

GAINES CHARTER TOWNSHIP
PLANNING COMMISSION – REGULAR MEETING
Township Board Room - 8555 Kalamazoo Ave. S.E. Caledonia, MI 49316

DRAFT Agenda

7:00 p.m. – Thursday, August 28th, 2025

- I. Call to Order and Roll Call**
- II. Consideration of Agenda**
- III. Consideration of Meeting Minutes**
 - a. Consideration of July 24th, 2025, Planning Commission Regular Meeting Minutes
- IV. Inquiry of Conflict of Interest**
- V. Public Comment**
- VI. New Business**
 - 1. Public Hearings**
 - a. 3429 Loretta View SE –Special Use Permit
 - 2. Site Plan Review**
 - a. None
 - 3. Items not requiring a Public Hearing**
 - a. 4645 100th Street – Resolution to Revoke Special Use Permit
 - b. Zoning Ordinance Text Amendment – LED Message Centers in SR Zoning District
- VII. General Discussion**
- VIII. Adjournment**

Persons with disabilities needing special accommodations should contact Kim Triplett at (616) 698-6640 one week prior to the meeting to request mobility, visual or any other assistance.

DRAFT Minutes of the Gaines Charter Township Planning Commission

Regular Meeting held July 24th, 2025, at 7 pm

8555 Kalamazoo Ave., SE, Caledonia, MI 49316

MEMBERS PRESENT: Billips, Rober, Waayenberg, Wiersema, Giarmo

MEMBERS ABSENT: Haagsma, with notice

STAFF PRESENT: Dan Wells, Community Development Director; Dakota Swan, Assistant Planner

I. CALL TO ORDER AND ROLL CALL

Chair Giarmo called the meeting to order at 7:00 PM.

II. CONSIDERATION OF MEETING AGENDA

One correction was made to the agenda. Item VI.3.a is a final site plan review, not a site plan amendment.

III. CONSIDERATION OF MEETING MINUTES

Consideration of the June 26th, regular Planning Commission meeting minutes.

Motion: Motion by Rober, supported by Wiersema to approve the minutes of June 26th, 2025.

DISCUSSION:

AYES: All

NAYS: None

ABSTAIN: None

DECISION: Motion Carried (6-0)

IV. INQUIRY OF CONFLICT OF INTEREST

None.

V. PUBLIC COMMENT

VI. NEW BUSINESS

1. Public Hearings

a. 4645 100th Street – Revoke Special Use Permit

Jennifer Ranero, explained that in 2023 she sought approval for a Special Use Permit to operate a small home business that specializes in auto detailing. Ranero apologized for the mess on the property and added that it has been cleaned up since the time of inspection. She added that her and her husband are committed to achieving compliance and remaining in good standing with the Township. Ranero concluded by asking the Planning Commission to not revoke the Special Use Permit since this was their first warning.

Planner Wells explained that the Special Use Permit was issued solely for an auto detailing business to operate in the existing garage and two car ports, and it was approved with very specific conditions. The SUP approval stipulated that no more than one car could be stored on the premises at a time, and that it must be within a completely enclosed building. Detailing work was restricted to indoors, chemicals from engine washing were not to be discharged into the drain behind the property, and all work was to be executed by the homeowners using residential cleaning supplies.

The Township received a complaint regarding inoperable vehicles and accumulation of solid waste/ junk on the property. Wells and Community Policing Officer, Deputy Jeff Bylsma, inspected the property and noted between 10-12 vehicles on the property, including several without license plates which renders them inoperable vehicles. Section 17.20.J of the Zoning Ordinance stipulates that inoperable vehicles must be stored within a completely enclosed building or stored elsewhere. Wells noted that an adverse impact on the neighborhood is apparent since the Township received a complaint. Section 18.150.E of the Zoning Ordinance states that home occupations must maintain low visibility, which is being violated by the accumulation of vehicles on the property. Planner Wells added that he was unable to inspect the inside of the garage and is unsure of the state of the interior. Staff felt it was appropriate to bring this back to the Planning Commission for consideration; Wells noted that any conditions from the original approval that aren't met are grounds for revocation of the Special Use Permit.

Chair Giarmo opened the public hearing.

Terry DeVries of 4635 100th Street stated that there have always been several cars at the property, and the conditions of approval have been unsatisfied almost since the initial approval of the Special Use Permit. DeVries added that the business operates 7 days a week and has anywhere from 3-5 employees, and that at one point he has counted almost 20 cars on the property. DeVries also noted that he is concerned about his well and any negative impacts that may occur to it as a result of the home occupation.

Chair Giarmo closed the public hearing.

Billips began discussion and expressed that she was rather shocked about the state of the property. Thomas agreed and noted that 20 vehicles is significantly more than what was specified in the Special Use Permit, and that she is unsure of what potential effects the business may be having on groundwater and the wells in the area. Billips noted that the Planning Commission grappled with the decision in the first place, and it appears as though from early on the operations manifested into something that was not approved. Billips expressed disappointment as the Planning Commission wanted to support a local business by granting approval in 2023.

Vice Chair Rober noted that this situation is not what the Planning Commission bargained for.

Chair Giarmo noted that there are several Special Use Permits that have been issued in the Township, and if the Planning Commission wants residents to take them seriously, they have an obligation to enforce the conditions of Special Use Permits.

Wiersema pointed out that it seems as though this was a continuous situation that occurred over time, and that restrictions the Planning Commission put in place were clearly not met.

Chair Giarmo concluded that a Special Use Permit isn't something that is collaborative between the applicant and Planning Commission; either the conditions of the permit are met, or they're not. Giarmo noted that although the Planning Commission wanted to support a small business, they do not have a lot of confidence that the operation in question could be trusted to adhere to the conditions of the Special Use Permit.

MOTION: Motion by Rober, supported by Billips, to revoke the Special Use Permit for a home occupation at 4645 100th Street based on conditions of approval not being satisfied.

DISCUSSION: Waayenberg clarified that as per Section 25.30.E of the Zoning Ordinance, the Planning Commission has the ability to revoke a Special Use Permit if the applicant violates any of the conditions of the permit. Chair Giarmo requested that staff prepare a formal resolution for the revocation.

AYES: ALL

NAYS: None

ABSTAIN: None

DECISION: Motion Carried (6-0)

2. Site Plan Review

a. None

3. Items not requiring a Public Hearing

a. 3316 68th Street – Dutton Center PUD Phase I – Amendment

Dan Larabel of Allen Edwin Homes explained that in 2024, approval was granted by the Planning Commission for a final PUD and site plan approval for the Dutton Center project, and that they are currently in the construction and engineering phase of the project. Larabel noted that the development team anticipated excess offsite stormwater to impact the stormwater plans, and as a result were required to increase the size of the proposed detention basin and propose a larger retaining wall on the west side of the basin. Residential units on the south side of the basin were eliminated to account for the increase in size, and enabled the commercial units on 68th Street and Hanna Lake to remain

unchanged. Larabel added that they are also in the final stages of getting approvals squared away with the Kent County Drain Commission and Kent County Road Commission.

Planner Wells elaborated further and noted that the pedestrian path around the detention pond will not be effected by the changes, and that the Township Engineer has reviewed and is comfortable with the engineering plans for stormwater management. The development team is attempting to nail down final site details so they can begin installing utilities and roads. Wells also noted that the site plan was found to be consistent with all requirements of the Zoning Ordinance, and that the request does not alter the nature and/ or character of the PUD.

Chair Giarmo inquired about the height of the retaining wall; Planner Wells responded that it is about 4-5 feet above grade with a 9 foot wide footing and a 16 inch thick wall. Giarmo checked to ensure there was a way to get around the wall, to which Planner Wells responded that the pedestrian path will remain intact and will get foot traffic around the wall. Wiersema noted that his only concern with the request was the pedestrian path, and he is pleased to see it will be unaffected by these changes.

MOTION: Motion by Wiersema, supported by Waayenberg, to approve the final site plan for Dutton Center Phase I.

DISCUSSION: None

AYES: ALL

NAYS: None

ABSTAIN: None

DECISION: Motion Carried (6-0)

b. Prairie Wolf Station PUD – Site Plan Amendment

Eric DeYoung of Nederveld, the Project Manager for Prairie Wolf Station, explained that they are seeking an amendment to the approved site plan for Prairie Wolf Station to account for various changes that are necessary as a result of final engineering requirements. DeYoung noted that the multifamily and mixed-use portions of the development have received approval and construction on them has begun, and they are to remain the same as approved.

Planner Wells explained the changes being requested. The Consent Judgement for the project stipulates that buildings along Gull Prairie Drive are required to be 5 feet from the sidewalk so as to promote a “boulevard feel” and a vibrant pedestrian experience; the applicant is requesting that be increased to 10 feet to allow for a utility easement. The section of the development referred to as “Lot B” in the Consent Judgement calls for neighborhood commercial use; the applicant is requesting to locate the senior housing component there instead. This location has been identified as being preferable by staff, as the senior housing will offer a buffer to the residential property to the south. The senior housing phase will also include a mixed-use element, as the developer intends to include a café on the north side of the senior housing complex, and the number of units increased from 110 in the Consent Judgement to 140 units. Similarly, the north side of Gull Prairie Drive was originally intended to be senior housing and is now intended to be solely neighborhood commercial development.

Final engineering of the stormwater management plan also required changes to be made to the residential element of the site plan. The developer was required to expand the proposed stormwater basin in the northeast, and also to realign Gray Wolf Drive as per the Kent County Road Commission. As a result, four terrace homes and four single-family detached lots were eliminated from the development, however, the overall character of the development is unchanged.

Parking calculations based on land use and are highly complex for the PUD as there is a dynamic mix of uses throughout. Wells noted that staff is comfortable with the proposed parking and finds that it meets the requirements of the Zoning Ordinance. Typically nursing homes have a parking calculation of their own, but since the senior housing component includes independent living units, the developer has used a calculation of 1 space per unit, which staff finds to be appropriate.

Planner Wells noted that although details for utilities need to be worked out, the developer is seeking an amendment to the PUD to allow these changes to happen. Since the site plan is under a Consent Judgement, the proposed changes must be approved by the Planning Commission before getting reviewed and approved by a judge.

MOTION: Motion by Waayenberg, supported by Thomas, to make a positive recommendation to the Township Board recommending approval of the revised PUD site plan

DISCUSSION: None

AYES: ALL

NAYS: None

ABSTAIN: None

DECISION: Motion Carried (6-0)

c. 1264 100th Street – Stoneworks Development – Major Preliminary Condominium

Randy Koetje, applicant and owner of Koetje Builders, explained that he is seeking preliminary approval for a major condominium plan for a parcel that was recently rezoned to Village Residential at the corner of 100th Street and Pease Avenue. The condo plan is anticipated to feature 53 single-family detached homes and 32 attached single-family homes. There will also be six parcels split off that have frontage on Pease Avenue, which will feature single-family construction. The developer intends to bring in public water and sewer from 100th Street; the six parcels on Pease will have public water but will be on septic systems for sewer maintenance.

Wiersema emphasized that although this is the preliminary phase of approval, the intent of Village Residential is to promote a strong sense of neighborhood character through inviting front porches and high-walkability design. Wiersema encouraged the development team to strongly consider the intent of the Village Residential zoning district as the project moves forward.

Wiersema also inquired about wetlands on the parcel; Planner Wells clarified that EGLE has determined that the wetlands in question are part of a larger wetland system in the area, and that they must remain intact.

Commissioner Thomas inquired about whether the homes would be built with zero-entry accessibility; Koetje responded that the units will feature zero-step entry.

MOTION: Motion by Waayenberg, supported by Thomas, to accept the preliminary site condominium plan with the condition that the applicant must adhere to all review comments provided by the Township Engineer and Fire Department.

DISCUSSION: None

AYES: ALL

NAYS: None

ABSTAIN: None

DECISION: Motion Carried (6-0)

VII. GENERAL DISCUSSION

VIII. ADJOURNMENT

The meeting adjourned at 8:06 PM.

CERTIFICATION:

I hereby certify that the above is a true copy of the minutes from the July 24th, 2025, Planning Commission Meeting of the Gaines Charter Township Planning Commission held at the time and place mentioned above pursuant to the required statutory procedures.

Respectfully submitted,

Lani Thomas,

Secretary

Gaines Charter Township Planning Commission

Date: _____

Gaines Charter Township

Planning Commission Memo

Meeting Date: August 28th, 2025

AGENDA ITEM: VI.1.a

PROPOSED REQUEST: Special Use Permit

ADDRESS: 3429 Loretta View SE

PARCEL NUMBER: 41-22-14-100-058

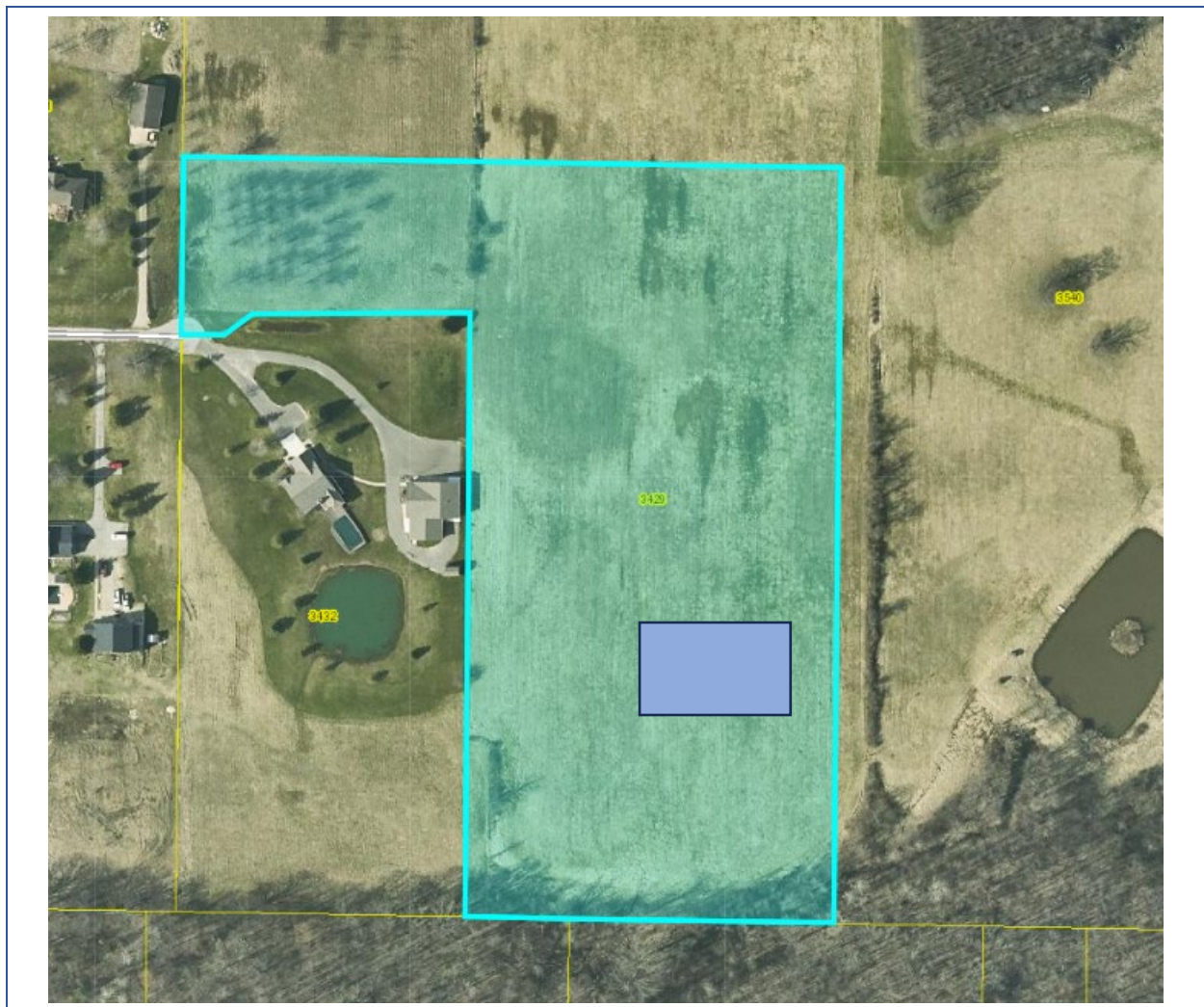
FILE NUMBER: 250625BM

APPLICANT: Brad Miedema

PROPERTY ZONING DISTRICT: Residential-10

PROPERTY SIZE: 9.9 Acres

REPORT BY: Dan Wells, Community
Development Director



OVERVIEW

The applicant is requesting a Special Use Permit to allow construction of a 100' x 150' building (15,000 square feet) in the Agricultural-Rural Residential zoning district. The building is intended to be used for private indoor recreation and storage purposes, specifically for a full-scale baseball infield, basketball half court, gymnastics room, weight room, cold storage, and sauna. And upper floor includes a kitchen area and golf simulator.

Based on the zoning ordinance, the property is limited to 2,400 SF of accessory buildings per acre, plus 500 SF per acre above the first, with a maximum of 5,000 SF by-right. In this instance, the applicant is requesting triple the maximum of 5,000 SF, thus the request for a special use permit.

Surrounding zoning:

	NORTH: Agricultural-Rural Residential	
WEST: Agricultural-Rural Residential	SUBJECT PARCEL	EAST: Agricultural-Rural Residential
	SOUTH: Agricultural-Rural Residential	

STANDARDS OF REVIEW

The request has been reviewed using the applicable review standards of Section 27.40 "Special Land Use Approval Standards" and the specific standards of Section 18.20 "Accessory Buildings, Structures and Uses".

Section 27.40 Special Land Use Approval Standards

Special land uses are generally consistent with the purpose of the zoning district in which they are located, but due to unique operational characteristics or specific circumstances surrounding the use, they may not be desirable or compatible in all locations. Factors such as traffic, hours of operation, noise, visual impact, odor, intensity of use, or similar potential effects require that special land uses be evaluated for appropriateness on a case-by-case basis. Special land uses may be authorized after Planning Commission review and approval, following a review of the use and its potential impact on its surroundings.

A. ZONING ORDINANCE AND MASTER PLAN. The special land use will be consistent with the goals, intent, and purposes of the Zoning Ordinance and the Master Plan. The associated site plan will comply with all requirements of this Ordinance and satisfy all site plan standards of approval.

Meets standard. The 2023 Future Land Use Plan designates this parcel as Agricultural-Rural Residential. Accessory buildings are a permitted use under the Master Plan's guidance for Agricultural-Rural Residential properties and are provided for by the Zoning Ordinance subject to certain standards being met.

The proposed accessory building will be used for recreation purposes by the homeowner's family, which is allowed under the zoning ordinance. If the Planning Commission finds that the proposed building meets the standards for Special Land Use, then it will meet the requirements of the zoning ordinance.

B. USE COMPATIBILITY AND CHARACTER. The site plan and buildings associated with the use will be designed and constructed, and the use will be operated and maintained in ways to ensure compatibility

with adjacent and nearby land uses. Establishment of the use will not degrade the essential character of the area in which it is proposed. Further, it will not impede the normal and orderly development and improvement of surrounding property and shall not have significant adverse impacts upon adjoining properties or uses.

Undetermined. This is a comparatively large building for non-agricultural use. The only buildings of this scale in the vicinity are two ca. 20-foot tall agricultural buildings about 1,000 feet to the northeast that are about 19,000 SF if combined, and a cluster of single-story agricultural hydroponic hoop houses about 2,000 feet to the north.

The proposed accessory building will be in an area that is relatively rural and characterized by open pasture, fenced fields and groves of trees. It is likely that the building will be visible from 76th Street, although due to the distance from the road it won't appear as large as it would be to the adjacent properties. The applicant proposes planting a row of trees immediately west of the building in order to screen it from properties to the west.

The Planning Commission will need to determine if the massing and scale of the building is appropriate for the area.

C. PUBLIC SERVICES AND INFRASTRUCTURE. The use and its associated buildings and site improvements will be adequately served by essential infrastructure and services, such as roads, stormwater drainage infrastructure, schools, law enforcement, and fire protection; will not create excessive additional requirements at public cost for infrastructure; and will not be detrimental to the economic welfare of the community.

Meets standard. As a residential accessory building, staff does not anticipate any impacts on roads, police and fire protection, drainage structures, water or sewage facilities, or schools. After receiving feedback from the Township Fire Marshal, the applicant has modified the plan to include a gravel driveway to provide adequate emergency access to the building.

D. IMPACT AND NUISANCES. The use and its associated buildings and site improvements will not be hazardous or disturbing to existing or future uses in the same general vicinity and in the community as a whole, and it will not involve uses, activities, processes, materials, equipment, or conditions of operation that will be detrimental to persons, property or general welfare by reason of excessive activity, noise, vibration, smoke, fumes, glare, odor, or visual impact.

Undetermined. The proposed building doesn't pose any potential nuisance issues except visual impact. The owner has received permission from the Loretta View Architectural Committee, so it's not anticipated to hinder the health, safety, or economic welfare of surrounding properties or landowners by their evaluation.

Staff does not know which homeowners are on the Loretta View Architectural Committee and whether the people immediately adjacent are aware of the proposed building, but all neighbors within 300 feet of the property have been notified of the proposal via the public notice process.

E. ENVIRONMENTAL IMPACT. The use and its associated buildings and site improvements will not cause environmental degradation or significant change to landscapes, topography, and sensitive natural resources.

Meets standard. Residential property is exempt from stormwater regulations, but since the roof covers 15,000 square feet, runoff from the roof should be directed so that it doesn't impact neighboring properties.

F. TRAFFIC The use will not result in unsafe traffic conditions or negative impacts on bicycle and pedestrian travel and shall not create or substantially add to traffic hazards in the area.

Meets standard. The accessory building will be utilized for residential use; it is not anticipated that traffic will be affected.

G. PRECEDENCE AND REASONABLE LAND USE The proposed use shall not set precedents for development, which could adversely affect the long-term plans or policies of the Township. The proposed use will be reasonable.

Undetermined. Large accessory buildings are relatively common in rural areas of the township, and several surrounding lots have accessory buildings that range from 1,200 to 2,400 SF. The proposed barn is triple the size of what is normally allowed by-right (up to 5,000 SF for a parcel of this size).

The Planning Commission will need to determine if this proposal is reasonable or if it adversely affects the long-term plans for rural areas of the township. The Master Plan describes rural areas thus:

"Natural woodlots, open fields, and agricultural land uses such as field crops, family farm livestock operations and hobby farms growing a variety of vegetables may be anticipated in these areas. This area is intended to function as an area where only limited residential development can or should occur.... Residential development in this land use district should be sparse." (pg. 49)

In terms of use as a private sports facility, the scale of this building is unprecedented in the township. Indoor sport facilities that have been built in the township previously include pickleball courts, pitching mounds, basketball courts, and golf simulators, usually as part of an accessory building.

Section 18.20.9 Accessory Buildings, Structures, And Uses. Oversized Accessory Buildings.

In considering a special use permit for an accessory building exceeding the maximum floor area, the Planning Commission shall consider the standards stated in Chapter 19 and the following additional standards:

The Planning Commission may consider requests for oversized accessory building square footage through the special land use process (Chapter 27). In addition to special land use and site plan standards of approval, the Planning Commission shall also consider the following factors:

a. Whether the intended use of the accessory building(s) is authorized within the applicable zoning district.

Private indoor recreation is permitted by right in accessory buildings in the Agricultural Rural Residential zoning district.

b. The size, type of construction, and general architectural character of the residential accessory building(s) are compatible with buildings in the vicinity.

The Planning Commission will need to determine if the size and scale of the proposed building is compatible with the surrounding properties.

c. The resulting increase in size and scale of the residential accessory building(s) does not result in a visible impact that is overly obtrusive to neighboring residents.

The Planning Commission will have to determine if the 15,000 square foot building is considered a visual impact that is overly obtrusive.

d. Proposed setbacks from lot lines and separation from dwellings on the adjacent properties are appropriate based on the size and scale of the proposed accessory building(s).

The proposed location is well outside of setback requirements for front and side yards, and the closest property line is 55 feet to the east.

Setback	Required	Proposed
Front	60 feet	227 feet
Side	20 feet	240 feet
Rear	5 feet	55 feet
Max. Height	25	24' 9 ½ "

e. If the property is intended to be divided in the future, the location of the residential accessory building(s) does not impact the ability to divide the land in a compliant manner while maintaining required setbacks from the building(s).

There is no intention of dividing this parcel in the future, and doing so would be prohibitively expensive since it would require upgrading Loretta View into a major private street.

f. The increase in residential accessory building square footage does not result in adverse stormwater runoff impact and degradation of sensitive natural resources.

Residential property is exempt from stormwater regulations, but since the roof covers 15,000 square feet (approximately 1/3rd of an acre), runoff from the roof should be directed so that it doesn't impact neighboring properties.

STAFF RECOMMENDATION

Unless action is postponed, the Planning Commission shall decide upon special land use requests as follows:

- a. Approval. The motion or resolution and minutes shall indicate the findings and conclusions serving as the basis for the decision and any conditions imposed.
- b. Denial. In the case of a denial, the motion or resolution and minutes shall indicate the findings and conclusions serving as the basis for the decision.

A formal resolution may be required by the Planning Commission to formally outline the findings, decision, and conditions, if applicable.

Reasonable conditions may be imposed by the Planning Commission on a special land use approval in accordance with Section 25.60.

If the Planning Commission determines that the scale of the building meets the standards for a SUP, Staff recommends that a better landscape plan be developed that is greater than a single row of trees, and it is applied to all sides of the building. A more naturalistic “grove” approach to screening using native conifers, deciduous trees, and large shrubs would be more appropriate considering the rural setting. If the Planning Commission is amenable, they may direct staff to complete a review of a revised landscaping plan administratively.



FILE NO.
250625BM

8555 Kalamazoo Avenue SE • Caledonia MI 49316
Ph: 616 698-6640 • Fax: 616 698-2490
www.gainestownship.org

Application for Zoning Approval

Project Address	3429 Loretta View SE, Caledonia, MI 49316		
Owner Name	Brad Miedema		
Owner Address	Street Address 4622 Wren Drive SE	City, State, Zip Caledonia, MI 49316	
Parcel Number(s):	41-22- 14100058	41-22-	
Description of Proposed Project/Use	We will be building our primary residence on this lot. We would also like to build a large accessory building to be used as a private/personal sports facility that would include a baseball infield, basketball court, weight room, golf simulator, etc.		

Applicant/Contact	Brad Miedema		
Applicant/Contact Address	Street Address 4622 Wren Drive SE	City, State, Zip Caledonia, MI 49316	
Contact Info	Home / Office / Cell 310.739.2277	E-Mail bradmiedema@yahoo.com	
<i>"I" hereby certify to the correctness and knowledge of the information submitted and hereby agree to comply with the terms and requirements of all applicable Township ordinances. I also grant Township staff permission to enter onto the subject property in review of this application.</i>			
Signature			
<i>Please complete the appropriate Worksheet as part of your application packet (see Staff for more information) for: Planning Commission, Zoning Board of Appeals requests, Land Divisions, Combinations or Lot Line Adjustments.</i>			

Township Use Only

Current Zoning District:	RL-14	RL-10	R-3	R-4	C-1	C-2	O-S	I-1	I-2	PUD	A-R	A-B
One / Two Family Construction	☐	Zoning Board of Appeals	☐	Planning Commission	☐	Land Combination	☐					
Site Plan Review	☐	Rezoning / PUD Rezoning	☐	PUD Amendment	☐	Land Division	☐					
Subdivision / Site Condo Review	☐	Special Use Permit	☒	Lot Line Adjustment	☐							
Other:												
Approved	☐	Approved with Conditions	☐	Denied	☐	Withdrawn	☐					
Zoning Administrator:										Date:		

Special Use Permit Applicant Worksheet

File No. _____

Special Land Use review and approval is required for certain uses of land that have increased potential to impact adjacent properties and the neighborhood. The Special Land Use application and review procedure is therefore intended to ensure that the proposed use will be designed, operated, maintained and managed in a way that will be compatible with neighboring properties and will not be detrimental to the Township or its surroundings. The application process includes public notice of the proposed use and a public hearing before the Planning Commission. Conditions of approval may be required by the Planning Commission to less on or mitigate potentially adverse effects of the use.

Please indicate request type and the applicable Section(s) of the zoning ordinance.
Leave blank if uncertain.

- | | |
|--|------------------|
| ☐ Residential Special Use | |
| _____ Accessory Building | Section(s) _____ |
| _____ Other | Section(s) _____ |
| ☐ Commercial / Industrial Special Use * | Section(s) _____ |
| ☐ Wireless Communication Facility * | Section(s) _____ |
| ☐ Signs/Billboard | Section(s) _____ |

* Please check with the Planning and Zoning Department staff to determine additional applicable Site Plan Approval requirements.

File No. _____

General Standards for All Special Land Uses (Section 19.8)

In addition to utilizing the Zoning District standards and the site plan review standards of Section 25.6, "The Planning Commission shall review the particular circumstances and facts of each proposed special use and in addition to the specific standards of consideration stated for each special use type within this Ordinance, shall be guided in rendering a decision by the following general standards:

- a. *The proposed special use shall be sufficiently designed to maintain adequate provision for the protection of the health, safety, conveniences, and social and economic welfare of those who will use the special use, residents and landowners adjacent to the special use, and the community as a whole.*
- b. *The proposed special use shall be consistent with the intent of this Ordinance and the intent of the Master Plan.*
- c. *The special use shall not create or substantially add to traffic hazards in the area.*
- d. *Public services and facilities such as roads, police and fire protection, drainage structures, water and sewage facilities or schools, shall be sufficiently extended to the proposed special use such that load capacities are not exceeded.*
- e. *The proposed special use shall not set precedents for development which could adversely affect the long term plans or policies of the Township.*
- f. *The proposed special use shall not have significant adverse environmental, ecological or natural resource impacts.*
- g. *The proposed special use shall not have significant adverse impacts upon adjoining properties or uses."*

Applicant Response to General Standards of Review

Special Land Uses are those that have been identified as uses requiring special consideration based upon their potential effect on the adjacent area. Special regulation of these uses is necessary to protect and preserve the quality of the Township's residential and commercial neighborhoods and not all locations are appropriate for all special uses. The proposed location, the site design and layout of the use, the size and magnitude of the use and hours of operation may all be important considerations.

1. How much traffic, what kind of traffic and at what times of the day and or week will traffic be generated by the proposed use.

2. Will the use or activity generate any noise, dust, odor, light or other emissions? If so what type and how frequently.

3. In addition to the above, describe any other the activities or characteristics associated with the building(s) and use and what measures will be taken in the location design, and operation of the use to keep the use, building or activity in harmony with neighboring properties and avoid the imposition of adverse impacts on them and the community.

4. Describe how the proposed special use will avoid the creation of adverse environmental, ecological or natural resource impacts.

Site Plan.

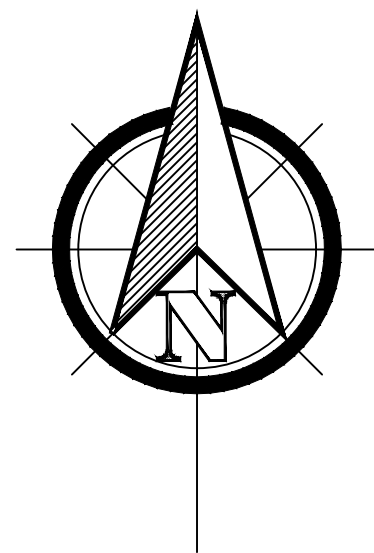
Please submit a reproducible site plan, or sketch plan. The plan must be drafted to an accurate minimum scale of 1 inch to 50 feet. If the drawing has not been professionally prepared and sealed, a certified legal survey of the property shall be required in order to verify the accuracy of the site plan. If the site plan is not to scale or it is lacking accuracy and detail, the application will be rejected.

The following checklist itemizes the minimum requirements, as applicable, for a site plan that is submitted with a special land use application. If the Planning and Zoning Department determines that more information and project detail is required you may be directed to provide additional information as outlined in Chapter 25 of the Gaines Charter Township Zoning Ordinance.

- ☐ Name of applicant.
- ☐ Owner or owners, if different than the applicant.
- ☐ Name and address of the development
- ☐ North arrow, scale and date
- ☐ Lot dimensions.
- ☐ Legal description for the property.
- ☐ Zoning of the site and adjacent properties
- ☐ The location and setback of all buildings, signs and structures from property lines and street right-of-way lines.
- ☐ The height and dimensions of all buildings, structures,
- ☐ Depiction of all freestanding and wall signs.
- ☐ Outside storage areas, with a description of the materials or equipment to be stored.
- ☐ Dumpsters, dumpster screening.
- ☐ Vegetation, fences, walls, buffers or other screening methods.
- ☐ Easements (access, utility, service road, and all other
- ☐ Outdoor lighting fixtures
- ☐ Driveways,/ streets/ private roads clearly labeled.
- ☐ Parking, loading areas, and circulation areas (show surface material, dimensions and layouts of parking spaces and direction size of travel of lanes, aisles, and driveways).
- ☐ Sidewalks, trails, and walkways as applicable.
- ☐ Site drainage patterns, and proposed grading.
- ☐ Natural features (tree lines, wooded areas, streams, ponds, drainage ditches, wetlands).

Building Elevations.

- ☐ Building elevation drawings or pictures and a description of the materials and colors to be used on the building(s).



TOTAL SQUARE FOOTAGES

CONCRETE

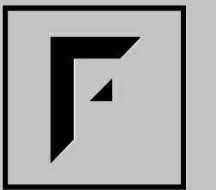
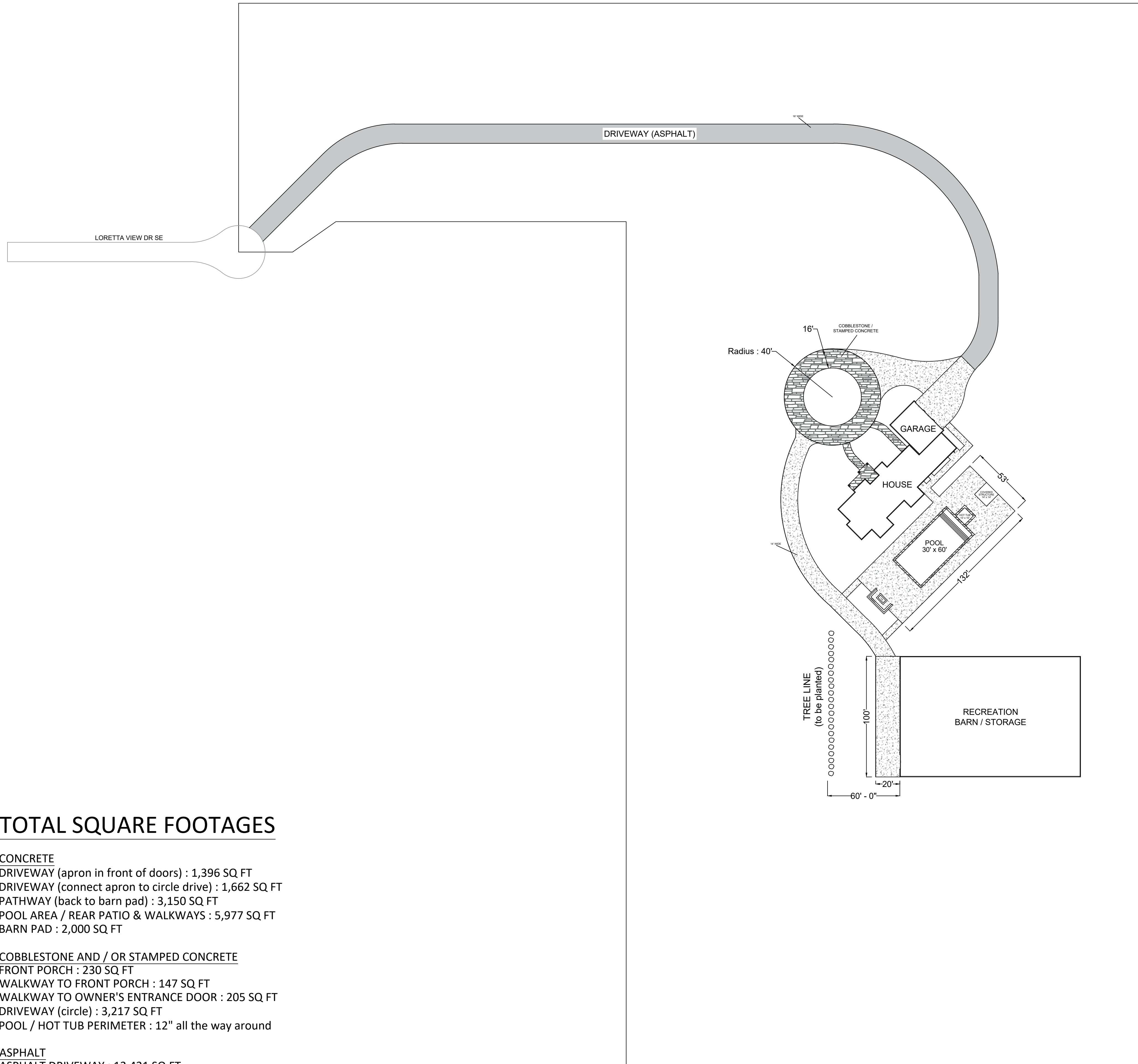
DRIVEWAY (apron in front of doors) : 1,396 SQ. FT
DRIVEWAY (connect apron to circle drive) : 1,662 SQ. FT
PATHWAY (back to barn pad) : 3,150 SQ. FT
POOL AREA / REAR PATIO & WALKWAYS : 5,977 SQ. FT
BARN PAD : 2,000 SQ. FT

COBBLESTONE AND / OR STAMPED CONCRETE

FRONT PORCH : 230 SQ. FT
WALKWAY TO FRONT PORCH : 147 SQ. FT
WALKWAY TO OWNER'S ENTRANCE DOOR : 205 SQ. FT
DRIVEWAY (circle) : 3,217 SQ. FT
POOL / HOT TUB PERIMETER : 12" all the way around

ASPHALT

ASPHALT DRIVEWAY : 12,421 SQ. FT

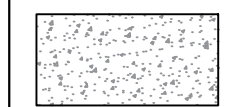


FORGE HOMES

DRAWN BY:
Cam Van Koevering
Kyle Glass
Forge Homes LLC

PROJECT :
Miedema

PARCEL:
3429 Loretta View Dr SE
Caledonia, MI 49316
Parcel # 41-22-14-100-058



CONCRETE



COBBLESTONE AND / OR
STAMPED CONCRETE



ASPHALT

DATE

8/14/2025

SHEET

CONCRETE LAYOUT

- FIBERGLASS BLEND SEAL DOWN SHINGLES
- ALUM. STEP FLASHING @ ALL ROOF TO WALL INTERSECTIONS
- (2) ROWS OF 36" ICE & WATER SHIELD ON HORIZ. EAVES (TYPICAL)
- AFTER 10' OF 7"-11" TO BE BRACED TO TRUSS PER MANUFACTURER
- ATTIC ACCESS W/ WEATHER STRIP GASKET & R30 BATT. ATTACHED
- 2 LAYERS (OVERLAPPED) SYNTHETIC UNDERLAYMENT OVER ENTIRE ROOF
- 1/2" O.S.B. ROOF SHEATHING
- ENG. TRUSSES @ 24" O.C.
- R-38 CEILING INSULATION
- 5/8" CEILING DRYWALL

FLASHING / OTHER

- ALL HORIZ. TRIM PROJECTIONS TO HAVE METAL DRIP FLASHING
- TYVEK WINDOW TAPE ALL WND. & DOOR OPENS
- WEEP SCREED TO BE INSTALLED @ BASE OF WALL @ ALL MASONRY 2" ABOVE CONC. & 4" ABOVE GRADE
- 2 1/4", R-9 OPEN CELL INSUL. @ JOIST RIM BD. OR EQUIV.

- TYVEK HOUSE WRAP
- EXTERIOR SIDING/ MASONRY
- 7/16" OSB (CS BRACING METHODOLOGY)
- #2 BTR 2X4 OR 2X6 STUDDING @ 16" O.C.
- NUWOOL CELLULOSE (R-13)
- SPRAY INSUL, AROUND ALL WINDOW & DOOR OPENINGS

- 1/2" DRYWALL
- INTERIOR PAINT
- EXTERIOR WALLS (GARAGE)**
- TYVEK HOUSE WRAP
- EXTERIOR SIDING/ MASONRY
- 7/16" OSB (CS BRACING METHODOLOGY)
- #2 BTR 2x4 WALL STUDS @ 16" O.C.
- TREATED BOTTOM PLATES
- 7/16" OSB ADJACENT TO ALL LIVING SPACE
- DRYWALL @ CEILING & ALL FACES OF SUPPORTING STRUCTURES IN GARAGE
- DOOR BETWEEN HOUSE AND GARAGE TO HAVE 20 MIN. FIRE RATING.

- ALL POURED FOUNDATION WALL FOOTINGS TO BE MIN. 3'-6" BELOW FINISHED GRADE
- 2'-x4's 2'4" O.C. @ PC WALLS w/UNFINCED (3 1/2", R13) INSULATION & NETTING OR NUWOOL CELLULOSE FIBER CELL PANELS
- (1) 4" CONT. BAR @ TOP OF WALL AND (1) #4 BAR WITHIN 10" OF TOP WALL
- MIN. 12" FOUNDATION BOLT, MAX. 6'-0" SPACING, MIN. 2' PER WALL SECTION, WITHIN 12" OF PLATE CORNER & PLACED MIDDLE THIRD OF PLATE WIDTH (OR EQUIVALENT)
- BACKFILL NO HIGHER THAN 6" BELOW T.O.W.
- 6" MIN. COMP. BACKFILL UNDER BSMT. S.L.B.
- WEITCHD. W/ WATER PROOFING @ EXT. SIDE OF FOUNDATION WALLS FROM FOOTING TO GRADE
- Foundation Drainage will be 4" corrugated sock tile covered with clean sand. Around entire exterior and interior footings of living space

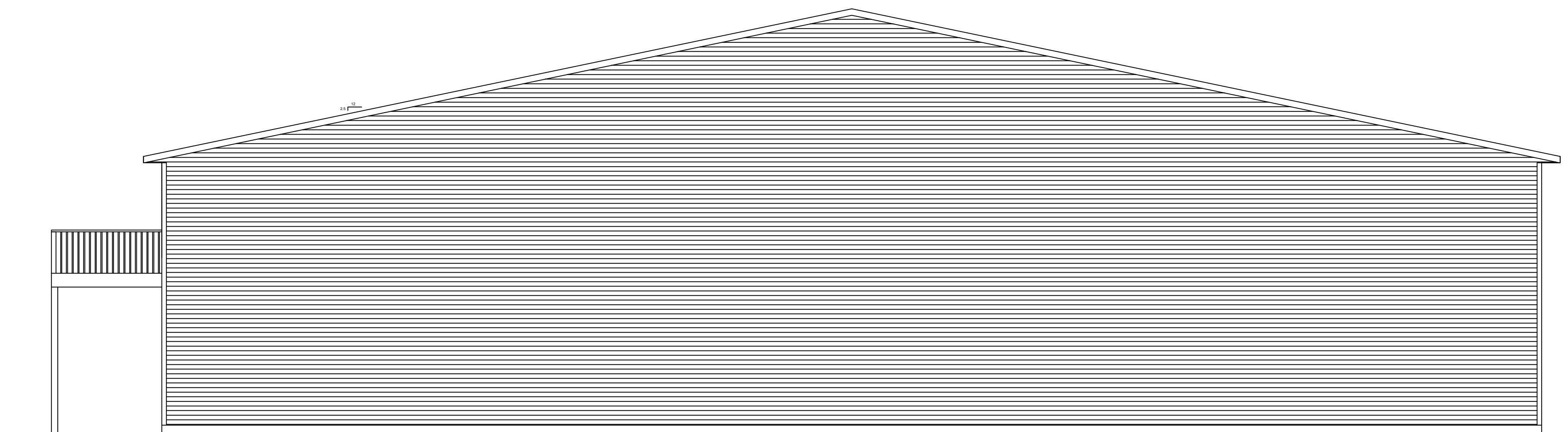
WOPENINGS GREATER THAN 4'-0" WIDE
6 MIL. VAPOR BARRIER UNDER BSMT. FLOOR
- MICHIGAN ROOM WALLS TO BE CONNECTED TO
HOUSE STRUCTURE W/ APPROVED
CONNECTORS

- ALL WINDOW SILLS 6" OR MORE ABOVE GRADE
TO BE MIN. 24" FLOOR TO FINISHED SILL HT. OR
HAVE APPROVED HARDWARE TO LIMIT OPENING

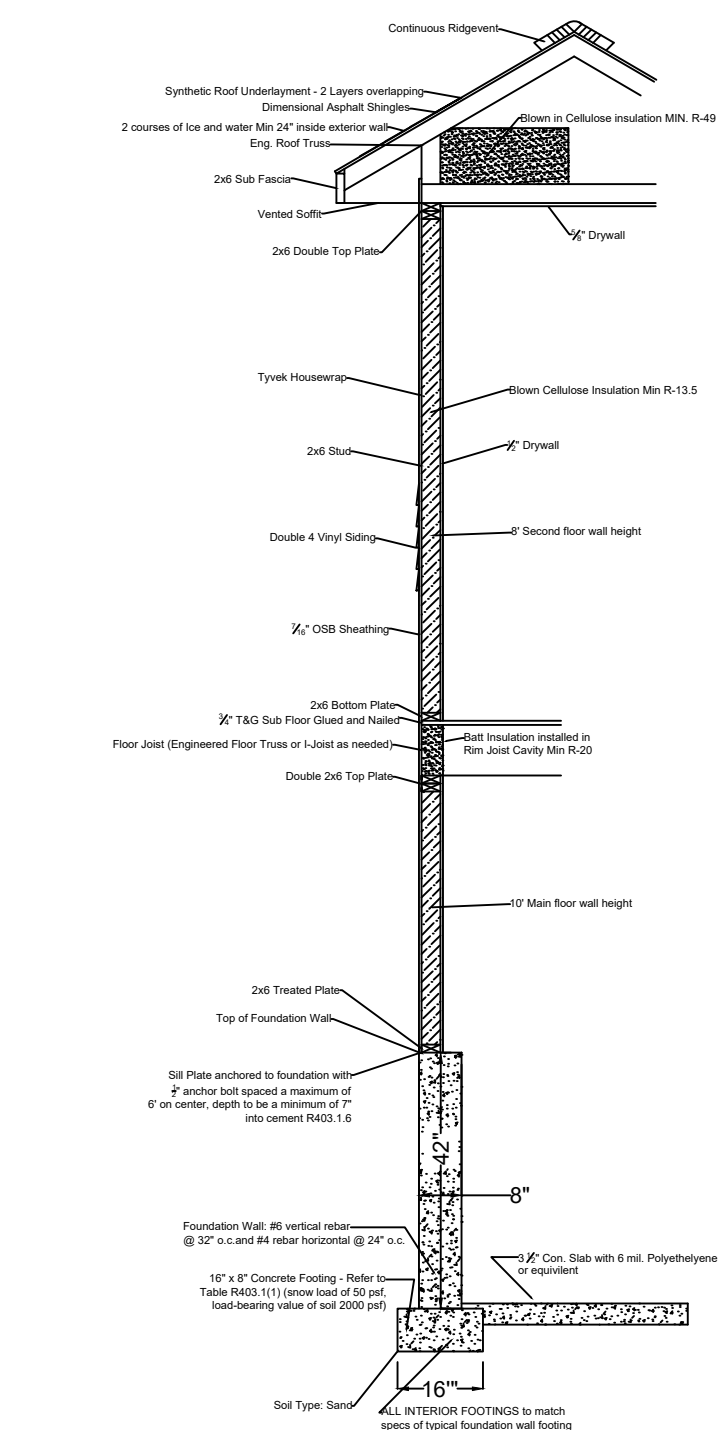
Dimension from
T.O.W. to midpoint
between ridgeline
and eave \



FRONT ELEVATION



REAR ELEVATION



Wall Cross Section - Scale $\frac{1}{2}" = 1'$

- FLASHING AND ICE & WATER SHIELD (2 ROWS)
AT A MINIMUM OF 36" ON HORIZONTAL EAVES
(TYP.)
- INSTALL GUTTERS & DOWNSPOUTS TO ENTIRE
HOME
- ALUM. FASCIA AND SOFFIT (VENTED @ EAVES)



FORGE

HOMES

DRAWN BY:
Cam Van Koevering
Kyle Glass
Forge Homes LLC

PROJECT:
Miedema

PARCEL:
3429 Loretta View Dr SE
Caledonia, MI 49316
PP # 41-22-14-100-058

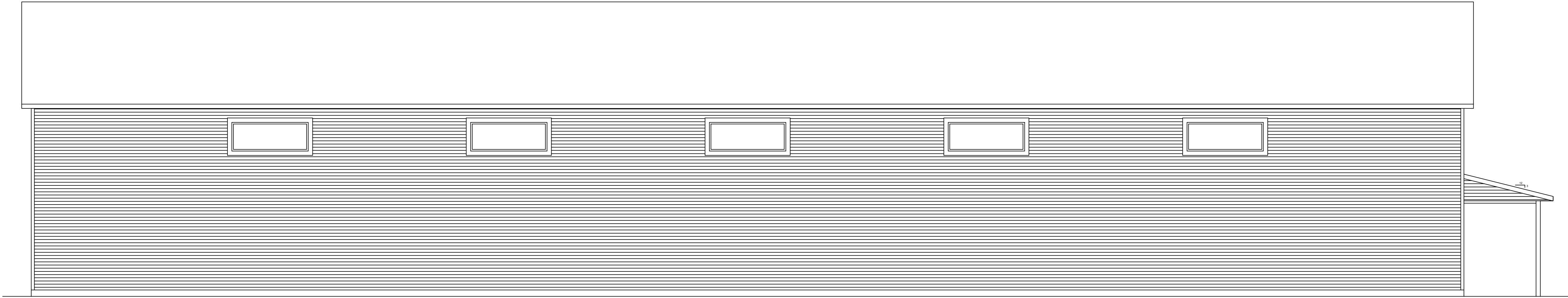
GENERAL NOTES:

DATE	6/4/2025
------	----------

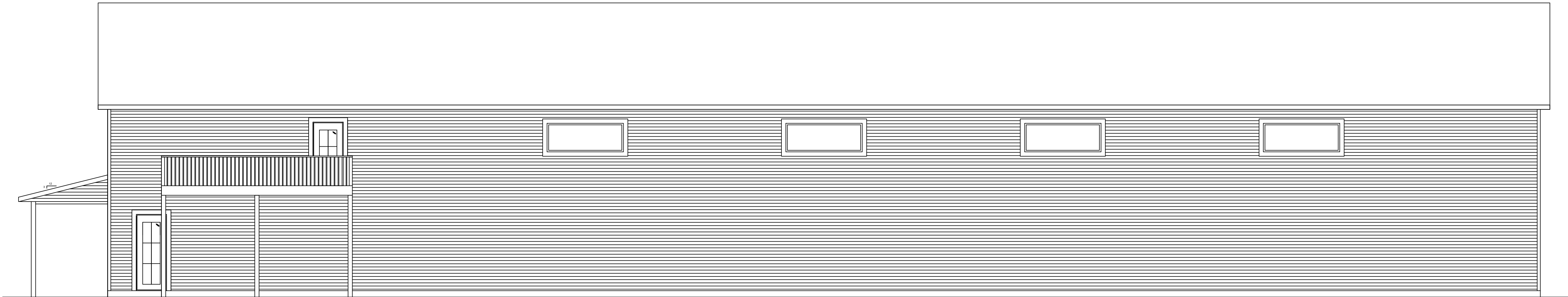
SCALE $\frac{1}{4}" = 1'$

SHEET

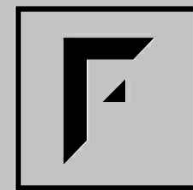
BARN
FRONT / REAR
ELEVATIONS



LEFT ELEVATION



RIGHT ELEVATION



FORGE
HOMES

DRAWN BY:
Cam Van Koevering
Kyle Glass
Forge Homes LLC

PROJECT:
Miedema

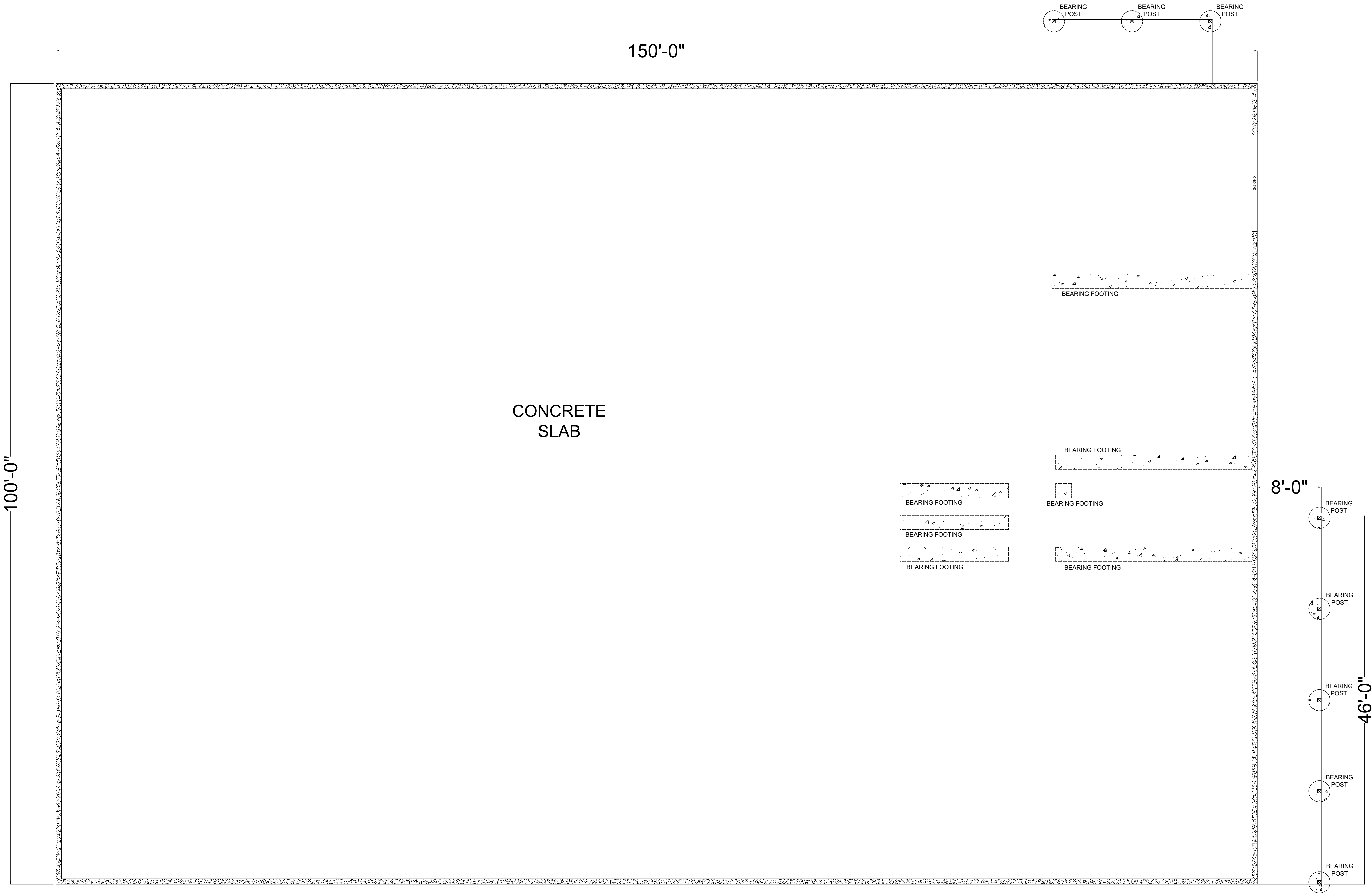
PARCEL:
3429 Loretta View Dr SE
Caledonia, MI 49316
PP # 41-22-14-100-058

GENERAL NOTES:

DATE
6/4/2025

SCALE
 $\frac{1}{4}" = 1'$

SHEET
**BARN
SIDE
ELEVATIONS**



FORGE
HOMES

DRAWN BY:
Cam Van Koevering
Kyle Glass
Forge Homes LLC

PROJECT:
Miedema

PARCEL:
3429 Loretta View Dr SE
Caledonia, MI 49316
PP # 41-22-14-100-058

GENERAL NOTES:
- 48" deep Frost Wall
- Foundation Wall @ 8" Thick

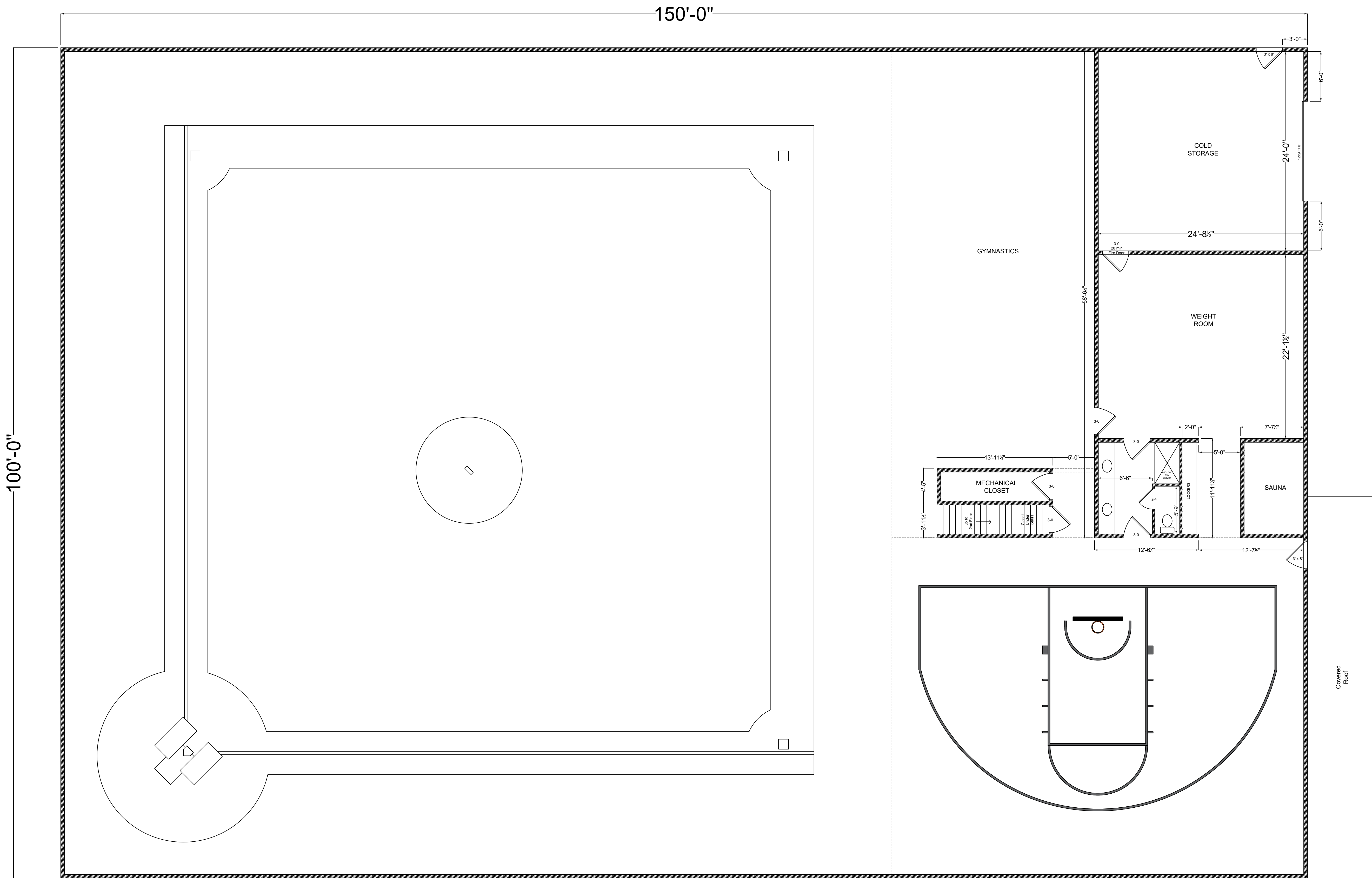
Main Floor Square Footage : 15,000 sq ft
2nd Floor Square Footage : 1,549 sq ft
TOTAL Finished Footage : 16,549 sq ft

DATE
6/4/2025

SCALE
 $\frac{1}{4}" = 1'$

SHEET

**BARN
FOUNDATION**



FORGE HOMES

DRAWN BY:
Cam Van Koevering
Kyle Glass
Forge Homes LLC

PROJECT:
Miedema

PARCEL:
3429 Loretta View Dr SE
Caledonia, MI 49316
PP # 41-22-14-100-058

- GENERAL NOTES:
- 10' Main Floor Wall Height
 - 2x6 Walls
 - Netting on all walls / ceilings in Baseball area
 - Netting to divide Gymnastics / Basketball / Baseball

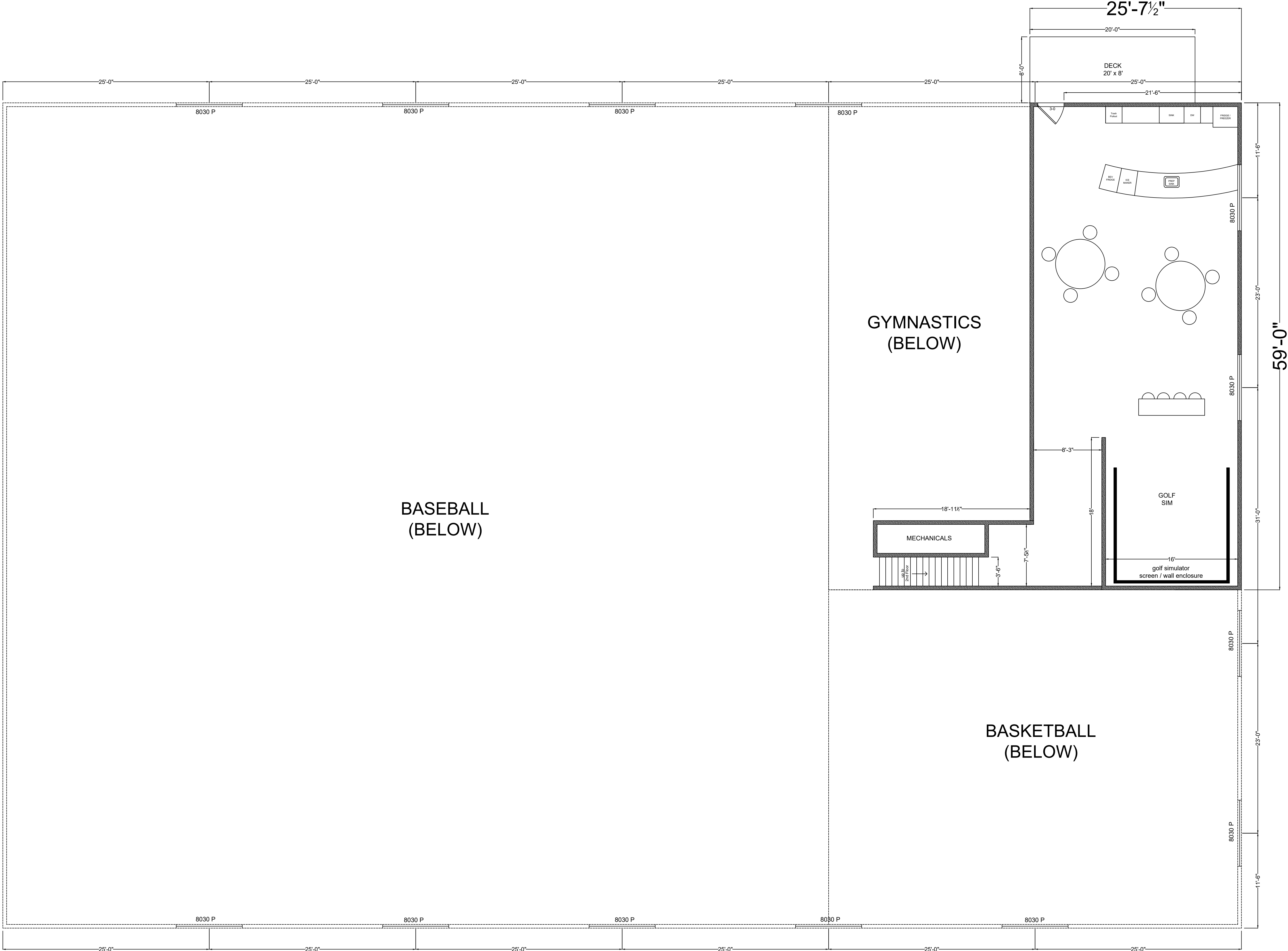
Main Floor Square Footage : 15,000 sq ft
2nd Floor Square Footage : 1,549 sq ft
TOTAL Finished Footage : 16,549 sq ft

DATE
6/4/2025

SCALE
 $\frac{1}{4}'' = 1'$

SHEET

BARN
MAIN FLOOR



FORGE
HOMES

DRAWN BY:
Cam Van Koevering
Kyle Glass
Forge Homes LLC

PROJECT:
Miedema

PARCEL:
3429 Loretta View Dr SE
Caledonia, MI 49316
PP # 41-22-14-100-058

- GENERAL NOTES:
- 8' 2nd Floor Wall Height
 - Vaulted Ceiling
 - 2x6 Walls

Main Floor Square Footage : 15,000 sq ft
2nd Floor Square Footage : 1,549 sq ft
TOTAL Finished Footage : 16,549 sq ft

DATE
6/4/2025

SCALE
1/4" = 1'

SHEET

BARN
SECOND FLOOR

Fw: 3429 Loretta View - Site/Home/Accessory Building Plans

From Brad Miedema <bradmiedema@yahoo.com>

Date Wed 6/25/2025 9:35 AM

To Dan Wells <dan.wells@gainestownship.org>

Good morning Dan,

I sent all the plans over to the ARC Committee for Loretta View Drive and they have approved the plans for the home and accessory building (see email below). I just wanted to forward this over to you in case it is helpful to the township when reviewing.

Thank you,

Brad

[Yahoo Mail: Search, Organize, Conquer](#)

----- Forwarded Message -----

From: "Randy Stehlik" <rstehlik2040@hotmail.com>

To: "Brad Miedema" <bradmiedema@yahoo.com>

Sent: Tue, Jun 24, 2025 at 5:04 PM

Subject: Re: 3429 Loretta View - Site/Home/Accessory Building Plans

Good evening Brad, well might be afternoon over there.

The ARC committee looked everything over and are all fine with the site plan, home plans, and accessory building plans. Our only concern was the accessory building usage which you addressed in your email and on the forms for the township. Like you said we like our quiet little piece of heaven. Please accept this email as the ARC committee's acceptance of your plans. Let me know if you need anything else from us.

On a side note, when are you planning on breaking ground? Are you moving to Michigan still this summer? I hope you are able to get to Lake Michigan with the kids. Water temp finally reached above 65!! That's like bath water ;)

Please feel welcome to stop in when you do get into town.

Randy

From: Brad Miedema <bradmiedema@yahoo.com>

Sent: Tuesday, June 24, 2025 10:19 AM

To: rstehlik2040@hotmail.com <rstehlik2040@hotmail.com>

Subject: 3429 Loretta View - Site/Home/Accessory Building Plans

Good morning Randy,

I hope you're doing well. Attached are the documents for your review, including the site plan, home plans, and accessory building plans.

As we previously discussed, I understand the proposed accessory building is larger than what is typically allowed. We've submitted the plans to the township as well, and it appears they will be reviewed during the August meeting.

This building is intended strictly for private use by our family. There will be no rental activity or public use of any kind. Preserving the peaceful and quiet nature of the neighborhood is very important to us, and it's exactly what drew us to this lot in the first place.

We've been thoughtful in placing the building in a location that minimizes visibility from the street and neighboring homes. We also plan to install landscaping and a tree line to further screen the structure while enhancing the overall aesthetic of the property.

Please let me know if you'd like to discuss anything further after reviewing the plans. I'm more than happy to jump on a call with you or anyone else from the HOA anytime.

Thank you for your time and consideration.

Brad Miedema

310.739.2277

Gaines Charter Township Planning Commission Memo

Meeting Date: August 28th, 2025

AGENDA ITEM: VI.3.a

PROPOSED REQUEST: Special Use Permit

ADDRESS: 4645 100th Street

PARCEL NUMBER: 41-22-25-400-006

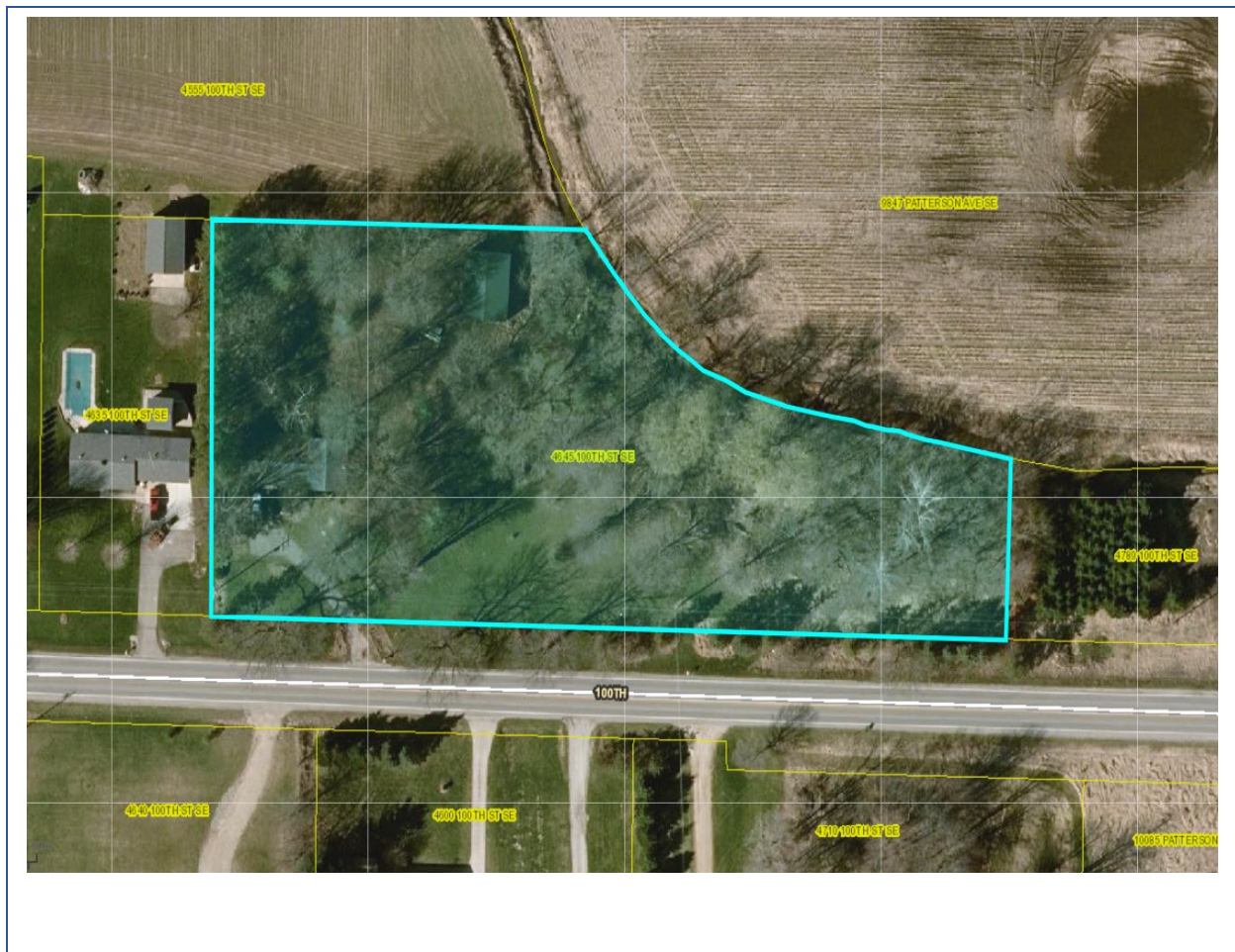
FILE NUMBER: 230322JR

APPLICANT: Jennifer Ranero

PROPERTY ZONING DISTRICT: Agricultural-Rural Residential (ARR)

PROPERTY SIZE: 2.45 Acres

REPORT BY: Dan Wells, Community Development Director



OVERVIEW

On November 16th, 2023, the Planning Commission approved a Special Use Permit to conduct a home occupation in an accessory building at 4645 100th Street. The SUP was to operate a car detailing shop in an existing garage, and two temporary “hoop” style carports. Approval of the SUP included several conditions:

1. Hours of Operation shall not exceed Monday through Friday 8 AM – 5 PM.
2. There shall be no more than one (1) vehicle related to the home occupation stored on the premises at one time, and the vehicle stored on-site related to the home occupation must be within a fully enclosed structure.
3. Detailing work shall be restricted to interior cleaning only, and no wastewater or waste chemicals will be generated by exterior or engine washing.
4. No detailing will be undertaken by anyone other than the owners of the property.
5. Cleaners used will be “household cleaners”, and not stored in large quantities.
6. Vacuum cleaning shall be restricted to a standard shop vac.

On June 2nd, 2025 the Township received a complaint that there were multiple vehicles and trash being stored on the property. Staff inspected the property the next day, and determined that there were 10+ cars, many without license plates, and some damaged, parked around the residence. This was clearly in violation of Condition #2, as well as the Zoning Ordinance:

Section 17.20 General Compliance and Property Conditions, Vehicles, Equipment, And Machinery:

1. It shall be unlawful for the owner, tenant, or lessee of any building or land within the Township to permit the open storage or parking of any inoperable motor vehicle, machinery, or equipment, or parts thereof, outside of an enclosed garage or enclosed building, for a period of more than 48 hours. An inoperable motor vehicle, for purposes of this section, shall include motor vehicles which, by reason of dismantling, disrepair, or other cause, are incapable of being propelled under their own power or are unsafe for operation on the streets and highways.

In addition, Zoning Ordinance Section 17.20.E. Trash, Litter, or Junk:

It shall be unlawful for any person to accumulate, place, store, or allow or permit the accumulation, placement, or storage of trash, litter, or junk on premises in the Township, except in a lawful sanitary landfill, a lawful junkyard, or not to exceed seven (7) days storage in watertight storage receptacles designed for the temporary accumulation of trash. Waste receptacles and trash shall not be left unattended in any yard longer than a period of 24 hours unless they are kept or enclosed in a permanent structure designed to prevent disturbance of such receptacles by animals or severe weather conditions.



A pile of trash bags and loose trash was piled against the east wall of the accessory building. The grounds were generally unkempt, with multiple brush piles and fallen trees scattered across the property. The interior of the accessory building was not visible and was not inspected.



Based on the complaint received, there is a perceived adverse effect on the neighborhood by other residents. Based on this and the observations of violations of the SUP, staff is presenting the Planning Commission with the option to revoke the SUP.

Although the home occupation was permitted under the 2008 Zoning Ordinance, the recently amended Zoning Ordinance stipulates certain standards in Section 18.150 Home Occupation that were not met at the time of inspection, including:

C. AREA. A maximum of 25 percent of the gross floor area of a dwelling and accessory buildings may be devoted to minor home occupation business operations. Up to 25 percent of the floor area of the principal dwelling may be devoted to a minor home occupation.

D. LOCATION ON SITE. Home occupation operations must be conducted entirely within a principal dwelling, attached accessory building, detached accessory building, or combination of these buildings.

E. VISIBILITY. There shall be no physical evidence of the home occupation from other properties or the public right-of-way aside from parking and allowable customer visitation. Except for one (1) commercial vehicle, all other equipment, trailers, materials, and vehicles related to the business shall be stored indoors.

The Planning Commission will need to determine if this is a significant adverse impact on surrounding properties and whether the SUP should be revoked. Revocation would give staff the ability to continue responding to complaints related to and auto-related commercial activity at the address. Revocation is a power granted to the Planning Commission under Chapter 25 General and Administrative Processes:

E. REVOCATION OR TERMINATION OF ZONING APPROVALS If a property owner or applicant violates any of the conditions or requirements attached to a zoning approval or Zoning Permit, then the Township body, board, or official that granted the zoning approval or permit may terminate the zoning approval or zoning permit. No such revocation shall occur until and unless the property owner or applicant has been given reasonable notice and a public hearing has been held regarding the revocation by the Township body, board, or official that granted the zoning approval. However, an administrative approval shall not be revoked by the Zoning Administrator unless until after a hearing is scheduled at a Planning Commission meeting.

STAFF RECOMMENDATION

The Planning Commission voted to rescind the SUP on July 24th. A formal resolution is presented for consideration.

CHARTER TOWNSHIP OF GAINES COUNTY OF KENT, MICHIGAN

RESOLUTION NO. 25-08-28 PC

The following Resolution was offered and adopted by the Gaines Charter Township Planning Commission at a regular meeting held on _____, 2025.

Members Present:

Member Absent:

The following Resolution was offered for adoption by Member _____ and supported by Member _____ to document the findings and decision by the Gaines Charter Township Planning Commission regarding the revocation of a Special Land Use Permit previously issued to Jennifer Ranero for a home occupation on November 16th, 2023.

SPECIAL LAND USE PERMIT REVOCATION: JENNIFER RANERO HOME OCCUPATION AT 4645 100TH STREET (41-22-25-400-006).

WHEREAS, Jennifer Ranero, the “Applicant,” was issued a Special Land Use Permit to conduct a home occupation in an accessory building at 4645 100th Street, also known as parcel 41-22-25-400-006 (the “subject property”).

WHEREAS, the Special Land Use Permit allowed the Applicant to operate a car detailing shop in an existing garage at the subject property. Approval of the SUP included several conditions:

1. Hours of operation shall not exceed Monday through Friday 8 AM – 5 PM.
2. There shall be no more than one (1) vehicle related to the home occupation stored on the premises at one time, and the vehicle stored on-site related to the home occupation must be within a fully enclosed structure.
3. Detailing work shall be restricted to interior cleaning only, and no wastewater or waste chemicals will be generated by exterior or engine washing.
4. No detailing will be undertaken by anyone other than the owners of the property.
5. Cleaners used will be “household cleaners”, and not stored in large quantities.
6. Vacuum cleaning shall be restricted to a standard shop vac.

WHEREAS, on June 2nd, 2025, the Township received a complaint that there were multiple vehicles and trash being stored on the subject property. Staff inspected the property on June 3rd, 2025, and determined that there were 10+ cars, many without license plates, and some damaged, parked around the residence and subject property. The conditions of the subject property and the operation were

clearly in violation of Condition #2, as well as Section 17.20 E and 17.20 J.1 of the Gaines Charter Township Zoning Ordinance.

It shall be unlawful for any person to accumulate, place, store, or allow or permit the accumulation, placement, or storage of trash, litter, or junk on premises in the Township, except in a lawful sanitary landfill, a lawful junkyard, or not to exceed seven (7) days storage in watertight storage receptacles designed for the temporary accumulation of trash. Waste receptacles and trash shall not be left unattended in any yard longer than a period of 24 hours unless they are kept or enclosed in a permanent structure designed to prevent disturbance of such receptacles by animals or severe weather conditions (Section 17.20 E).

It shall be unlawful for the owner, tenant, or lessee of any building or land within the Township to permit the open storage or parking of any inoperable motor vehicle, machinery, or equipment, or parts thereof, outside of an enclosed garage or enclosed building, for a period of more than 48 hours. An inoperable motor vehicle, for purposes of this section, shall include motor vehicles which, by reason of dismantling, disrepair, or other cause, are incapable of being propelled under their own power or are unsafe for operation on the streets and highways (Section 17.20 J.1).

WHEREAS, the operation is also in violation of Section 18.150 of the Gaines Charter Township Zoning Ordinance, concerning the maximum area dedicated to a home occupation, location of activities on the site, and visibility of the activities associated with a home occupation.

C. AREA

A maximum of 25 percent of the gross floor area of a dwelling and accessory buildings may be devoted to minor home occupation business operations. Up to 25 percent of the floor area of the principal dwelling may be devoted to a minor home occupation.

D. LOCATION ON SITE

Home occupation operations must be conducted entirely within a principal dwelling, attached accessory building, detached accessory building, or combination of these buildings.

E. VISIBILITY

There shall be no physical evidence of the home occupation from other properties or the public right-of-way aside from parking and allowable customer visitation. Except for one (1) commercial vehicle, all other equipment, trailers

Section 18.150 C-D

WHEREAS, the Applicant was required to comply with the terms of the Special Land Use Permit approval and all other requirements of the Gaines Charter Township Zoning Ordinance.

WHEREAS, the Planning Commission has reviewed the terms of the previous Special Land Use Permit approval and the compliance issues and held a public hearing on July 24th, 2025, and has determined that the Special Land Use Permit must be revoked.

IT IS, THEREFORE, RESOLVED AS FOLLOWS:

1. The Applicant has Violated the Terms and Conditions of the Special Land Use Permit.

The conditions of the subject site and operation are in violation of the terms and conditions approved by the Planning Commission on November 16th, 2023, as part of the Special Land Use Permit.

2. The Applicant has Violated Several Sections of the Gaines Charter Township Zoning Ordinance.

The conditions of the subject site and operation are in violation of Section 17.20 E and 17.20 J.1 and Section 18.150 C-D of the Gaines Charter Township Zoning Ordinance.

3. The Special Land Use Permit is Revoked in Accordance with Section 27.50 D and 25.30 E

In accordance with Section 27.50 D of the Gaines Charter Township Zoning Ordinance, the Planning Commission may revoke a special land use approval in accordance with Section 25.30 E if there is a violation of the site plan approval or the ordinance. The Planning Commission revokes the Special Land Use Permit in accordance with this authority.

If a property owner or applicant violates any of the conditions or requirements attached to a zoning approval or Zoning Permit, then the Township body, board, or official that granted the zoning approval or permit may terminate the zoning approval or zoning permit. No such revocation shall occur until and unless the property owner or applicant has been given reasonable notice and a public hearing has been held regarding the revocation by the Township body, board, or official that granted the zoning approval. However, an administrative approval shall not be revoked by the Zoning Administrator until after a hearing is scheduled at a Planning Commission meeting (Section 25.30 E).

PLANNING COMMISSION DECISION

The Planning Commission revokes the Special Land Use Permit previously issued to Jennifer Ranero on November 16th, 2023, at its meeting on _____.

The vote on the motion to adopt this Resolution was as follows:

YES:

NO:

ABSTAIN:

RESOLUTION DECLARED ADOPTED

CERTIFICATION

I hereby certify that the above is a true copy of a Resolution adopted by the Gaines Charter Township Planning Commission at a meeting held on _____.

Respectfully submitted,

Lani Thomas, Secretary
Gaines Charter Township
Planning Commission

Dated: _____

Planning Commission Memo

Meeting Date: August 28th, 2025

AGENDA ITEM: VI.3.b

FILE NUMBER: 250505DS

PROPOSED REQUEST: Zoning Text Amendment

PROPERTY ZONING DISTRICT: All Residential

ADDRESS: All Residential Parcels

PROPERTY SIZE: N/A

PARCEL NUMBERS: All Residential Parcels

**REPORT BY: Dakota Swan, Assistant Planner,
Dan Wells, Community Development Director**

**APPLICANT: Denise Simons, Midwest Sign
Company**

OVERVIEW

The applicant requests a Zoning Text Amendment to allow electronic changeable messaging (ECM) signs in residential zoning districts for institutional uses. Prior to the recent amendment to the Zoning Ordinance, ECMs were permitted in residential areas of the Township for institutional uses, so long as a Special Use Permit was obtained from the Planning Commission. During the process of amending the Zoning Ordinance, the Zoning Ordinance Steering Committee engaged in discussions regarding ECMs and deemed them to be a visual nuisance, and not appropriate for residential areas.

The Township Board reviewed the proposed changes and has requested the Planning Commission reevaluate several aspects of the proposed amendment. Concerns included time of operation, distance to homes, lack of dimmers at night, the use of “bright white” light at night creating glare, and screening of adjacent property.

The Board did recognize that ECMs offer an easy way to communicate events and other information by institutional users.

The applicant desires to restore the ability to use ECMs for institutional use. The amendment would apply to all institutional uses that are permitted in residential zoning. Practically this will mostly be for places of worship and private schools.

Two sections of the Zoning Ordinance are attached for reference, Signs and Lighting (since the discussion hinges on light levels), and staff has highlighted the relevant sections to inform discussion.

The current ordinance defines several classes of sign illumination:

External; 1. Sign lighting shall be of low intensity with effective provisions made to minimize spillover of light beyond the actual sign face. 2. The light source shall be enclosed and directed to prevent light from shining directly onto traffic or neighboring property.

Internal; Sign faces shall be opaque so that individual lamps are muted and cannot be distinguished behind the sign face.

Electronic Changeable Messages; Typically LED but includes “red dot” signs. The main regulations are as follows:

Sign Type. ECMs are only permitted on freestanding signs (as opposed to wall signs).

Size. No more than 40 percent of the area of the sign may be dedicated to an ECM display. The remainder of the sign shall consist of a static sign face. For a 32-square-foot sign this is 12.8 square feet.

Images and Transition. A) Each image shall be static and shall not move, flash, or otherwise be animated. B) Each message shall be displayed for a period of no less than eight (8) seconds. C) Transitions between images shall be instantaneous and shall not scroll, fade, or otherwise be animated.

Brightness; An electronic display sign shall be equipped with automatic dimming technology to adjust the brightness of the sign relative to ambient light conditions.

Staff has noticed that most sign owners follow the rules on changes, hours of operation and brightness, but a few do not, especially when it comes to the movement of graphics and animation.

In terms of what is currently allowed in residential areas—which includes Agricultural-Rural Residential, Suburban Residential, Village Residential, Multi-Family Residential—internal and external illumination is allowed for ground signs (for non-residential uses or B&Bs), and external illumination is allowed for residential development entry and wall signs (for non-residential uses, B&Bs, home occupations). ECMs are not allowed in any case.

PROCESS

Review of the zoning ordinance text amendment is subject to the following process:

1. Public hearing and review and recommendation by the Planning Commission (6/26/25)
2. First reading by the Township Board, public hearing shall be scheduled (7/14/25)
3. Public hearing by the Township Board (8/11/25, referred back to Planning Commission)
4. Reconsideration by PC (8/28/25)
5. Reconsideration by Board
6. Publication of the approval notice within a newspaper of general circulation within the Township within 14 days. The effective date of the approval is the expiration of seven (7) days after publication unless a longer timeframe is set

CHAPTER 31 ZONING AMENDMENTS

All zoning text amendments are subject to review by the Planning Commission. If approval is granted, the request will get two readings at the Township Board, one of which will be a public hearing. This request has been reviewed using the applicable standards from Section 31.40.B, Zoning Amendment Approval Standards – Zoning Text Amendment. The applicant has submitted an application with sufficient detail to evaluate compliance with the ordinance.

The following factors will be considered by the Planning Commission and Township Board while reviewing a proposed Zoning Ordinance text amendment. The amendment shall satisfy at least one (1) of these factors.

1. The amendment will implement the Township's Master Plan.

Does not meet standard. In the Master Plans "Chapter 4. Community Facilities & Utilities" issues surrounding artificial lighting in the Township is addressed:

The changing technology of lighting has led to the wide use of LEDs as a primary use both at the utility scale and for general commercial and residential use. LEDs have certain qualities that are significantly different from older lighting technologies including benefits such as much lower energy demands and a wide range of control over brightness, directional control, and color. LEDs also have several negative effects depending on how they are deployed including high glare, intensity, and luminescence; these negative effects can affect driving safety due to distraction, loss of night sky visibility, effects on human circadian rhythms, and effects on wildlife. If deployed incorrectly, light trespass may be considered a nuisance, and the increased use of LEDs must be regulated carefully to limit negative effects.

The Master Plan Public Input Survey also shows that residents are concerned about obtrusive lighting in the township. Question 12 asked residents how they feel about obtrusive lighting, to which 28.9% stated they are "Very Concerned," while 41.9% are "Somewhat Concerned" about the issue.

Clearly, over 69% of residents do not view obtrusive lighting favorably. The Suburban Residential zoning district is the buffer between brightly lit commercial and darker rural areas to the south.

2. The amendment addresses changing conditions in development trends, housing types, industrial standards, environmental best practices, and citizen preferences.

Meets standard. Staff has noticed an influx of inquiries about ECMs and where they are permitted; the demand to install these types of signs for institutional users has certainly increased over the last several years. The Planning Commission has approved two requests for Special Use Permits to allow ECMs in residential districts for institutional users over the last three years.

3. The proposed text amendment would clarify the intent of the Zoning Ordinance.

Does not meet standard. The intent of the ordinance regarding electronic messaging centers is very clear; ECMs are permitted only within the Neighborhood Commercial, General Commercial, Office Service, Mixed Business, Light Industrial, and Heavy Industrial zoning districts.

4. The proposed text amendment would correct an error in the Zoning Ordinance.

Not Applicable. The Zoning Ordinance was amended in April; during final review no errors were noted in Chapter 24.

5. The proposed text amendment would address changes to the State legislation, recent case law, opinions of the Attorney General of the State of Michigan, or any other county, state, or federal regulations.

Not Applicable. Staff is not aware of any new legislation at the local, State, or federal level that would

require a modification to the regulations on ECMs.

6. **In the event the amendment will add a use to a district, that use shall be fully consistent with the character of the range of uses provided for within the district.**

Not Applicable. Illuminated signs are an accessory use to a permitted primary use, not a new use.

7. **The amendment shall not create incompatible land uses within a zoning district or between adjacent districts.**

Not applicable. Illuminated signs in general are allowed within the residential zoning district, the requested amendment just modifies what technology is appropriate to allow.

8. **The proposed change shall be consistent with the Township's ability to provide adequate public facilities and services.**

Meets standard. Staff does not anticipate there will be any hinderance to the Township's ability to provide adequate public services if the zoning text amendment is approved.

9. **The proposed change shall be consistent with the Township's desire to protect the public health, safety, and welfare of the community.**

Undetermined. Staff finds that specific ECMs generally do not jeopardize public health, safety, or welfare, and do assist with wayfinding. They do create a light spill nuisance if not turned off at night, and can interfere with night driving for people with astigmatism.

Regulations in the Zoning Ordinance pertaining to electronic messaging centers were purposefully updated to restrict a landowner's ability to install them in residential zoning districts, as they were determined to be a point of nuisance by the Zoning Ordinance Steering Committee. If the Planning Commission determines that the proposed amendment is consistent with the Township's desire to protect public health, safety, and welfare of the community, then consistency with Section 31.40.B.9 will be achieved.

RECOMMENDATION

The Planning Commission should review signage and lighting sections of the ordinance and determine if any sections should be modified.

Unless action is tabled or postponed, the Planning Commission shall decide upon text amendment requests as follows:

- a. Approve and recommended the Board's final approval.
- b. Deny and recommended the Board's final denial.



Application for Zoning Approval

GAINES CHARTER TOWNSHIP

8555 Kalamazoo Ave SE
Caledonia, MI 49316

(616) 698-6640 • www.gainestownship.org

File Number

250505 DS

Project Address	Street: N/A	Zip:
Parcel Number(s)	41-22-	41-22-
Owner Name		
Owner Address	Street:	Zip:
Phone No. & Email	/	
Applicant Name	Midwest Sign Company	
Applicant Address	Street: 1124 Electric Ave	Zip: 49348
	City: Wayland, MI	
Phone No. & Email	616-583-1743 / dense@midwestsignco.com	
Brief Description of Proposed Project	To request an amendment to zoning ordinance, Chapter 24, Section 24.8. See attachment	
Proposed Use		
I grant Township staff permission to enter onto the subject property in review of this application, certify the correctness and knowledge of the information submitted, and agree to comply with the terms and requirements of all applicable Township ordinances.		
Owner Signature		
For Township Use Only		
Project Zone	☐ RR	☐ SR
	☐ VR	☐ MFR
	☐ VN	☐ NC
	☐ GC	☐ OS
	☐ MB	☐ LI
	☐ HI	☐ PUD
Project Type	☐ Single/Multi Unit Family	☐ Accessory Bldg.
	☐ Sign	☐ Rezone/PUD
☐ Special Land Use	☐ Site Plan Review	☐ Major PUD Amend
☐ Land Division	☐ Plat/Site Condo	☐ Land Combo
☐ Road Maint. Agmt.	☐ Minor PUD Amend	☒ Text Amend
		☐ Lot Line Adj
Zoning	☐ Approved	☐ Approved w/Conditions
Administrator	☐ Denied	☐ Withdrawn
Signature		Date
Notes		

May 1, 2025

Request amendment to Gaines Township Zoning Ordinance Chapter 24, Section 24.80, Permanent Signs in Residential Zoning Districts. Freestanding ground signs for non-residential use are only allowed internal or external lighting. Electronic Changeable Message signs are not allowed. We are requesting the sign ordinance be changed to allow Electronic Changeable Message signs within the Residential zoning districts for institutional uses, such as schools and churches. These such signs would be shut off between the hours of 11 pm and 6 am.

CHAPTER 19 LIGHTING

SECTION 19.10 INTENT

The intent of this article is to implement DarkSky principles; conserve energy, protect the natural environment from the adverse effects of artificial light; curtail the degradation of the nighttime visual environment; prevent excessive glare; and ensure safe conditions.

SECTION 19.20 GENERAL REQUIREMENTS

A. APPLICABILITY

This section applies to all properties in the Township.

B. LIMITATIONS

Light shall be confined on-site by the direction of the fixture, shielding, or adjustment of the level of brightness.

C. GLARE

Lighting shall not be directed in any manner that causes glare onto neighboring residential property or distraction to drivers.

D. DIRECTION

All outdoor lighting shall be directed down or directly onto the object being illuminated. Lighting or glare shall not be directed toward streets, adjacent properties, or the night sky.

E. PROHIBITED LIGHT SOURCES

The following light sources are prohibited:

1. **Laser Source.** The use of laser source light or any similar high-intensity light for outdoor advertising or entertainment is prohibited.
2. **Searchlights.** The operation of searchlights for advertising purposes is prohibited.
3. **Flashing Lights.** Except for motion-activated security lighting and temporary holiday lighting, permanent lights that flash, move, revolve, rotate, scintillate, blink, flicker, vary in intensity or color, or use intermittent electrical pulsation are prohibited.
4. **Public Safety.** Lighting that is similar to that used for traffic control devices or emergency vehicles is prohibited.

F. PARKING LOTS

1. **Requirement.** All non-residential and multi-family residential parking lots shall be illuminated for customer and resident safety.
2. **Mounting.** Lights to illuminate parking lots shall not be attached to any building except for illuminating parking spaces that are within 10 feet of building walls.

G. LIGHTING REDUCTION

For commercial and industrial properties, light levels shall be reduced 50 percent after the close of business.

SECTION 19.30 LIGHTING PLANS

A. LIGHTING PLAN SUBMITTAL

An overall lighting plan is required for all non-residential and multi-family parking lots, security lighting, general site lighting, and all outdoor storage or display area lighting. The Zoning Administrator or Planning Commission shall require a photometric plan for other areas illuminated on a site to ensure that the intent and requirements of this section are met.

B. SUBMITTAL REQUIREMENTS

Compliance with the lighting design criteria shall be demonstrated by submitting the following information as part of the required site plan:

1. Lighting plan (as part of the site plan package) showing light fixture locations and type designations.
2. Fixture mounting height(s).
3. Type and number of lighting fixtures.
4. Lamp source type (bulb type, i.e. high-pressure sodium, LED, etc.), lumen output, color temperature, and wattage.
5. Lighting manufacturer-supplied specifications (cut sheets) that include photographs or illustrations of the fixture(s), indicating the certified full cut off characteristics or B.U.G. rating of the fixture or demonstration that the fixture is fully shielded.
6. Photometric Plan. A photometric plan shall include the following:
 - a. Maximum illuminance levels should be expressed in ground-level footcandle measurements on a grid of the site showing footcandle readings in every five or ten-foot square.
 - b. The grid shall include light contributions from all sources (i.e. pole-mounted, wall-mounted, sign, and street lights).
 - c. Footcandle measurements shall be shown five feet beyond the property lines.
 - d. A calculation summary indicating footcandle levels on the lighting plan, noting the maximum, average, and minimum, as well as the uniformity ratio of maximum to minimum, and average to minimum levels. Average and uniformity ratios shall only be calculated within the parking spaces and drive aisles and shall exclude other illuminated areas of the site.

SECTION 19.40 LIGHT FIXTURE REQUIREMENTS

A. APPLICABILITY

This section applies to all properties in the Township.

B. COLOR TEMPERATURE

1. The lighting color temperature of new and replacement light fixtures shall not exceed 2,700 Kelvins in residential zoning districts.

- The lighting color temperature of new and replacement light fixtures shall not exceed 4,000 Kelvins in commercial and mixed-use and industrial zoning districts.

C. FIXTURE TYPE

Lighting fixtures for non-residential and multi-family residential uses shall be a down-lighted type and fully cut off, and the light shall not be allowed to be emitted above the fixture. For LED lighting, up-light shall be zero for “B.U.G.” ratings. Fixtures shall comply with the following requirements:

- A full cut off fixture shall have no direct up-light and shall reduce glare by limiting the light output to less than 10 percent at and below 10 degrees below the horizontal.
- If the applicant cannot provide manufacturer confirmation of full cut off characteristics of light fixtures, the fixture shall be fully shielded, which will be determined by visual inspection of the fixture or a specification sheet. Fully shielded light fixtures are constructed and installed in such a manner that all light emitted by it, either directly from the lamp or a diffusing element or indirectly by reflection or refraction from any part of the fixture, is projected below the horizontal.
- Under-canopy lighting shall be mounted flush with the canopy surface.
- Examples of compliant and noncompliant light fixtures are shown in Figures 19-1 and 19-2.

D. MOUNTING HEIGHT

Light fixture mounting heights shall not exceed the following:

TABLE 19.40 D: LIGHT FIXTURE MOUNTING HEIGHT		
Zoning District		Maximum Height (ft).
Residential		15
Commercial and Mixed-Use districts	Less than 100 feet from a residential zoned lot	20
	100 feet or more from residential zoned lot	25
Industrial Districts	Less than 100 feet from a residential zoned lot	20
	150 feet or more from residential zoned lot	30

Noncompliant: Fixtures that produce light trespass and glare

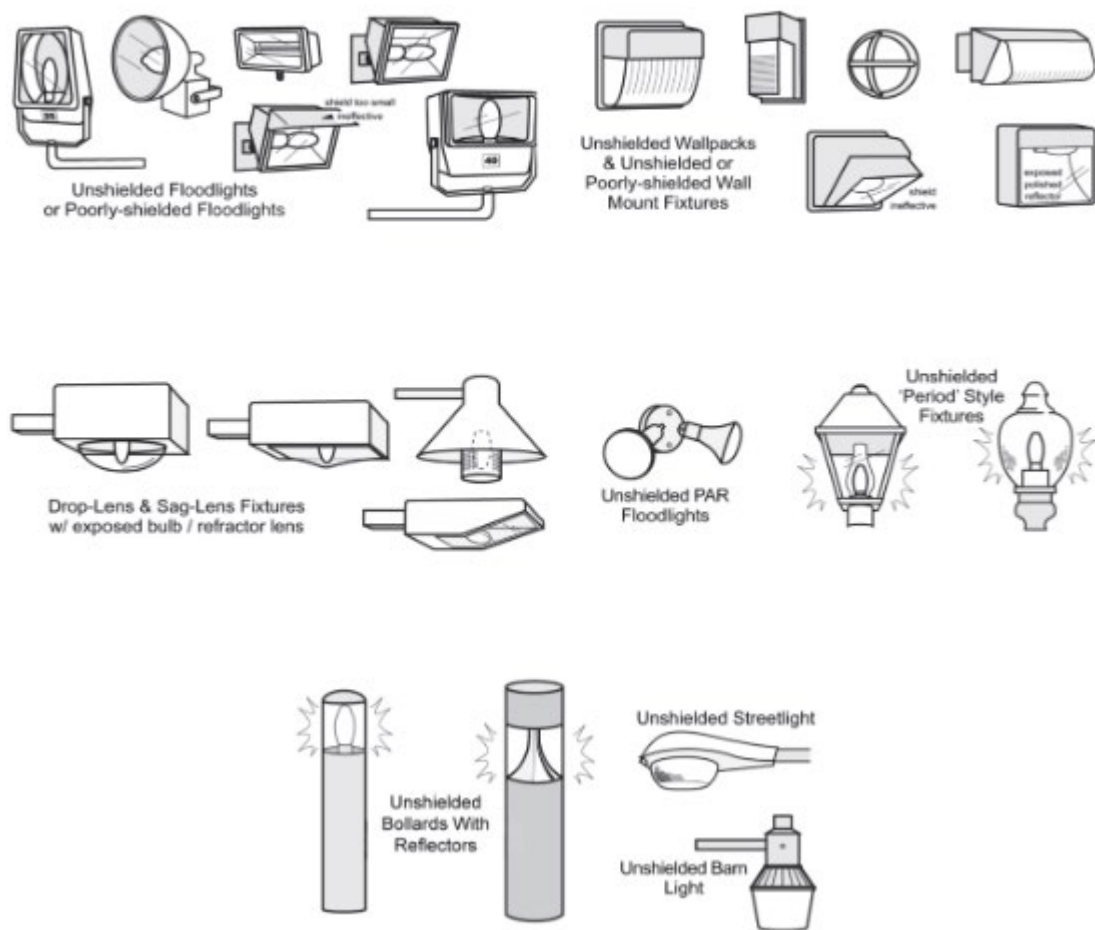


Figure 19-1 Noncompliant Light Fixtures

Compliant: Fixtures that shield the light source to minimize glare and light trespass and to facilitate better vision at night

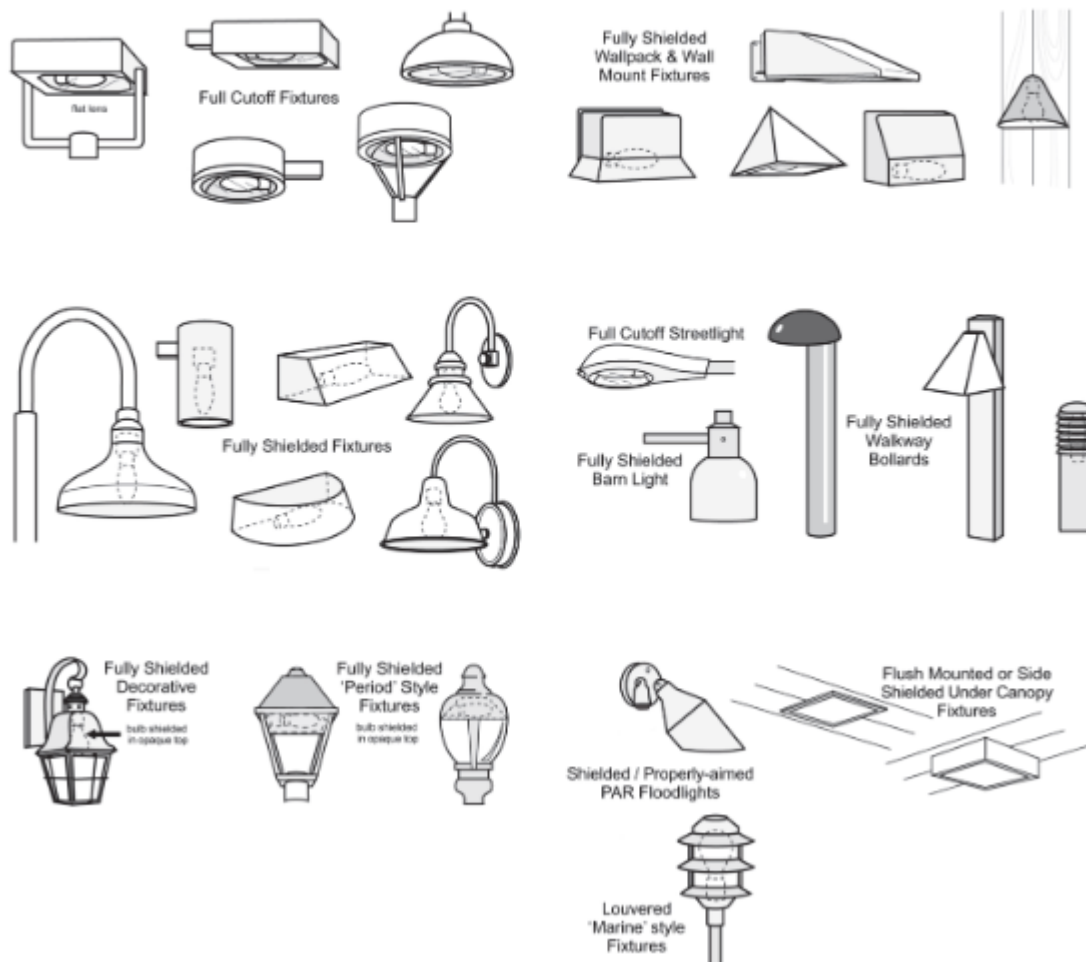


Figure 19-2 Compliant Light Fixtures

SECTION 19.50 SITE LIGHTING LEVELS

A. APPLICABILITY

This section applies to all properties in the Township.

B. ILLUMINATION LEVELS

Light levels shall meet the requirements in Table 19.50 B.

TABLE 19.50 B: REQUIRED SITE ILLUMINATION				
Location on Site	Min. fc	Max. fc	Ave. fc	Uniformity Ratio Max. to Min./ Ave. to Min.
Parking Lots	.5 fc	10 fc	1 fc	10:1 / 4:1
Under Canopies Such as Gas Stations, Drive-Thru Bank Porte-Cochere	3 fc	20 fc	-	-
Along Front Lot Line Adjacent to the Street Frontage	0 fc	1 fc	-	-
Along a Lot line Adjoining a Non- Residential Use or District	0 fc	1 fc ¹	-	-
Along a Lot line Adjoining a Residential Use or District	0 fc	0 fc	-	-
Non-Residential Outdoor Storage	0 fc	10 fc	-	-
All Other Lighting	-	10 fc	-	-

SECTION 19.60 LIGHTING MODIFICATIONS

A. AUTHORITY

The Planning Commission may modify the illumination requirements in Table 19.50 B and other lighting requirements based on a review of the applicant's proposal against industry standards and advanced lighting technology, so long as lighting plans ensure safe conditions and minimize impact on adjacent properties.

B. UNIQUE LAND USES

As part of site plan review by the Planning Commission, lighting systems not complying with the technical requirements of this article but consistent with its intent may be installed for the following land uses:

1. Sports fields and stadiums.
2. Specialized lighting for outdoor recreational uses.
3. Other unanticipated uses.

¹ The light level along a non-residential lot line may be increased to the maximum footcandle level where there is shared access/vehicular connections or the adjacent use is a similar use.

C. CONSIDERATIONS

The Planning Commission shall consider the following during the review of lighting modification requests:

1. The amount of space on the site available for lighting.
2. Existing lighting on the site and on adjacent properties.
3. The type of land use on the site and the size of the development.
4. The potential impact on existing and proposed adjacent land uses.
5. The effect that the required lighting would have on the operation of the existing or proposed land use.

This page is intentionally blank

CHAPTER 24 SIGNS

SECTION 24.10 INTENT

A. INTENT

The intent of this chapter is to:

1. Protect free speech and balance the individual rights of property owners to communicate their message with the public's right to be free of unreasonable distractions and aesthetic intrusions.
2. Minimize and eliminate visual clutter and protect commercial, business, office, and industrial districts and areas from visual chaos and clutter.
3. Direct commercial and customer traffic to commercial areas of the Township and protect the public's ability to identify establishments and premises.
4. Preserve rural character and protect the natural beauty and distinctive character of the Township.
5. Protect, promote, and further the public peace, health, and safety of residents, property owners, and visitors.
6. Prevent, eliminate, or minimize traffic hazards and pedestrian accidents caused by signage that obstructs vision or views, distracts or confuses motorists, or is improperly secured or constructed.
7. Provide an environment that fosters the reasonable growth and development of business and commerce.
8. Protect and enhance property values.

B. CONTENT NEUTRALITY AND FREE EXPRESSION

Regarding content neutrality and constitutionally protected free expression, the Township finds that:

1. Content neutrality, viewpoint neutrality, and fundamental fairness in regulation and review are essential to ensuring an appropriate balance between the important, substantial, and compelling interests set out in this section and the constitutionally protected right to free expression.
2. The regulations set out in this chapter are unrelated to the suppression of constitutionally protected free expression, do not relate to the content of protected messages that may be displayed on signs, and do not relate to the viewpoint of individual speakers.
3. Notwithstanding the above, certain classifications of speech are not constitutionally protected due to the harm they cause to individuals or the community.
4. Sign restrictions are based on compelling public interests and regulation of the location, number, materials, height, and size. The duration of the display of temporary signs is essential to preventing visual clutter and ensuring safe conditions in the Township.
5. Temporary signs are not constructed to withstand long-term exposure to severe weather conditions or other physically damaging events and can result in safety and aesthetic concerns if not replaced or removed.

SECTION 24.20 APPLICABILITY

A. APPLICABILITY

All signs in the Township shall be constructed, placed, replaced, attached, structurally altered, or added in accordance with this chapter.

B. GOVERNMENTAL AND REGULATORY SIGNS

Government and regulatory signs are not subject to the requirements of this chapter.

C. RELIGIOUS SYMBOLS

Religious symbols are not considered signs and are not subject to the requirements of this chapter. Religious symbolism incorporated into signs is not exempt.

D. PERMITTING

1. **Permits Required.** No sign shall be constructed, placed, replaced, attached, expanded, moved, structurally altered, or added without first obtaining a permit unless specifically exempted by this chapter. Sign permits are reviewed administratively as zoning permits, per Section 25.40. See Section 36.20 for the submittal checklist.
2. **Exempt from Permitting.** Permits are not required for the following:
 - a. Maintenance. Painting, repainting, cleaning, maintenance, repair, and change of a sign face, message, or graphics shall not be considered an activity that requires the issuance of a sign permit, provided that no structural alterations or additions to the display area are made.
 - b. Re-lettering and Rewording Changeable Copy Signs. Changing copy or message of signs that are specifically designed for a changeable copy shall not require a permit.
 - c. Exempt Sign Types. See Section 24.60.

E. PLANS

Sign plans shall include the checklist requirements included in Section 35.20.

SECTION 24.30 GENERAL REQUIREMENTS

A. NON-COMMERCIAL MESSAGES

Any sign authorized to be displayed by this chapter may contain a non-commercial message.

B. SIGN PLACEMENT AND CONSTRUCTION

1. **Unsafe Placement.** Signs shall not interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal, or device; constitute a nuisance; or cause a hazard to vehicle or pedestrian traffic.
2. **Durability.** Signs shall be constructed to withstand all wind and vibration forces that can normally be expected to occur.
3. **Maintenance.**
 - a. Signs and sign structures shall remain structurally safe and shall not constitute a hazard to safety or health.

- b. All signs shall be properly and reasonably maintained and shall not be allowed to become unsightly through disrepair or because of the effects of the weather.
- 4. **Right-of-Way and Street Easements.** Signs shall not be placed in, upon, or over any public right-of-way, alley, or other public place except as may be otherwise permitted by the Kent County Road Commission or Michigan Department of Transportation. Signs shall not be placed in, upon, or over any private street easement.
- 5. **Obstruction.** Signs shall not obstruct free ingress to or egress from a required door, window, fire escape, or other required exit way.

C. **CHANGEABLE COPY**

All permanent signs may have manual changeable copy.

D. **SETBACKS**

- 1. **Measurement.** Sign setbacks shall be measured in the same manner as required for buildings.
- 2. **Lot Line Adjustment.** Adjustment of lot lines that will cause a sign to become nonconforming is prohibited.
- 3. **Clear Vision Area.** Sign placement shall conform to Section 3.40 C.

E. **MEASUREMENT AND PLACEMENT**

- 1. **Sign Area.** The area of a sign shall be measured as the area within a single, continuous perimeter composed of any straight-line geometric figure with right angles that encloses the extreme limits of writing, representation, emblem, logo, or any other figure of similar character together with any frame or other material or color-forming an integral part of the display or used to differentiate the sign from the background against which it is placed, excluding only the structure necessary to support the sign.
- 2. **Freestanding Signs.**
 - a. **Sign Structure.**
 - i. The structure necessary to support the sign may include a framework, bracing, poles, posts, masonry base, wall, or comparable materials. Although the structure necessary to support the sign is excluded from the maximum sign area, the square footage shall not exceed 100 percent of the measured sign area.
 - ii. If the characters/text are affixed to a freestanding wall or architectural feature and that wall conforms to fence/wall requirements, the wall face is not restricted in area. However, the wall must be constructed of materials commonly used in decorative wall construction.
 - b. **Double-Faced Sign.** The area of freestanding signs that have two (2) or more faces shall be measured by including the area of all sign faces, except if two (2) faces are placed back-to-back and are no more than three (3) feet apart at any point, the area of only one (1) face shall be counted toward the maximum size requirement. In this case, if the two (2) back-to-back faces are of unequal size, the larger of the two (2) sign faces shall be counted as one (1) face.
 - c. **Height.**
 - i. The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. For the purpose of this definition, normal grade shall be defined as either:
 - (a) The existing grade prior to construction, or

- (b) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign.
- ii. If the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the lot, whichever is lower.
- iii. If the sign site is significantly lower than the street, the height can be increased administratively but shall not exceed maximum height measured from the elevation of the crown of street.

3. Wall Signs.

- a. Multi-Tenant Building Sign Area. For buildings with multiple tenants, the sign area for wall, projecting, canopy, or awning signs shall be determined by taking that portion of the front wall of the building applicable to each tenant and computing the sign requirements for that portion of the total wall.
- b. Wall signs shall not extend past the edge of the wall to which it is affixed.
- c. Wall signs shall not extend above the eave of a building with a pitched roof or above the top of a flat roof building
- d. Wall signs shall be mounted flat on the wall surface and shall be no more than one (1) foot in depth.
- e. Wall signs shall only face streets and parking areas.

F. LAWFUL NONCONFORMING SIGNS

See Section 33.60.

SECTION 24.40 ILLUMINATION

A. GENERAL

The illumination of permanent signs shall only be done through external or internal light sources or electronic changeable message systems. Temporary signs shall not be illuminated.

B. EXTERNAL ILLUMINATION

- 1. Sign lighting shall be of low intensity with effective provisions made to minimize spillover of light beyond the actual sign face.
- 2. The light source shall be enclosed and directed to prevent light from shining directly onto traffic or neighboring property.

C. INTERNAL ILLUMINATION

Sign faces shall be opaque so that individual lamps are muted and cannot be distinguished behind the sign face.

D. ELECTRONIC CHANGEABLE MESSAGES

Where allowable as noted in this chapter, ECM signs are subject to the following:

- 1. **Sign Type.** Electronic changeable messages (ECM) are only permitted on freestanding signs.

2. **Size.** No more than 40 percent of the area of the sign may be dedicated to an ECM display. The remainder of the sign shall consist of a static sign face.
3. **Images and Transition.**
 - a. Each image shall be static and shall not move, flash, or otherwise be animated.
 - b. Each message shall be displayed for a period of no less than eight (8) seconds.
 - c. Transitions between images shall be instantaneous and shall not scroll, fade, or otherwise be animated.
4. **Hours.** In residential zoning districts, ECM signs shall be shut off between 11 pm and 6 am.
5. **Brightness.**
 - a. An electronic display sign shall be equipped with automatic dimming technology to adjust the brightness of the sign relative to ambient light conditions.
 - b. All electronic messaging centers shall be equipped with an ambient light meter to adjust the brightness level of the sign face based on the ambient light conditions and shall not exceed a brightness level of 0.3 foot candles above ambient light as measured using a foot candle (Lux) meter at a preset distance depending on the sign area.
 - c. Brightness of electronic messaging centers shall be measured as follows:
 - i. At least 30 minutes following sunset, a foot candle meter shall be used to obtain an ambient light reading for the location. This is done while the EMC is off or displaying black copy. The reading shall be made with the meter aimed directly at the center of the sign area from a distance determined with the following formula: The square root of the product of the sign area multiplied by 100.
 - ii. Example using a 12 square foot sign:
 - (a) Measurement Distance = $\sqrt{12 \text{ Sq. Ft.} \times 100} = 34.6 \text{ ft.}$ as the determined setback from which the measurement will be taken.
 - (b) The sign shall then be turned on to full white copy to take another reading with the meter at the same location.
 - (c) If the difference between the readings is 0.3 foot candles or less, the brightness is properly adjusted and the sign is in compliance.
6. **Conformance.** A nonconforming freestanding sign may not be altered to include an ECM display sign unless it is first made conforming to all requirements of this chapter.
7. **Distance from Dwelling Units.** ECM components are not permitted within 200 feet of any dwelling unit except in those instances where dwelling units are located on the same lot as an office or commercial use.

SECTION 24.50 PROHIBITED SIGNS

A. PERMISSIVE REGULATION

Any sign which is not expressly allowed by the Ordinance is prohibited.

B. PROHIBITED SIGNS AND SIGN CHARACTERISTICS

1. Signs with moving parts, inflatable signs, banners, and balloons, as well as feather flag signs.
2. Signs with flashing, animation, moving, oscillating, blinking, intermittent illumination, or variable intensity light.
3. Signs that are held by or supported by a person for commercial advertising purposes.
4. Signs mounted on roofs.
5. Signs mounted on vehicles parked in a location for the primary purpose of advertising.
6. Signs attached to a utility pole, street sign, traffic control device, or other similar object.
7. Signs that are attached to any natural growth, such as trees, shrubs, or other natural foliage.

C. THREATENING, SEXUALLY EXPLICIT, OR PROFANE MESSAGING

No sign shall be prohibited based on the content or message it displays, except that threatening, sexually explicit, or profane signs are prohibited. The Zoning Administrator shall also consider the following criteria when providing a determination:

1. An average person, applying contemporary community standards, must find that the material, as a whole, appeals to the prurient interest, threatens the safety of a person or group of people, is offensive or profane, or the material depicts or describes, in a patently offensive way, sexual conduct specifically defined by applicable law; and
2. The material, taken as a whole, must lack serious literary, artistic, political, or scientific value.

SECTION 24.60 SIGNS EXEMPT FROM PERMITTING

The following signs are exempt from permitting requirements but must comply with the requirements of Table 24.60.

TABLE 24.60: SIGNS EXEMPT FROM PERMITTING		
Type	Requirements	
Address Sign	Zoning District	All
	Other Requirements	Text height shall be no greater than six (6) inches for residences and 18 inches for businesses and other nonresidential uses.
Device Sign	Zoning District	Commercial and Mixed-Use Districts and Industrial Districts
	Maximum Size	2 s.f.
Flags	In residential zoning districts, commercial messages are not permitted. See Section 15.60 for flagpole regulations. Flags are subject to Section 24.50 C.	
Nameplates Sign	Maximum Size	2 s.f.
Painted Signs	Zoning District	Commercial and Mixed-Use Districts and Industrial Districts
	Maximum Size	No maximum

TABLE 24.60: SIGNS EXEMPT FROM PERMITTING

	Other Requirements	Painted signs are restricted to the sides of buildings and shall not contain any words, logos, product, or service representations (otherwise considered a wall sign).
Sandwich Board Signs	Zoning District	Commercial and Mixed-Use Districts and Industrial Districts
	Maximum Number	1 per tenant space
	Maximum Size	6 s.f.
	Maximum Height	4 ft.
	Minimum Setbacks	10 ft. from all property lines
	Illumination	Not permitted.
	Other	The sign shall not interfere with or obstruct pedestrian or vehicular traffic; provided, at least 5 feet of passage shall be maintained on the sidewalk between the street and the sign. Windblown devices, including balloons, shall not be attached or otherwise made part of the sign. Signs shall be removed at the end of the business day and only be displayed during regular business hours. Sandwich boards must be weighted down or removed if winds gust to 20 m.p.h.
Small Freestanding Signs	Zoning District	Commercial and Mixed-Use Districts and Industrial Districts
	Maximum Number	No limit
	Maximum Size	2 s.f.
	Maximum Height	3 ft.
	Minimum Setbacks	10 ft. from all property lines
	Illumination	Not permitted
Temporary Yard Signs	Zoning District	All
	Maximum Number	Outside of election season: 2
		Election season (45 days before an election to 10 days after an election): no limit
	Maximum Size	16 s.f. of total sign area
	Maximum Height	4 ft.
	Minimum Setbacks	10 ft. from all property lines
	Illumination	Not permitted
Window Signs	Other	On residential zoned lots, off-premise commercial advertising signs are prohibited as temporary yard signs
	Zoning district	Commercial and Mixed-Use Districts and Industrial Districts
	Maximum Number	No limit
	Maximum Size	The total area of all signs within a foot of the window shall not obscure more than 25 percent of the window area
	Illumination	Neon or internal, no more than 4 s.f., no more than 1 building tenant space

SECTION 24.70 TEMPORARY SIGNS- PERMITS REQUIRED

The following temporary signs may be permitted for limited time frames but must comply with all applicable requirements of Table 24.70 and this chapter.

TABLE 24.70: TEMPORARY SIGNS- PERMITS REQUIRED		
Type	Requirements	
Temporary Event- Banner Sign or Portable Sign	Zoning District	Nonresidential uses in Residential zoning districts and Commercial and Mixed-Use Districts and Industrial Districts
	Maximum Number	1 per lot
	Maximum Size	32 s.f.
	Maximum Height	6 ft.
	Minimum Setbacks	10 ft. from all property lines
	Illumination	Not permitted
	Other Requirements	One permit per calendar year up to 21 days.
Temporary Use- Banner Sign or Portable Sign	Zoning District	See other requirements below
	Maximum Number	1 per lot
	Maximum Size	32 s.f.
	Maximum Height	6 ft.
	Minimum Setbacks	10 ft. from all property lines
	Illumination	Not permitted
	Other Requirements	Only authorized for approved temporary land uses in accordance with Section 18.300. Timeframe is tied to the temporary use permit validity.

SECTION 24.80 PERMANENT SIGNS- RESIDENTIAL ZONING DISTRICTS- PERMITS REQUIRED

All permanent signs in ARR, RS, VR, and MFR, shall comply with the requirements of Table 24.80 and all other requirements of this chapter.

TABLE 24.80: PERMANENT SIGNS- RESIDENTIAL ZONING DISTRICTS		
Type	Requirements	
Freestanding Sign: Ground Sign for Non-Residential Use or Bed and Breakfast	Zoning District	All
	Maximum Number	1 per lot
	Maximum Size	16 s.f. for bed and breakfast 32 s.f. for all other uses
	Maximum Height	6 ft.
	Minimum Setbacks	10 feet from street right-of-way or easement 20 feet from all other property lines
	Illumination	External- for bed and breakfast Internal and external- all other uses
Freestanding Sign: Ground Sign for Residential Development Entry Point	Zoning District	All
	Maximum Number	1 per entry
	Maximum Size	48 s.f.
	Maximum Height	6
	Minimum Setbacks	10 ft. from all property lines
	Illumination	External

TABLE 24.80: PERMANENT SIGNS- RESIDENTIAL ZONING DISTRICTS

Wall Sign: for Non-Residential Use, Bed and Breakfast, or Major Home Occupation	Zoning District	All
	Maximum Number	1 per building
	Maximum Size	8 s.f. for bed and breakfast and major home occupation 32 s.f. for all other uses
	Illumination	External

SECTION 24.90 PERMANENT SIGNS- COMMERCIAL AND MIXED-USE ZONING DISTRICTS- PERMITS REQUIRED

All permanent signs in NC, GC, and OS shall comply with the requirements of Table 24.90 and all other requirements of this chapter.

TABLE 24.90: PERMANENT SIGNS- COMMERCIAL AND MIXED-USE DISTRICTS

Type	Requirements	
Access Point Sign	Zoning Districts	All
	Maximum Number	1 per driveway access
	Maximum Size	NC: 3 s.f. GC: 4 s.f. OS: 4 s.f.
	Maximum Height	Subject to clear vision corner height limitation (Section 15.90 C) If outside of clear height area, 4 ft. max.
	Minimum Setbacks	2 feet from street right-of-way or easement 10 feet from all other property lines
	Illumination	Internal or External
Freestanding Sign: Ground Sign	Zoning Districts	All
	Maximum Number	1 freestanding ground sign or pylon sign per lot, or 1 per street frontage
	Maximum Size	NC: 48 s.f. GC: 64 s.f. OS: 64 s.f.
	Maximum Height	NC: 6 ft. GC: 8 ft. OS: 8 ft.
	Minimum Setbacks	10 feet from street right-of-way or easement 20 feet from all other property lines
	Illumination	NC: Internal or External GC: Internal, External, or ECM OS: Internal, External, or ECM
Freestanding Sign: Pylon Sign	Zoning District	GC
	Maximum Number	1 freestanding ground sign or pylon sign per lot
	Maximum Size	No more than 1.5 s.f. per linear foot of lot frontage but no more than 100 s.f. max.
	Maximum Height	20 ft.
	Minimum Setbacks	10 ft. from all property lines
	Illumination	Internal, External, or ECM
Interior Site Signs	Zoning District	All

TABLE 24.90: PERMANENT SIGNS- COMMERCIAL AND MIXED-USE DISTRICTS

	Maximum Size	NC: 4 s.f. GC: 12 s.f. OS: 8 s.f.
	Maximum Number	No limit
	Maximum Height	5 ft.
	Minimum Setbacks	25 ft. from all property lines, 10 ft. if not visible from residential zoned property
	Illumination	Internal or External
Wall Sign	Zoning District	All
	Maximum Number	No limit
	Maximum Size	No more than 1.5 s.f. per linear foot per building frontage allowable for placement, but no more than 100 s.f. max. per individual sign For wall signs 100 ft. or more from a public street right-of-way or private street easement an extra 50 s.f. is allowed as well as 50 s.f. for every 50 ft. beyond 100 ft. from the public street right-of-way or private street easement. However no individual sign shall exceed 500 s.f.
	Illumination	Internal or External

SECTION 24.100 PERMANENT SIGNS- INDUSTRIAL DISTRICTS- PERMITS REQUIRED

All permanent signs in MB, LI, and HI, shall comply with the requirements of Table 24.100 and all other requirements of this chapter.

TABLE 24.100: PERMANENT SIGNS- INDUSTRIAL DISTRICTS

Type	Requirements	
Access Point Sign	Zoning Districts	All
	Maximum Number	1 per driveway access
	Maximum Size	4 s.f.
	Maximum Height	Subject to clear vision corner height limitation (Section 15.90 C) If outside of clear height area, 4 ft. max.
	Minimum Setbacks	2 feet from street right-of-way or easement 10 feet from all other property lines
	Illumination	Internal or External
Freestanding Sign: Ground Sign for Industrial Park Entry Point	Zoning Districts	All
	Maximum Number	1 per park entry, 2 max.
	Maximum Size	64 s.f.
	Maximum Height	8 ft.
	Minimum Setbacks	10 feet from street right-of-way or easement 20 feet from all other property lines
	Illumination	Internal, External, or ECM
Freestanding Sign: Ground Sign	Zoning Districts	All
	Maximum Number	1
	Maximum Size	64 s.f.
	Maximum Height	8 ft.

TABLE 24.100: PERMANENT SIGNS- INDUSTRIAL DISTRICTS

	Minimum Setbacks	10 feet from street right-of-way or easement 20 feet from all other property lines
	Illumination	Internal, External, or ECM
Interior Site Signs	Zoning District	All
	Maximum Size	12 s.f.
	Maximum Number	No limit
	Maximum Height	5 ft.
	Minimum Setbacks	25 ft. from all property lines, 10 ft. if not visible from residential zoned property
	Illumination	Internal or External
Wall Sign	Zoning District	All
	Maximum Number	No limit
	Maximum Size	No more than 1.5 s.f. per linear foot per building frontage allowable for placement, but no more than 100 s.f. max. per individual sign For wall signs 100 ft. or more from a public street right-of-way or private street easement an extra 50 s.f. is allowed as well as 50 s.f. for every 50 ft. beyond 100 ft. from the public street right-of-way or private street easement. However no individual sign shall exceed 500 s.f.
	Illumination	Internal or External

SECTION 24.110 BILLBOARDS- PERMITS REQUIRED

A. REQUIREMENTS

All billboards shall comply with the requirements of Table 24.110 A and all other requirements of this chapter except otherwise noted.

TABLE 24.110 A: BILLBOARDS

Type	Requirements	
Billboards	Zoning Districts	LI, HI on lots with frontage on M-6
	Maximum Number	No more than 6 billboards are permitted in the Township
	Maximum Size	672 s.f.
	Maximum Height	45 ft.
	Setbacks	Max. from the M-6 right-of-way: 100 ft. Min. from the M-6 right-of-way: 10 ft. Min. from any other cross-street right-of-way: 50 ft. Min. from any other property line: 50 ft.
	Minimum Separation	Min. separation between billboards: See the Highway Advertising Act of 1972. Min. distance from any existing dwelling units: 300 ft. without ECM display. Min. distance from any existing dwelling units: 750 ft. with ECM display
	Construction	Monopole structures are permitted. No other structure type is permitted.

TABLE 24.110 A: BILLBOARDS		
	Illumination	Internal, External, or ECM. Of the 6 allowable billboards, no more than 2 shall include ECM displays. ECM displays are subject to all requirements of Section 24.40 D except that the proportion of ECM display is not limited to a percentage of the total sign area.

B. BILLBOARD AND STRUCTURE DESIGN

1. **Shape.** A billboard sign face shall be a standard quadrilateral shape with four right angles, such as a square or rectangle, with the bottom edge being level with the street.
2. **Configuration.** Billboard configurations shall be limited to single-face, V-type or back-to-back configurations. Stacked or staggered-height billboard sign faces are prohibited. The angle of a V-type billboard sign face configuration shall not exceed 75 degrees.
3. **Placement.**
 - a. A billboard sign face shall be perpendicular to, or angled toward, the highway right of way.
 - b. On a billboard structure with two billboard sign faces, no more than one sign face shall be oriented toward the same direction of motor vehicle traffic.
4. **Extensions.**
 - a. A billboard sign face extension may project no more than five (5) feet from the top and no more than two (2) feet from either side of the billboard sign face, and no more than two (2) feet from the bottom of the billboard sign face.
 - b. The total area of a billboard sign face extension shall be not greater than 50 square feet.
 - c. The area and height of any lawful extension shall not be included in the maximum permitted sign face area or the maximum permitted billboard structure height.
 - d. A billboard sign face extension shall be temporary only; it shall be removed when the advertising copy on the billboard is changed, and shall not become a permanent modification of the billboard structure.
 - e. A permit is not required for a billboard sign face extension.