

ORDINANCE NO. 18-57

NORTHFIELD TOWNSHIP, WASHTENAW COUNTY MI

AN ORDINANCE OF THE BOARD OF TRUSTEES OF NORTHFIELD TOWNSHIP, MICHIGAN TO AMEND ARTICLE XXIV, SUPPLEMENTARY REGULATIONS STANDARDS, SECTION 36-724 AND AMEND ARTICLE II DEFINITIONS, SECTION 36-29.

Whereas, Planning Commission reviewed the Township's zoning districts for consistency with Section 36-724 - Temporary Specialty Stores and;

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Whereas, Planning Commission review the Township's zoning districts for consistency with Section 36-29, Article II-Definitions – Add Definition Temporary Holiday Sales and;

Whereas, the Planning Commission held a public hearing and recommended approval of the below amendments:

Now, therefore, be it ordained by the Northfield Township Board of Trustees that the below zoning text and various articles be amended as follows:

Section 1. Article II – Definitions, section 36-29 Definitions be amended to add the following definitions of various uses:

Temporary Holiday Sales: Temporary Holiday Sales are sales temporary in nature, lasting for less than 30 calendar days, corresponding to a recognized day of festivity or recreation in which by custom or by law normal activities, especially business or work including school, are suspended or reduced.

Section 2. Article XXIV, Supplementary Regulations and Standards: That Section 36-724, to change ~~Temporary Specialty Stores~~ and replace with Temporary Holiday Sales.

Section 3. Article XXIV, Supplementary Regulations and Standards: That Section 36-724, to change Temporary sales of products only at certain time of year and associated with seasonal holidays, including Christmas, Halloween, Thanksgiving, Fourth of July, and similar holidays, may take place on individual lots or structures subject to the following regulations: ~~Cutting of trees on individual lots for the purpose of Christmas tree sales and/or the sale of previously cut trees assembled on individual lots for sale shall be subject to the following regulations:~~

Section ~~4~~. Article XXIV, Supplementary Regulations and Standards: That Section 36-724, to change (1) Temporary Holiday Sales ~~Christmas trees~~ may be conducted ~~sold~~ in AR, LC, ~~WLD-DD, WLD-NV, WLD-W,~~ and GC districts. Temporary Holiday Sales ~~Christmas tree sales~~ shall not be permitted in any other residentially zoned districts.

Section 5. Article XXIV, Supplementary Regulations and Standards: That Section 36-724, to change (2) Churches, schools, or other nonprofit organizations may ~~sell Christmas trees~~ Holiday items on property or structures owned by such institution or organization in any zoning district.

Section 6. Article XXIV, Supplementary Regulations and Standards: That Section 36-724, to change (3) A Zoning Compliance Application shall be submitted along with fees and a sketch plan for review by the Zoning Administrator to ensure the requirements of this section are met. Unless ~~Christmas tree~~ Temporary Holiday Sales are accessory to the principal use of the site, ~~a permit~~ a Temporary Certificate of Occupancy shall be obtained from the building official Zoning Administrator to allow temporary use of the site for such sales. Such ~~permit~~ Temporary Certificate of Occupancy shall ~~may~~ be issued after an inspection of the proposed sale site is made by the Building Official and or his the Director of Public Safety, or their representative of the proposed sale site. Such inspection shall include, but not limited to, any and all wiring, lighting, or other apparatus to be utilized in the sale of such ~~trees items.~~ Sales shall not commence until final site approval is obtained and issuance of a Temporary Certificate of Occupancy.

Section 7. Article XXIV, Supplementary Regulations and Standards: That Section 36-724, to change (4) Such use and occupancy shall be temporary and shall not cause a nuisance to adversely impact adjacent and surrounding properties. The total duration of a Temporary Certificate of Occupancy for Temporary Holiday Sales shall not exceed 30 calendar days. Temporary Holiday Sales for Christmas may be permitted to last 45 calendar days. To the extent any proposed sale items may be regulated by the State of Michigan, as with fireworks, all licenses or permits must be obtained and presented to the Township for review with the Zoning Compliance Application. Upon inspection of the site and sketch plan, the Director of Public Safety may require a security plan, that includes limits on hours of operation, site access, site circulation, and other measures to ensure the safe operation of the Temporary Holiday Sale.

Section 8. Article XXIV, Supplementary Regulations and Standards: That Section 36-724, to change (5) ~~Tree Storage~~ and display areas shall comply with the minimum setback requirements for the district in which the Temporary Holiday Sale ~~outdoor sale of trees~~ is located.

Section 9. Article XXIV, Supplementary Regulations and Standards: That Section 36-724, to change (6) ~~The portion of any parcel used for tree sales shall be located no closer than 250 feet from any other parcel that is zoned or used for residential purposes.~~

Section 10. Article XXIV, Supplementary Regulations and Standards: That Section 36-724, to change (7) ~~All loading and parking areas shall be confined within the boundaries of the site and shall not be permitted to spill over onto adjacent roads, except where on-street parking is permitted. Such use and occupancy will not create a traffic hazard and congestion.~~

Section 11. Article XXIV, Supplementary Regulations and Standards: That Section 36-724, to change (87) All trees, parts of trees and any other refuse or debris resulting from Christmas-tree sales, and all signs, lights, poles, wires, or other items in connection therewith shall be removed from said property not later than December 28 of the year three days following the holidays occurrence the property is so used and the date of required removal shall be specified on the Temporary Certificate of Occupancy appropriate permit obtained from the Zoning Administrator. building official

Section 12: MISCELLANEOUS

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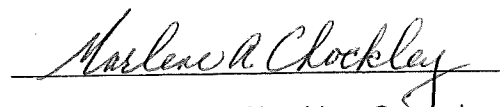
If any portion of this Ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of any other portion of this Ordinance.

All ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency. Provided, however, that such repeal shall be only to the extent of such inconsistency, and in all other respects the ordinances or parts of ordinances are hereby ratified, re-established and confirmed.

Section 13: Effective Date

The provisions of this Zoning Code amendment are hereby ordered to take effect seven (7) days following its publication in a newspaper of general circulation within the Township. This Ordinance is hereby declared to have been adopted by the Township Board of Trustees of the Township of Northfield in a meeting duly called and held on this 26th day of June, 2018.

TOWNSHIP OF NORTHFIELD,  
WASHTENAW COUNTY, MICHIGAN



Marlene Chockley, Supervisor

ATTEST:



Kathy Manley, Clerk

I, Kathy Manley, Northfield Township Clerk, hereby certify as follows:

- A. The above Ordinance was passed by the Northfield Township Board of Trustees on the 26<sup>th</sup> day of June, 2018. The names of the members voting thereon and how each member voted was as follows:

Yeas: Chockley, Manley, Zelenack

Otto, Chick

Nays: Dockett, Beliger

Absent: Ø

- B. A true copy of the above Ordinance was published in Ann Arbor News, a newspaper circulating within the Township, on the 1st day of July, 2018, and;

- C. The effective date of the above Ordinance is the 8<sup>th</sup> day of July, 2018.

NORTHFIELD TOWNSHIP BOARD

By: 

Kathy Manley, Clerk