

PLANNING COMMISSION MEETING AGENDA SEPTEMBER 01, 2022, THURSDAY 6:00 P.M.

Location: Kalamazoo Charter Township Hall, 1720 Riverview Drive, Kalamazoo, MI 49004

AGENDA:

- #1 Call to Order
- #2 Roll call and recognition of visitors
- #3 Approval of the agenda for the September 01, 2022, regular meeting
- #4 Approval of the minutes for August 04, 2022, regular meeting
- #5 Public Comment (3-minute limit)
- #6 Scheduled Reviews:
 - 6a. None
- #7 Public Hearings:
 - 7a. None
- #8 New Business:
 - 8a. Home Occupation Ordinance – Draft Review
- #9 Old Business:
 - 9a. None
- #10 Open Discussion
 - 10a. Members of the Audience
- #11 COMMUNICATIONS: None.
- #12 REPORT OF THE TOWNSHIP BOARD REPRESENTATIVE.
- #13 REPORT OF THE TOWNSHIP ZBA REPRESENTATIVE.
- #14 COMMENTS FROM PLANNING COMMISSION MEMBERS.
- #15 REPORT OF THE PLANNER/ZONING ADMINISTRATOR.
- #16 REPORT OF THE TOWNSHIP ATTORNEY.
- #17 ADJOURNMENT.

The public may attend this meeting for your information and comments. Please contact the Planning & Zoning Department if you have any questions at (269) 381-8085.

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**Charter Township of Kalamazoo
Minutes of a Planning Commission Regular Meeting
Held on August 4, 2022**

8 A regular meeting of the Kalamazoo Charter Township Planning Commission was conducted on
9 August 4, 2022, commencing at 6:00 p.m. at the Kalamazoo Charter Township Hall.

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Present were:

17 William Chapman
18 Denise Hartsough
19 Christopher Mihelich
20 Fred Nagler, Chairman
21 Warren Cook
22 Steve Leuty
23 Pete Morrison

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Absent was:

30 Also present were Township Zoning Administrator Kyle Mucha, Township Manager Dexter
31 Mitchell, Township Attorney Seth Koches and approximately 5 interested persons.

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Call to Order

38 The Chairman called the meeting to order at 6:00 p.m.

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Roll Call and Recognition of Visitors

Nagler welcomed those in attendance.

Approval of the Agenda for the August 4, 2022 Regular Planning Commission Meeting

The next item on the agenda was approval of the agenda for the August 4, 2022 Planning
Commission meeting. The Commissioners received the meeting agenda in their packets.

Upon motion of Hartsough, supported by Leuty, and unanimous vote, the agenda was approved
as presented.

Approval of the minutes for July 14, 2022 regular Planning Commission meeting.

A copy of the draft minutes of the July 14, 2022 regular Planning Commission meeting were
provided to the Commissioners in the agenda packet.

Upon motion of Hartsough, supported by Leuty, and unanimous vote, minutes of the July 14,
2022 regular Planning Commission meeting were approved as presented.

1 **Public Comment**

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5 **Scheduled Reviews.**

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7 None.

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10 **Public Hearings.**

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12 **a. 2017 Burdick Street, Special Lane Use.**

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14 The next item on the agenda was the public hearing for 2017 Burdick Street. Kyle Mucha prepared
15 a staff report, which was included in the Commissioners’ agenda packet. Mucha said the
16 applicant, Jack Livingstone of Tree Fellers Wood Products and Furniture, is seeking a special land
17 use approval to operate a wood production business located at 2017 Burdick Street, within the
18 Township. Mucha said that a contractor’s yard and storage facilities for building materials are
19 permitted through a special land use permit. I proposed business is located in I-2 District Zoning
20 Classification.

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22 Mucha recommended opening the public hearing to accept public comments in support of or in
23 opposition to the applicant’s request. Nagler opened the public hearing and invited any
24 interested parties to submit public comments. Hearing no public comments, Nagler closed the
25 public hearing.

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27 **New Business.**

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29 **Kalamazoo Township Capital Improvement Plan [Recommendation Required]**

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31 Nancy Desai, the Township Finance Director summarized the 2023 – 2028 CIP plan, which was
32 provided to the Commissioners in their agenda packet. The Planning Commission reviewed the
33 CIP. Morrisson discussed the drone expenditure. Manager Mitchell stated the police department
34 was purchasing drones. Mihelich discussed the sewer system in Lakewood.

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36 Upon motion of Hartsough, supported by Mihelich, and unanimous vote, the agenda was
37 approved as presented.

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39 **2017 N. Burdick Steet, Wood Manufacturing Business, Special Land Use Review.**

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41 The next item on the agenda was consideration of the request for a special land use permit for
42 2017 Burdick Street. The applicant, Jack Livingstone of Tree Fellers Wood Products and Furniture,
43 is seeking a special land use approval to operate a wood production business located at 2017
44 Burdick Street. The applicant’s request seeks approval to operate a contractor’s yard and storage

1 facility for building materials, lumber, equipment, and supplies in association with the wood
2 furniture making business on the subject property. Kyle Mucha prepared a staff report, which
3 was included in the Commissioner's agenda packet. Mucha's report noted that that the
4 manufacturing component of the business will be conducted in the existing industrial building,
5 with the contactor yard/storage yard located to the immediate west on a contiguous parcel. The
6 applicant plans to combine both parcels and install an egress-only access drive onto West
7 Dunkley Street. Section 26.03.C of the Township Zoning Ordinance outlines the standards for
8 granting special land use approval. Mucha summarized his staff report and discussed the
9 proposed use's compatibility with adjacent uses, which thoroughly analyzed Section 26.03.C of
10 the Township Zoning Ordinance. Mucha discussed compatibility with the Township Master Plan,
11 potential impact on traffic, any possible detrimental effects, the economic well-being of the
12 community and compatibility with Natural Environment. Mucha's report recommended
13 proposed conditions of approval should the Planning Commission vote to approve the applicant's
14 request for a special use permit.

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16 Cook asked if the applicant needed special land use approval because of the potential storage
17 issue. Mucha said yes. The Planning Commission invited Jack Livingstone, the applicant, to
18 address the Commission and discuss his request. The applicant said he is the owner of the
19 business and has been a general contractor since 1998. The applicant wants to set up an indoor
20 sawmill that will, among other things, make furniture. The applicant discussed the layout of his
21 building and where potential machinery would be placed. The applicant said that logs would be
22 stored and processed inside the building. The applicant discussed access to the property and the
23 existing drive. The applicant agreed to add any signage in compliance with the Township
24 ordinances.

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26 Chapman asked whether a kiln would be built. The applicant said yes, if there is a need to dry
27 wood. The applicant confirmed that he is familiar with drying wood. Chapman discussed what
28 type of products will be produced at the saw mill. The applicant said he will have about 12
29 employees, that the building will be ADA compliant, and will maintain hours of operation from
30 8:00 a.m. – 4:00 p.m. Mihelich confirmed that the logs will be approximately 8'-12' in length and
31 asked how tall the logs will be stacked. The applicant confirmed that the logs will be stacked
32 between 6' – 8' in height. Leuty discussed the outdoor storage of logs that was depicted on the
33 applicant's site plan. the applicant confirmed that the firewood pile will be stacked approximately
34 6' in height. Hartsough discussed potential fire issues. The applicant said that there shouldn't be
35 a fire unless someone starts one. The applicant said that the site plan is designed to allow access
36 for fire and other emergency service vehicles. The Township Fire Marshall, Todd Kowalski, was
37 present and had nothing additional to add. The Planning Commission discussed the standards of
38 review for granting a special land use contained in Section 26.03.C of the Township Zoning
39 ordinance and concluded that they were satisfied. The Planning Commission found that the
40 applicant's proposed special land use is compatible with adjacent uses and the Township Master
41 Plan. Additionally, the subject property is adequately served by essential public services and
42 there is no negative impact on traffic. The Planning Commission concluded that there are no
43 detrimental effects of the proposed use and there is an economic benefit for the community

1 because it is expected that 12 jobs will be created. Lastly, there were no concerns with
2 incompatibility with the natural environment.

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4 Upon motion of Cook, supported by Mihelich, and unanimous vote, the applicant's request for a
5 special land use application for 2017 N. Burdick Street was approved because the standards
6 contained in Section 26.03.C of the Township Zoning Ordinance are satisfied.

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8 **2017 N. Burdick Steet, Wood Manufacturing Business, Site Plan Review.**

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10 The next item on the agenda was to consider the site plan of 2017 N. Burdick Steet. Mucha
11 prepared a staff report, which was provided to the Planning Commissioner's in their agenda
12 packets. Mucha summarized his staff report and discussed the parking layout of the site. Mucha
13 recommended tabling the applicant's site plan until more information was provided. Kowalski
14 agreed, stating that some areas of the site plan needed to be addressed. Kowalski said that the
15 site plan needed to depict the location of the finishing rooms and dust collection areas. Cook
16 asked where the kiln would be located. Kowalski said that a building larger than 2,500 square
17 feet will need fire suppression infrastructure. Mihelich commented on how flammable the wood
18 dust in the vacuum may be. Kowalski agreed, stating that is why a fire suppression system is
19 important. Mihelich asked whether the access point on Burdick Street will be gated. The applicant
20 said that he prefers to have a gate to secure the property. Nagler asked whether the exit could
21 be paved. The applicant stated that he was concerned with paving the exist road because the
22 weight of the trucks may damage the pavement and instead preferred to use a coarse aggregate.
23 Mihelich was concerned that fire trucks may get stuck in a coarse aggregate access road.

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25 Upon motion of Cook, supported by Cook, and unanimous vote, the applicant's site plan for 2017
26 N. Burdick Street was tabled in order to obtain more information including:

- 27
28 1. Road width details.
29 2. Exterior lighting.
30 3. Details regarding the gravel surface.
31 4. Details addressing the concerns listed in the Township Engineer's
32 memorandum dated July 19, 2022.

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34 **Old Business.**

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36 **4123 W. Main Drive & Shine, Site Plan Review.**

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38 The next item on the agenda was discussion of the Drive & Shine Site Plan. Mucha prepared a
39 staff report for the Commissioners which was contained in their agenda packet. Mucha said that
40 the applicant is proposing modifications to the 4123 W. Main Site Plan. Mucha said that these
41 modifications are to the north drive aisle and vacuum station. The applicant also proposed
42 turning the former single direction traffic flow on the western side of the portion of the site into
43 a two-way traffic flow. Mucha's staff report contained three recommendations to address the
44 traffic flow issue. Mucha recommended to either install an extra-ling gate arm on the eastern

1 drive or install a secondary gate mechanism. Secondly, Mucha recommended that the applicant
2 increase signage on the site on the site to assist in directing vehicular traffic. Lastly, Mucha
3 recommended that the applicant provide an alternative design to delineate the area between
4 the lube center and vehicle exist of the car wash. The applicant’s attorney, Matt Van Dyk, was
5 present on behalf of the applicant.
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7 Mucha said that the Township didn’t want orange cones being used as a permanent solution to
8 direct internal traffic on the site. Kowalski said that he went to the property and noted that one
9 gate is installed and a second gate will be installed with a “do not enter” sign to address traffic
10 direction. Van Dyk was concerned that the gates may cause traffic confusion. Van Dyk said that
11 the applicant looked into installing knock down bollards. Hartsough agreed that she did not want
12 cones directing traffic flow. Hartsough wanted the applicant to discuss solutions that did not
13 include cones. Leuty said that the purpose of the traffic control device between the lube station
14 and the car was to avoid traffic. Morrisson asked if it is possible to install removable posts. The
15 Planning Commission and VanDyk discussed the possibility of a chain with added signage to direct
16 traffic flow. Kowalski said that the issue with the chain is that it may immobilize a fire truck.
17 Kowalski didn’t object to a chain being used as long as there is a Knox padlock on one end of the
18 chain. The Planning Commission discussed this as a solution and generally agreed that it was
19 feasible.
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21 Upon motion of Morrisson, supported by Leuty, and unanimous vote, the applicant’s request for
22 a site plan review dated July 18, 2022 for 4123 W. Main was approved to replace the cones with
23 a singular chain between the lube center and car wash that will have a Knox padlock on one end
24 and secured on the opposite end by the applicant, and that the anchoring of the chains is not to
25 alter the width of the road.
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27 **Open Discussion – Members of the Audience**

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29 None.

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31 **Communications**

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33 None.
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35 **Report of Township Board Representative.**

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37 None.
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39 **Report of the Zoning Board of Appeals Representative.**

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41 None.
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43 **Comments of Planning Commission Members.**
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1 Morrisson said that he appreciated the thoroughness of last month's meeting, which helped
2 resolving the Drive and Shine Site Plan.

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4 **Report of the Planner/Zoning Administrator.**

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6 Mucha said that he is continuing to prepare the Home Occupation Ordinance and that it should
7 be ready by the September, 2022 meeting.

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10 **Report of the Township Attorney.**

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12 None.

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14 **Adjournment**

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16 There being no further business to come before the Planning Commission, the Planning
17 Commission meeting was adjourned at 8:10 p.m.

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, Secretary

Section 2.08 Home Occupations and Home-Based Businesses

A. General Requirements

All home occupations and home-based businesses shall be subject to the applicable requirements of the zoning district in which they are located, in addition to the following general requirements, unless otherwise specified elsewhere in this Ordinance.

1. Any business activity must be clearly incidental to the use of the dwelling as a residence.
2. The exterior appearance of any structure shall not be altered due to the business activity.
3. No business activity shall be conducted in such a manner so as to cause the premises to differ from a residential character, whether by the use of colors, materials, construction, lighting, signs (except as permitted in this Section), or the emission of sounds or vibrations.
4. The delivery and pickup of goods and materials used and/or produced in the operation of a home occupation or home-based business shall be limited to the customary activity of the United States Postal Service and/or alternative private package services common to residential property in the area.
5. A home occupation or home-based business may increase vehicular traffic flow and parking demand by no more than two additional vehicles at a time. No more than ten customers or clients shall visit the dwelling unit for services or products during any one day.
6. Any demand for parking generated by a home occupation or home-based business, including one space for each non-resident employee of a home-based business, shall be met off the street and behind the required front setback line.
7. A home occupation or home-based business may be subject to annual inspection by the Building Official and shall be subject to termination if found not to be in compliance with the Zoning Ordinance.

B. Activities Not Considered a Home Occupation or Home-Based Business

1. Bed-and-breakfast inns, roadside stands, garage or yard sales, auto service or repair garages, restaurants and bars, and any other business activity specifically regulated by provisions elsewhere in this Ordinance shall not be considered a home occupation or a home-based business.

C. Standards for Home Occupations

All home occupations shall be subject to the following standards, in addition to the general requirements listed in subsection A, above.

1. No outdoor display and/or storage of materials, goods, supplies, or equipment used in the home occupation shall be allowed on the premises in any zoning district.
2. Any person who is not a resident occupant of the dwelling unit shall not be employed in a home occupation located there.
3. Sign. One non-illuminated nameplate, not more than two (2) square feet in area, shall be allowed per residence to identify a home occupation. The permitted sign shall not be located in any road right-of-way and shall not obstruct the clear vision of drivers. No other sign shall be used on the premises to advertise a home occupation.

4. The total area within the principal dwelling devoted to home occupations shall not exceed one-quarter of the usable residential floor area of the dwelling unit.
5. One detached accessory building may be used by a home occupation for storage only, provided that there is no external evidence of the business activity. Any accessory building used for a home occupation shall be in full compliance with the standards for accessory buildings, as provided in Section 2.03 of this Ordinance.
6. Pursuant to Section 204 of Michigan Public Act 110 of 2006 (MCL 125.3204), individual instruction in a craft or fine art within a residence is a permitted home occupation.

D. Standards for Home-Based Businesses

All home-based businesses shall be subject to the following standards, in addition to the general requirements listed in sub-section A, above.

1. No more than one home-based business shall be permitted per residence.
2. No outdoor display and/or storage of materials, goods, supplies, or equipment used in the home-based business shall be permitted on the premises.
3. A home-based business shall be conducted solely by the resident occupants of the dwelling unit, plus not more than one full-time-equivalent non-resident employee or independent contractor per residence.
4. Sign. One, non-illuminated, freestanding or wall sign, not more than four (4) square feet in area, shall be permitted for a home-based business. Signs shall not be located in any road right-of-way and shall not obstruct the clear vision of drivers. Freestanding signs associated with a home-based business shall not be greater than five feet in height.
5. The total area within the principal dwelling devoted to home-based businesses shall not exceed one-quarter of the usable residential floor area of the dwelling unit.
6. Accessory buildings may be occupied by a home-based business, provided that there is no external evidence of the business activity. Any accessory building used for a home-based business shall be in full compliance with the standards for accessory buildings, as provided in Section 2.03 of this Ordinance.
7. The Township may limit hours of operation for a home-based business if deemed necessary to maintain the residential character of the neighborhood.

E. Permits and Administration

1. Home Occupations

No permit shall be required for the operation of a home occupation in accordance with the standards of this Ordinance. If a home occupation is found to be operating outside the standards of this Ordinance, the Township may require the business owner to file an application for home-based business or cease operation of the home occupation.

2. Home-Based Business

- a. The initial application for a home-based business permit shall be made on a form to be provided by the Township. The applicant shall submit a sketch plan, drawn to scale, showing property lines; building footprints; sidewalks, driveways, and parking areas; the location of the well and septic system, if applicable; and other salient features. Upon receipt of a completed application and sketch plan, the Township shall notify neighboring properties within 500 feet of the proposed location of a home-based business. The application and plan shall be reviewed by the Planning Commission for compliance with the zoning ordinance and compatibility with the residential neighborhood. The Planning Commission may approve, approve with conditions, or deny the home-based business permit.
- b. A home-based business permit shall be restricted to the resident occupants of the dwelling unit at the time of initial application and may not be transferred or sold except upon re-review by the Township.

- c. Township approval of a home-based business shall only remain valid while the business activity complies with the standards of this Ordinance.

Section 2.09 Impact Assessment

A. Intent

The purpose of an Impact Assessment is to assess the developmental, ecological, social, economic, and physical impact from a proposed development on and surrounding the development site, and to determine if a proposed use will be in compliance with the site development and performance standards set forth in this Ordinance. Where required, preparation of the Impact Assessment shall be the responsibility of the applicant. The applicant shall use qualified personnel to complete the Impact Assessment, which shall address the following issues, at minimum:

1. Water, noise, and air pollution associated with the proposed use.
2. Effect of the proposed use on public utilities.
3. Historic and archeological significance of the site and adjacent properties.
4. Displacement of people and other land uses by the proposed use.
5. Alteration of the character of the area by the proposed use.
6. Effect of the proposed use on the Township's tax base and adjacent property values.
7. Compatibility of the proposed use with existing topography, and topographic alterations required.
8. Impact of the proposed use on surface and groundwater.
9. Operating characteristics and standards of the proposed use.
10. Proposed screening and other visual controls.
11. Impact of the proposed use on traffic.
12. Impact of the proposed use on flora and fauna.
13. Negative short-term and long-term impacts, including duration and frequency of such impacts, and measures proposed to mitigate such impacts.

B. Information Required

Where required, an Impact Assessment shall contain all applicable information that is required for Conceptual Review of Planned Development, as set forth in Section 26.04.

C. Evaluation of the Impact Assessment

The Planning Commission and Township Board shall consider the criteria listed below in their evaluation of an Impact Assessment. Failure to comply with any of the criteria shall be sufficient justification to deny approval of the application. The Township Board and Planning Commission shall determine that the proposed use:

1. Will be harmonious with and in accordance with the general objectives of the Master Plan.
2. Will be designed, constructed, operated, and maintained in harmony with the existing or future neighboring uses.
3. Will not be hazardous or disturbing to existing or future neighboring uses.
4. Will represent a substantial improvement to property in the immediate vicinity and to the community as a whole.
5. Will be served adequately by essential public services and facilities, such as highways, streets, drainage structures, police and fire protection, and refuse disposal, or persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately for such services.

Section 2.08 ~~Home Occupations and Home-Based Businesses~~

A. Applicability

The term "home occupation" means an occupation or profession carried on in the home by resident members of the household where such use is clearly incidental and secondary to the principal use of the dwelling as a residence.

A.B. General Requirements

All home occupations ~~and home-based businesses~~ shall be subject to the applicable requirements of the zoning district in which they are located, in addition to the following general requirements, unless otherwise specified elsewhere in this Ordinance.

1. Any business activity must be clearly incidental to the use of the dwelling as a residence.
2. The exterior appearance of any structure shall not be altered due to the business activity nor to support a home occupation.
3. No business activity shall be conducted in such a manner so as to cause the premises to differ from a residential character, whether by the use of colors, materials, construction, lighting, signs (except as permitted in this Section), or the emission of sounds or vibrations. Further, the home occupation shall not involve the storage, use or sale of hazardous, flammable, toxic, or explosive substances, other than types, sizes, and amounts commonly found in dwellings for hobby or domestic purposes.
4. The delivery and pickup of goods and materials used and/or produced in the operation of a home occupation ~~or home-based business~~ shall be limited to the customary activity of the United States Postal Service and/or alternative private package services common to residential property in the area.
- ~~5. A home occupation or home-based business may increase vehicular traffic flow and parking demand by no more than two additional vehicles at a time. No more than ten customers or clients shall visit the dwelling unit for services or products during any one day.~~
- ~~6. Any demand for parking generated by a home occupation or home-based business, including one space for each non-resident employee of a home-based business, shall be met off the street and behind the required front setback line.~~
5. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be provided by an off-street area, located other than in a required front yard.
6. A home occupation or home-based business may be subject to annual inspection by the Building Official, Township Zoning Administrator and/or Township Fire Marshal, and shall be subject to termination if found not to be in compliance with the Zoning Ordinance.
7. No outdoor display and/or storage of materials, goods, supplies, or equipment used in the home occupation shall be allowed on the premises in any zoning district.
8. Sign. One non-illuminated nameplate, not more than two (2) square feet in area, shall be allowed per residence to identify a home occupation. The permitted sign shall not be located in any road right-of-way and shall not obstruct the clear vision of drivers. No other sign shall be used on the premises to advertise a home occupation.
9. The total area within the principal dwelling devoted to home occupations shall not exceed one-quarter of the usable residential floor area of the dwelling unit, unless sufficient justification is provided to the Township Planner or Zoning Administrator that a differing standard is more appropriate.
- One detached accessory building may be used by a home occupation for storage only, provided that there is no external evidence of the business activity. Any accessory building used for a home occupation shall be in full compliance with the standards for accessory buildings, as provided in Section 2.03 of this Ordinance.
10. The levels of waste and scrap generated by the home occupation for transfer as part of the municipality's residential trash collection and disposal services shall not exceed fifty (50) gallons per week.

B.C. Activities Not Considered a Home Occupation or Home-Based Business

1. Bed-and-breakfast inns, roadside stands, garage or yard sales, auto service or repair garages, restaurants and bars,

and any other business activity specifically regulated by provisions elsewhere in this Ordinance shall not be considered a home occupation ~~or a home based business.~~

C.D. Standards for Home Occupations Home Occupation Regulatory Categories

All home occupations shall be classified and regulated in three categories and subject to the following standards, in addition to the general requirements listed in sub-section A, above.

- ~~1. No outdoor display and/or storage of materials, goods, supplies, or equipment used in the home occupation shall be allowed on the premises in any zoning district.~~
- ~~2. Any person who is not a resident occupant of the dwelling unit shall not be employed in a home occupation located there.~~
- ~~3.1. Sign. One non illuminated nameplate, not more than two (2) square foot in area, shall be allowed per residence to identify a home occupation. The permitted sign shall not be located in any road right of way and shall not obstruct the clear vision of drivers. No other sign shall be used on the premises to advertise a home occupation.~~

Category A - Almost No Nuisance Potential:

This category of home occupation recognizes it is customary for dwelling occupants to perform office and similar work as incidental to residential use of a dwelling unit. Category A is referred to as a "no impact" home occupation. No aspects of the home occupation shall be visible on the exterior of the residence and there shall be no significant impact on surrounding properties. Category A home occupations are automatically permitted without permit application, review, or approval.

a. A Category A home occupation includes activities such as: receiving or initiating electronic or other video communication, telephone calls, mail, or electronic-mail, preparing or maintaining business records, word or data processing.

b. Examples of Category A home occupations include: telecommuting/ telework, as well as word processing, accounting, internet sales, novelist, book editor, and other similar endeavors.

c. Category A work includes work performed for an employer in another location (telecommuting or telework) as well as work by a person residing in the dwelling unit that engages in the same type of activity under their own business. No customers or other non-resident employees shall be permitted to come to the dwelling.

Category B - Limited Nuisance Potential:

This category of home occupation is largely indistinguishable from customary residential use of a dwelling unit but may have off-street parking space(s). These home occupations are authorized by issuance of a Zoning Permit by the Zoning Administrator once conformance with standards specified in this Section are achieved. They are permitted in any dwelling unit in any district that allows single-family and two-family dwellings by an owner of the property, or by a renter of the property with the owner's written consent.

a. A Category B home occupation includes activities such as: any Category A home occupation that meets Category B requirements (notably for employee(s), off-street parking; financial, marketing or other professional services to customers or clients, along with small item repair, small scale food preparation and craft making. Retail sales of products on the premises shall not be permitted.

b. Examples of Category B home occupations include: professionals like a lawyer, doctor or architect; tutor or instructor of music, crafts or fine arts, where some clients come to the dwelling at different times for individual instruction; small item repair; seamstress, artist or small crafts maker; small scale bakery; and other similar endeavors.

c. Category B home occupations may have up to two non-occupant employees, who park on up to two off-street parking spaces. The home occupation shall not take place in a detached garage or detached accessory structure. No retail sales are permitted and not more than two customers/clients/patients are permitted at any time for service trade and by appointment only, with a maximum of 10 customers/clients/patients per day; hours of operation shall be between 8am and 8pm.

Category C - Up to Moderate Nuisance Potential:

This category of home occupation allows residents of a single-family dwelling unit in the R-1 and R-2 Districts to conduct economic activities on their property at a scale greater than in a home occupation Category A or B, but significantly less than a full-scale commercial or industrial enterprise. Because of the greater potential for nuisance impacts, the Planning Commission shall approve the home occupation by means of a Special Land Use Permit (SLUP).

a. Category C includes all home occupation uses permitted in Categories A and B that desire the additional employee(s), accessory structures, parking of a special vehicle, or retail sales. Permitted activities include small scale creation and sale of products; repair of small appliances and bicycles; and sales and distribution of some products created elsewhere.

b. Examples of Category C home occupations permitted by SLUP include: making and retail sales of candles, toys, jams and t-shirts; small appliance and bicycle repairs; operation of network marketing businesses on behalf of a third party, without any sales events at the home, and other similar endeavors.

c. Category C home occupations shall have up to two non-occupant employees, who park on up to two off-street parking spaces. The home occupation may take place in a detached garage or detached accessory structure. Retail sales are permitted and not more than three customers/clients/ patients may be present at any time, and not to exceed 10

customers/clients/patients per day; hours of operation are limited to between 8 AM to 8 PM, or as limited per SLUP, such as by appointment only.

E. Off-Street Parking and Commercial Vehicle Parking

- a. All vehicle parking required for conduct of the home occupation shall be off-street as specified below, and per the requirements of ~~XXXX~~.
1. Category A: No off-street parking spaces are required.
 2. Category B: One off-street parking space per each non-occupant employee permitted and up to 2 off-street parking spaces shall be required for customers/clients/patients.
 3. Category C: One off-street space per each non-occupant employee permitted and up to 3 off-street parking spaces shall be required for customers/clients/patients.

Article 2 General Provisions

~~4.1. The total area within the principal dwelling devoted to home occupations shall not exceed one quarter of the usable residential floor area of the dwelling unit.~~

~~5.1. One detached accessory building may be used by a home occupation for storage only, provided that there is no external evidence of the business activity. Any accessory building used for a home occupation shall be in full compliance with the standards for accessory buildings, as provided in Section 2.03 of this Ordinance.~~

~~Pursuant to Section 204 of Michigan Public Act 110 of 2006 (MCL 125.3204), individual instruction in a craft or fine art within a residence is a permitted home occupation.~~

~~6. Home occupations are only permitted to operate between 8:00 a.m. and 8:00 p.m.~~

~~D. Standards for Home-Based Businesses~~

~~All home-based businesses shall be subject to the following standards, in addition to the general requirements listed in sub-section A, above.~~

- ~~1. No more than one home-based business shall be permitted per residence.~~
- ~~2. No outdoor display and/or storage of materials, goods, supplies, or equipment used in the home-based business shall be permitted on the premises.~~
- ~~3. A home-based business shall be conducted solely by the resident occupants of the dwelling unit, plus not more than one full-time equivalent non-resident employee or independent contractor per residence.~~
- ~~4. Sign. One, non-illuminated, freestanding or wall sign, not more than four (4) square feet in area, shall be permitted for a home-based business. Signs shall not be located in any road right-of-way and shall not obstruct the clear vision of drivers. Freestanding signs associated with a home-based business shall not be greater than five feet in height.~~
- ~~5. The total area within the principal dwelling devoted to home-based businesses shall not exceed one quarter of the usable residential floor area of the dwelling unit.~~
- ~~6. Accessory buildings may be occupied by a home-based business, provided that there is no external evidence of the business activity. Any accessory building used for a home-based business shall be in full compliance with the standards for accessory buildings, as provided in Section 2.03 of this Ordinance.~~
- ~~7. The Township may limit hours of operation for a home-based business if deemed necessary to maintain the residential character of the neighborhood.~~

E. Permits and Administration

1. Home Occupations

~~No permit~~A permit shall be required for the operation of a Category B and Category C home occupation in accordance with the standards of this Ordinance. The initial application for a home occupation shall be made on a form to be provided by the Township. The applicant shall submit a sketch plan, drawn to scale, showing property lines; building footprints; sidewalks; driveways; off-street parking areas; and other salient features. Upon receipt of a completed application and sketch plan, the Township shall review the application for completeness and compliance with the Zoning Ordinance. A special land use permit application shall be provided by the Township for those seeking approval of a Category C home occupation. If a home occupation is found to be operating outside the standards of this Ordinance, the Township may require the ~~business owner to file an application for home-based business or cease operation of the home occupation.~~home owner to cease operations of the home occupation.

~~2. Home-Based Business~~

- ~~a. The initial application for a home-based business permit shall be made on a form to be provided by the Township. The applicant shall submit a sketch plan, drawn to scale, showing property lines; building footprints; sidewalks, driveways, and parking areas; the location of the well and septic system, if applicable; and other salient features. Upon receipt of a completed application and sketch plan, the Township shall notify neighboring properties within 500 feet of the proposed location of a home-based business. The application and plan shall be reviewed by the Planning Commission for compliance with the zoning ordinance and compatibility with the residential neighborhood. The Planning Commission may approve, approve with conditions, or deny the home-based business permit.~~

- ~~b. A home-based business permit shall be restricted to the resident occupants of the dwelling unit at the time of initial application and may not be transferred or sold except upon re-review by the Township.~~

Provisions

- ~~e. Township approval of a home-based business shall only remain valid while the business activity complies with the standards of this Ordinance.~~