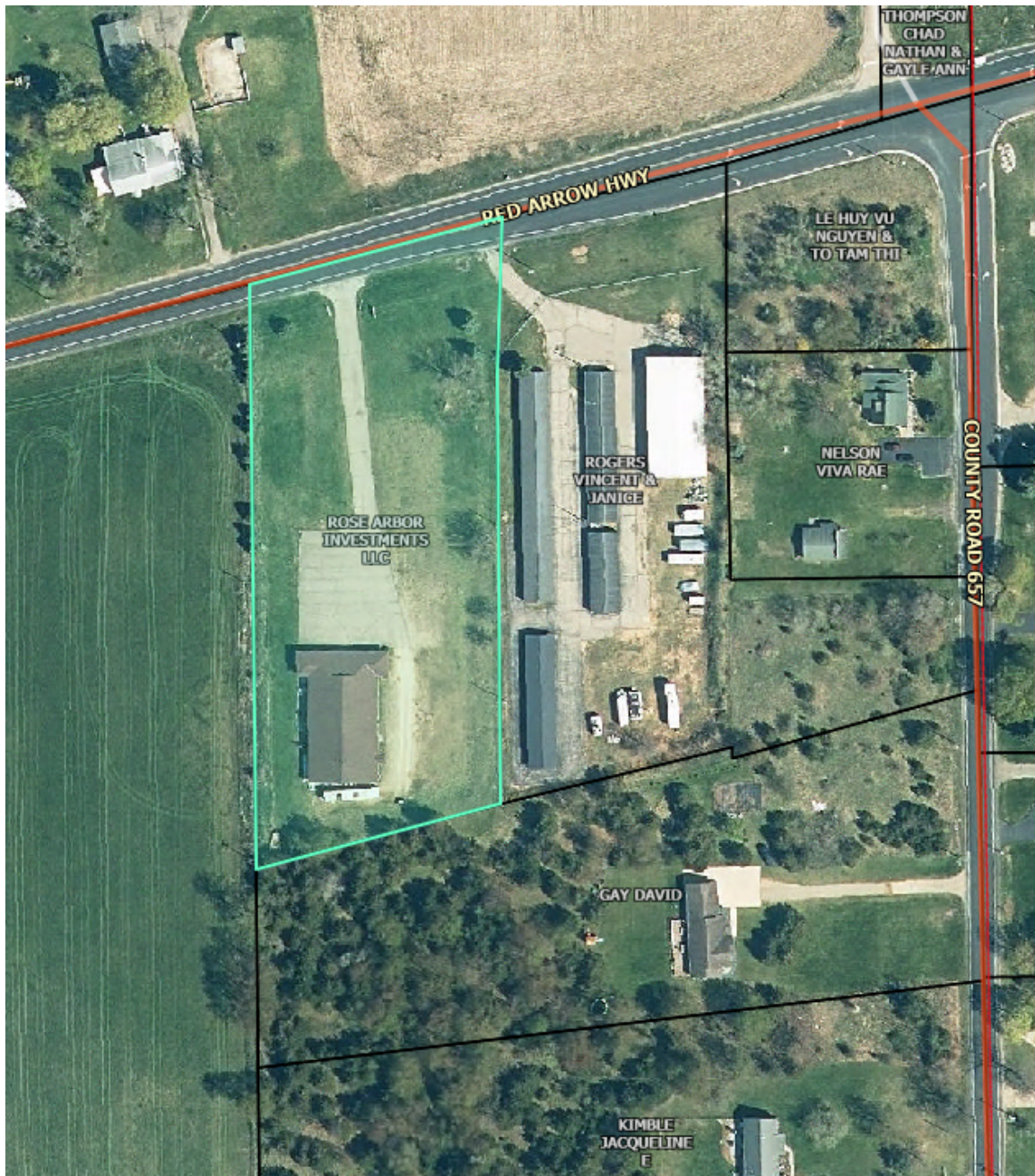
### Consideration of Zoning Map Amendment

Review by David Jirousek with commissioners. The proposed business (gym facility) was discussed along with other possibilities for this site if it is rezoned. This site is consistent with the Master Plan. If there are any minor adjustments it would be an administrative review. This request if approved would go to Van Buren County for review and then to the Antwerp Township Board.

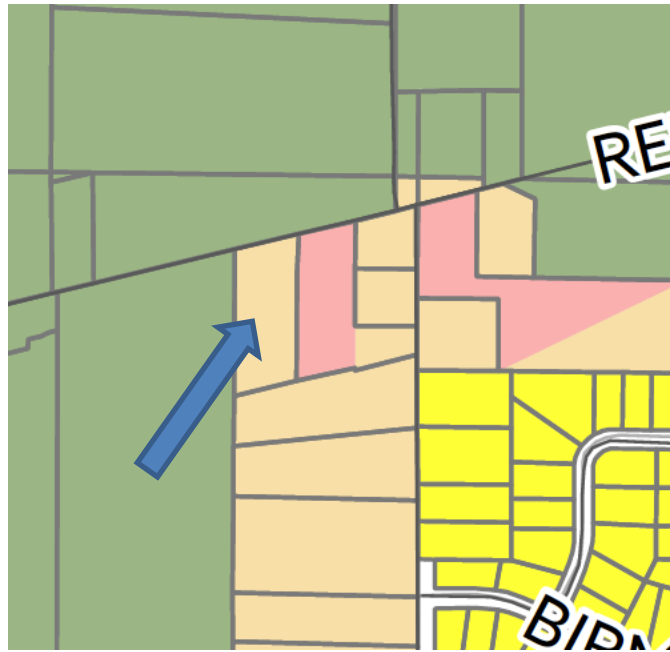
Motion by Tarchala second by Kneeshaw to approve the request for rezoning from Rural Estate Residential (R-1) and Commercial Corridor Overlay (CO) to General Commercial (GC).

All voted in favor. Motion Carried.

**Exhibit 1: 2023 Aerial**














**Exhibit 2: Zoning Map Inset**



-  Municipal Boundary
-  Environmental Protection Overlay
-  AG - Agricultural & Open Space Residential
-  R1 - Rural Estate Residential
-  R2 - Single Family Residential
-  R3 - Single & Multiple-Family Residential
-  GC - General Commercial
-  LI - Light Industrial

**Exhibit 3: Future Land Use Map Inset**



-  Municipal Boundary
-  Red Arrow Highway Corridor
-  Environmental Protection Overlay
-  Agricultural Preservation
-  Rural Preservation
-  Low Density Residential
-  Medium Density Residential
-  High Density Residential
-  Commercial
-  Industrial
-  Public Tranfer Station

**Exhibit 4: Ordinance to Rezone Land**

**ANTWERP TOWNSHIP  
ORDINANCE NO. \_\_\_\_\_  
ZONING MAP AMENDMENT**

At a regular meeting of the Antwerp Township Board held at the Antwerp Township Hall on the \_\_\_ day of \_\_\_\_ 2024, at 6:30 p.m.

PRESENT: \_\_\_\_\_

ABSENT: \_\_\_\_\_

The following ordinance was offered by \_\_\_\_\_ and supported by \_\_\_\_\_:

**AN ORDINANCE TO AMEND THE ANTWERP TOWNSHIP ZONING ORDINANCE  
AND THE OFFICIAL ZONING MAP**

WHEREAS, THE TOWNSHIP OF ANTWERP, COUNTY OF VAN BUREN, STATE OF MICHIGAN  
ORDAINS:

Section 1. Amendment. The Antwerp Township Zoning Ordinance is hereby amended by the amendment of Section 4.2 thereof, the Zoning Map, so as to rezone a parcel that is currently zoned Rural Estate Residential (R-1) and Commercial Corridor Overlay (CO) to General Commercial (GC). The land is commonly described as parcel 80-02-009-005-70 and is located at 28201 Red Arrow Highway, Paw Paw, MI 49079.

Section 2. Effective Date. This Ordinance shall be effective seven days after the publication of a summary of its provisions in a local newspaper of general circulation in the Township. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ORDINANCE DECLARED ADOPTED.

\_\_\_\_\_  
Chantel Reyna  
Antwerp Township Clerk

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Township Board of the Township Antwerp at a regular meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.

\_\_\_\_\_  
Chantel Reyna  
Antwerp Township Clerk



## **Paw Paw Township Planning Commission**

**To:** Van Buren County Planning Commission  
**Date:** July 24, 2024  
**Topic:** Zoning Ordinance Amendment: Signs  
**From:** David M. Jirousek, AICP

### **Overview**

The current wall sign regulations are more restrictive than the previous ordinance regarding the number and size of wall signs, so the primary purpose of this amendment was to allow more than one wall sign per non-residential building and to calculate the allowable area by the width of the building façade.

This zoning amendment will also create separate tables for residential and non-residential permanent signs and clearly distinguish between freestanding and wall sign allowances. It also includes a general clean-up of permanent sign allowances, size, type, and height based on zoning district designation.

### **Draft Public Hearing Minutes**

a. Public Hearing and Consideration of Zoning Ordinance Amendments: Freestanding and Wall Signs.

Jirousek generally explained the proposal to revise and clarify requirements for freestanding and wall signs, including, but not limited to, the maximum number, maximum height, maximum size, minimum setbacks, and illumination.

Chairman Kerby opened the public hearing at 6:07 PM. There were no public comments, and the hearing was closed at 6:07 PM.

A motion was offered by Learned to recommend approval of the proposed Zoning Ordinance text amendment as presented. The motion was supported by Sanders.

- Chairman Kerby called for the vote, and the motion passed unanimously (6-0)
- Aye: Chairman Kerby, Root, Hover, Felcyn, Sanders, Learned
- Nay: none
- Abstain: none

### Existing Requirements

	Wall Signs	Free-standing Signs	Sign Area	Sign Height	Sign Setbacks
CSV, AGR, ARR (for uses other than dwellings)	1 per building per street frontage	1 per parcel per street frontage	32 square feet total; 24 square feet maximum per sign	8 feet	1/2 the required building setback as measured from the abutting street right-of-way line
LDR, WFR (for uses other than dwellings)	1 per building per street frontage	1 per parcel per street frontage	32 square feet total; 24 square feet maximum per sign	8 feet	1/2 the required building setback as measured from the abutting street right-of-way line
MHR, VE, NCC (for uses other than dwellings)	1 per building per street frontage	1 per parcel per street frontage	50 square feet total; 32 square feet maximum per sign	15 feet	1/2 the required building setback as measured from the abutting street right-of-way line
GC, G-PUD (for uses other than dwellings)	1 per building per street frontage	1 per parcel per street frontage	80 square feet total; 50 square feet maximum per sign	15 feet	1/2 the required building setback as measured from the abutting street right-of-way line
HSC, HCI (for uses other than dwellings)	1 wall sign	1 freestanding sign	80 square feet total sign area; 500 square feet maximum per sign	15 feet	1/2 the required building setback as measured from the abutting street right-of-way line

**Proposed Zoning Text Amendment**

**PAW PAW TOWNSHIP  
 ORDINANCE NO. \_\_\_\_\_  
 ZONING ORDINANCE AMENDMENT**

At a regular meeting of the Paw Paw Township Board held at the Paw Paw Township Hall on the \_\_\_\_ day of \_\_\_\_, 2024, at \_\_\_\_ p.m.

PRESENT: \_\_\_\_\_

ABSENT: \_\_\_\_\_

The following ordinance was offered by \_\_\_\_\_ and supported by \_\_\_\_\_:

**A ZONING ORDINANCE AMENDMENT TO REVISE THE REQUIREMENTS FOR FREESTANDING AND WALL SIGNS**

WHEREAS, THE TOWNSHIP OF PAW PAW, COUNTY OF VAN BUREN, STATE OF MICHIGAN ORDAINS:

Section 1. Chapter 42, Article 9. Article 9, Section 42-9.18 E is amended to replace the existing table with the following two tables, and all other text and numbering shall remain unchanged.

<b>Agricultural and Residential Zoning Districts (CSV, AGR, ARR, LDR, WFR, MHR, and VE)</b>		
<b>Type</b>	<b>Requirements</b>	
<b>Freestanding Sign (Ground Sign)</b>	Land Use	Non-residential use, campground, manufactured home community, or residential development
	Maximum Number	1 freestanding ground sign per lot
		1 freestanding ground sign per residential development entryway
	Maximum Size	32 s.f.
	Maximum Height	6 ft.
	Minimum Setbacks	Front: ½ the required setback for principal buildings
Side and rear: 25 ft.		
Illumination	Internal or external	
<b>Wall Sign</b>	Land Use	Non-residential use
	Maximum Number	1 per principal building
	Maximum Size	32 s.f.
	Location	Shall face a public street, private street, or parking area
	Illumination	Internal or external

<b>Commercial and Industrial Zoning Districts (NCC, GC, HSC, and HCI)</b>		
<b>Type</b>	<b>Requirements</b>	
<b>Freestanding Sign (Ground or Pole Sign)</b>	Land Use	Non-residential use
	Maximum Number	NCC, GC: 1 freestanding sign per lot, per street frontage
		HSC, HCI: 1 freestanding sign per lot
	Maximum Size	NCC: 50 s.f.
		GC, HSC, HCI: 80 s.f.
	Maximum Height	NCC: 8 ft.
		GC, HSC, HCI: 15 ft.
Minimum Setbacks	Front: ½ the required setback for principal buildings	
	Side and rear: 10 ft.	
Illumination	Internal, external, or electronic changeable copy	
<b>Wall Sign</b>	Land Use	Non-residential use
	Maximum Number	No limit
	Maximum Size	NCC: No more than 1.5 s.f. of sign area per linear foot of building frontage along the primary street, but no more than 64 s.f. max. per individual sign
		GC, HSC, HCI: No more than 1.5 s.f. of sign area per linear foot of building frontage along the primary street, but no more than 100 s.f. max. per individual sign
	Location	Shall face a public street, private street, or parking area
	Illumination	Internal or external

**Section 2. Severability.** Should any section, clause, or provision of this ordinance be declared unconstitutional, illegal, or of no force and effect by a court of competent jurisdiction, then and in that event, such portion thereof shall not be deemed to affect the validity of any other part or portion of this ordinance.

**Section 3. Effective Date.** This ordinance shall be effective seven days after the publication of a summary of its provisions in a local newspaper of general circulation in the Township. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

AYES: \_\_\_\_\_  
 NAYS: \_\_\_\_\_

ORDINANCE DECLARED ADOPTED.

\_\_\_\_\_  
 Rebecca Payne  
 Paw Paw Township Clerk

I hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Township Board of the Township Paw Paw at a regular meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.

---

Rebecca Payne  
Paw Paw Township Clerk