

**GREEN OAK CHARTER TOWNSHIP
ORDINANCE NUMBER 03-2019**

**AN ORDINANCE TO AMEND PORTIONS OF CHAPTER 38, ZONING, OF THE
CODE OF ORDINANCES FOR GREEN OAK CHARTER TOWNSHIP, BY
AMENDING SECTION 38-236. OPTIONAL PROVISIONS FOR EXEMPLARY
PROJECTS, SECTION 38-311. PARKING REQUIREMENTS GENERALLY, AND
SECTION 38-313. PARKING LOT CONSTRUCTION AND OPERATION TO
ALLOW FOR PARKING IN THE FRONT YARD IN PL, LI, AND GI DISTRICTS
WITH RESTRICTIONS**

GREEN OAK CHARTER TOWNSHIP ORDAINS:

Section 1. Amendment of Chapter 38

Sec. 38-236. Optional provisions for exemplary projects.

- (3) Commercial component.** An open space community with a gross area of twenty (20) acres or more may incorporate a commercial land use component, provided that all of the following requirements are met:
- a. The commercial component shall be located on a lot of sufficient size to contain all commercial structures, parking and landscape buffering. The total area occupied by the commercial land uses may not exceed five percent (5%) of the gross area of the open space community or five (5) acres, whichever is less.
 - b. All commercial uses shall be compatible with the residential area.
 - c. The Planning Commission finds that the architectural design of the structures is compatible with the balance of the development.
 - d. All commercial structures are connected to a pedestrian access system servicing the project.
 - e. All parking and loading areas serving the commercial uses shall be to the rear or side of the structure and fully screened from view of any public roadway, except that the Planning Commission and Township Board may allow up to twenty-five percent (25%) of the minimum number of required parking spaces in the front yard. Employee and customer parking in PL, LI, and GI zoning districts may be in the front yard per Section 38-313. Where the parking lot is visible from residential units or open space, it shall be planted with a landscape buffer consisting of evergreen trees spaced no more than ten (10) feet on center.

Section 2. Amendment of Chapter 38

Sec. 38-311. Parking requirements generally.

(f) Location for other uses. The off-street parking facilities required for all other uses shall be located on the lot or within five hundred (500) feet of the permitted uses requiring such off-street parking, and such distance is to be measured along lines of public access to the property between the nearest point of the parking facility to the building to be served. In districts other than PL, LI, and GI the front setback area shall remain as open space, unoccupied and unobstructed from the ground upward, except for landscaping, plant materials, or vehicle access drives. In the PL, LI, and GI district, parking for employees and customers may be located within the front yard with a minimum setback of 20 feet to allow for Landscaping adjacent to roads per Section 38-177(c)(2). A fully executed parking easement agreement for all off-site parking shall be signed by all parties involved and recorded for all off-street parking intended to service the main facility.

Section 3. Amendment of Chapter 38

Sec. 38-313. Parking lot construction and operation.

(3) Front yard setback. The depth of the front yard setback line from the street as established for houses in any block in any given residential area shall be continuous and made applicable to parking space in such residential area and it shall be unlawful to use the space between such setback line and the sidewalk for the parking of motor vehicles except for parking in driveways for single-family and duplex homes. For PL, LI, and GI districts the front setback for parking lots for shall be a minimum of twenty (20) feet from the property line.

Section 4. Repealer.

This ordinance repeals any ordinances in conflict thereof.

Section 5. Severability.

The various parts, sentences, sections and clauses of this Ordinance are declared to be severable. If any part, sentence, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected.

Section 6. Savings Clause.

This Ordinance shall not be construed to impair or affect any existing right, remedy or proceeding pending at the time this Ordinance takes effect.

Section 7. Effective Date.

This Ordinance shall take effect on the 8th day after publication, or such later date as provided in the Michigan Zoning Enabling Act if a petition for voter referendum on this Ordinance and/or a notice of intent to submit such a petition is timely filed with the Township Clerk.

GREEN OAK CHARTER TOWNSHIP

Michael H. Sedlak, CMC Township Clerk

Introduction Date: February 20, 2019

First Publication Date: March 25, 2019

Adoption Date: April 17, 2019

Second Publication Date: April 24, 2019

Effective Date: April 24, 2018

CERTIFICATION

I, Michael H. Sedlak, the Clerk for the Green Oak Charter Township, Livingston County, Michigan, do hereby certify that the foregoing is a true and complete copy of Ordinance Number 03-2019, adopted by the Green Oak Charter Township Board at a regular meeting held on April 17, 2019. The following members of the Township Board were present at that meeting: Tracey Edry, Dan Rainko, Jim Tuthill, Michael Sedlak and Mark St. Charles.

The Ordinance was adopted by the Township Board with five members of the Board voting in favor and no members voting in opposition. Notice of introduction and publication of the Ordinance was published in the Livingston County Community News on April 24, 2019. The Ordinance shall be effective April 24, 2019.

Michael H. Sedlak, Township Clerk