

	ZO STD	PC FINDINGS	CONDITIONS
6.03.B	<p>Site Plan: Each site plan shall be dated and provided on a professional quality drawing of scale not less than 1"=100'. All information depicted shall be designed by a professional engineer, land surveyor, or landscape architect licensed in Michigan whose seal shall be affixed to the plan. In addition to the applicant's full name, address, phone number and the address to which all Township correspondences should be mailed, the following data shall be submitted with applications for Land Use Permits for uses requiring a site plan:</p>	<p>Site plans prepared by a professional were submitted, with the most recent submission being Revision 7 dated 6/15/2023.</p>	<p>Final plans incorporating all revisions/conditions shall be sealed and signed by a professional engineer (professional surveyor or landscape architect licensed in Michigan).</p>
6.03.B.1	<p>A survey showing property dimensions and legal description, including angles, parcel or lot number, lot area, and an arrow pointing north.</p>	<p>Provided</p>	<p>Met</p>
6.03.B.2	<p>A vicinity sketch showing the location of the site in relation to the surrounding street system and other land uses within three hundred (300) feet in every direction of the proposed use including land uses on the opposite side of any public thoroughfare(s).</p>	<p>Provided</p>	<p>Met</p>
6.03.B.3	<p>Natural features such as woodlands; flood plains, county drains, lakes, streams, and ponds; topography (at two-foot intervals on-site and within one hundred fifty (150) feet of the site) including the identification of slopes twenty-five (25) percent or greater; archeological sites and historical areas; rare and valuable ecosystems including swamp and marsh areas; sensitive environmental areas identified by the State of Michigan; hydric soils and soils characterized by percolation rates greater than one (1) inch per five (5) minutes and less than one (1) inch per forty-five (45) minutes, according to the Natural Resources Conservation Service; and lands regulated by the following: a. Michigan Wetlands Protection Act,</p>	<p>The project site has limited natural features, with minimal vegetation and a 4' grade change across the site. An existing residential structure on the property was previously demolished. No significant natural features however Lake Michigan is within 1500' of the property have been identified.</p>	<p>Met</p>

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	<p>P.A. 203 of 1979, as amended. b. Shorelands Protection and Management Act, P.A. 245 of 1970, as amended. c. Michigan Sand Dunes Protection and Management Act, P.A. 222 of 1976, as amended. Also, a map shall be prepared showing the location of all creeks, streams, lakes, ponds, and wetland or marshy areas within fifteen hundred (1,500) feet of the property.</p>		
6.03.B.4	Existing man-made features such as roads and structures, with indication as to which are to be retained and which removed or altered.	Provided	Met
6.03.B.5	Project description, including the total number of structures and their respective heights, dwelling units, bedrooms, offices, square feet, total and usable floor area, carports and garages, employees by shift, amount of recreational and open space including waterfront structures and the number of docks, type of recreation facilities to be provided, and related information as pertinent or otherwise required by this Ordinance.	Preliminary architectural drawings were submitted dated 4/18/2023. This will be a single structure incorporating commercial and residential space, as well as garages for residential use. The main floor will include four commercial/retail tenant spaces and four residential garages, while the second and third floors will include a total of four residential tenant spaces.	PC to discuss
6.03.B.6	Existing and proposed public right-of-way, private easements, and deed restrictions.	Provided on site plan.	Met
6.03.B.7	Proposed streets and alleys, (including cross-sections), acceleration, deceleration or right turn lanes, driveways, parking spaces, sidewalks, with indication of direction of travel, the inside radii of all curves including driveway curb returns. The width of streets, driveways and sidewalks, the total number of parking spaces, and dimensions of a typical individual parking space and associated aisles. Proposed traffic control measures (including	Street, driveways, and sidewalks are shown on site plan. Existing MDOT “curb cut” already in place and confirmed. Eight parking spaces are provided in garages on the main floor for residential spaces. No commercial parking spaces are required in the C-1 zoning district.	Met

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	signs) and proposed street or road names shall also be indicated.		
6.03.B.8	Location of utilities, water supply and the location and design of waste water systems as well as any easements that exist or are proposed to be established for installation, repair and maintenance of utilities.	Existing and proposed utilities shown on provided site plan. Private utility placement (electric, etc.) to be coordinated with utility companies and architectural plans. All proposed utilities will be underground.	Pending final approvals from Health Dept., Sewer Administrator, and Drain Commissioner.
6.03.B.9	Proposed location of trash receptacles, accessory buildings and uses, including free standing signs.	No accessory buildings and uses or free standing signs are proposed. Proposed location of trash receptacles not shown on site plan.	Not Met
6.03.B.10	Location, size, and specifications of all signs and advertising features with construction details, including cross-sections.	No free standing signs are proposed. Building mounted signs will be permitted separately for main floor commercial tenants.	Any additional signage shall meet Zoning Ordinance requirements.
6.03.B.11	Exterior lighting locations with area of illumination illustrated as well as the type of fixtures and shielding to be used.	Proposed exterior lighting shown on architectural drawings dated 4/18/2023. All exterior lighting to be shielded and dark-sky compliant.	All lighting to be full cut-off design and directed downward to meet Zoning Ordinance requirements.
6.03.B.12	A landscaping plan indicating the locations of plant materials to be preserved and locations of proposed planting and screening, fencing, and lighting in compliance with the requirements of Article 23, Landscaping and Screening. Also, proposed locations of common open spaces, if applicable, and the location of any significant views from the property or from adjacent areas.	Landscaping and open space plan provided as part of site plan dated 6/15/2023. Details regarding open spaces provided in applicant narrative.	PC to discuss compliance with Article 23.
6.03.B.13	A storm drainage and storm water management plan for all streets.	Storm drainage and storm water management plan provided as part of site plan dated 6/15/2023 and applicant narrative. Drain Commissioner / Soil erosion permit was received. # 23-058	Met Note: any modifications will need to be approved by the zoning administrator.
6.03.B.14	Location and specifications for any existing or proposed above or below ground storage facilities for any chemicals, salts, flammable materials, or hazardous materials as well as any containment structures or clear zones required by government authorities.	N/A	
6.03.B.15	Location of exterior drains, dry wells, catch	Storm drainage and storm water management plan provided as	

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	basins, retention and/or detention areas, sumps and other facilities designed to collect, store or transport storm water or waste water. The point of discharge for all drains and pipes shall also be specified on the site plan.	part of site plan dated 6/15/2023 and applicant narrative.	PC to Discuss
6.03.B.16	Expected project completion schedule.	The project is intended to be completed in one phase, with construction completed approximately one year from commencement.	PC to discuss
6.03.B.17	A statement from the applicant identifying all other federal, state and local permits required, if any.	Applicant has identified other permits required.	Project will meet all applicable county, state and federal requirements.
6.03.B.18	Location of any agricultural buffers pursuant to Section 10.01(D)(4).	N/A	
6.03.B.19	Such other information as is necessary to enable the Planning Commission to determine whether the proposed site plan will conform to the provisions of this Ordinance.	Pending per Planning Commission complete review.	PC to discuss
6.03.B.20	(Amendment 2006-04) The Planning Commission may waive, in whole or in part, or modify any of the above site plan requirements (including the implied requirements embedded in the introductory paragraph), with the exception of those items listed below, where at least one of the following findings are documented, including the rationale for each finding: Findings Requirements 1. The requirement is not applicable to the proposed development. 2. The data will serve no useful purpose and/or no good public purpose will be achieved by requiring strict conformance with the listed requirement. 3. Circumstances have not significantly changed on the property since the last time detailed information on the site was submitted. 4. Another reasonable circumstance or condition exists.	No waivers requested.	

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6.04	Site Plan Review Procedures (Amendment 2004-04)		
6.04.A	<p>Submittal and Distribution of Site Plans (Amendment 2014-01): The applicant shall consult with the Zoning Administrator prior to submitting an application to review the proposed site plan. Prior to submitting an application to the Zoning Administrator, the applicant shall submit a copy of the proposed site plan and relevant supplemental information to each of the following entities for comment:</p> <ol style="list-style-type: none"> 1. Fire Department 2. County Road Commission 3. District Health Department 4. County Drain Commissioner 5. County Construction Code Office 6. Other agencies as may be relevant, including the Department of Natural Resources and the Natural Resources Conservation Service. 	<p>The applicant has submitted copies to the required regulatory agencies. The Zoning Administrator has received written communications from all agencies that are relevant. Note: Code often doesn't opine until Township approval is granted because their may be changes in the review process.</p>	<p>Applicant to provide written permits and approvals from all applicable agencies prior to Land Use Permit approval.</p>
6.05	Site Plan Review Standards		
6.05.A	<p>All elements of the Site Plan shall be harmoniously and efficiently organized in relation to topography, the size and type of lot, the character of adjoining property and the type and size of buildings. The site shall be so developed as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.</p>	<p>PC to Discuss</p>	<p>PC to Discuss</p>
6.05.B	<p>The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree, other vegetative material, and soil removal, and by topographic modifications which result in maximum harmony with adjacent areas. Landscape elements shall minimize negative impacts and, in the case of parking lots, provide directional guidance to drivers. Landscaping,</p>	<p>Existing vegetation will be removed from the site and replaced, per the landscaping plan dated 6/15/2023.</p>	<p>PC to discuss compliance with Article 23 and final landscape plan to be reviewed and approved by staff.</p>

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	buffering, and screening shall conform with the requirements of Article 23, Landscaping and Screening.		
6.05.C	Special attention shall be given to proper site drainage so that removal of storm waters will not increase off-site sedimentation or otherwise adversely affect neighboring properties due to flooding.	Details of site drainage and storm water management provided on site plans dated 6/15/2023 and application narrative. Review and approval from Drain Commissioner has been received.	Met
6.05.D	The site plan shall provide reasonable, visual, and sound privacy for all dwelling units located therein. Fences, walks, barriers, and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.	Dwelling units will be located on the second and third floors. A landscaping plan is provided in the site plans dated 6/15/2023. No fences or other barriers are proposed.	PC to discuss.
6.05.E	All buildings or groups of buildings shall be so arranged as to permit emergency vehicle access by some practical means to all sides.	Communications have been received from the Leland Fire Chief regarding the project.	Conditions presented by the Leland Fire Chief must be met.
6.05.F	Every structure or dwelling unit shall have access to a public street, walkway, or other area dedicated to common use.	The structure has access to public streets and proposed sidewalks on two sides. Communication has been received from the Leelanau County Road Commission.	Conditions presented by the Leelanau County Road Commission must be met.
6.05.G	There shall be provided a pedestrian circulation system which is insulated as completely as reasonably possible from the vehicular circulation system.	Proposed sidewalks are to be separated from the vehicle circulation system by vegetative buffers.	Met
6.05.H	Exterior lighting shall be designed and arranged so that it is deflected away from adjacent streets and adjoining properties. Flashing or intermittent lights shall not be permitted.	Proposed exterior lighting shown on architectural drawings dated 4/18/2023. All exterior lighting to be shielded and dark-sky compliant.	All exterior lighting will meet zoning ordinance requirements.

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6.05.I	The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way according to the standards of the County Road Commission.	The structure has access to public streets and proposed sidewalks on two sides. Communication has been received from the Leelanau County Road Commission.	PC to Discuss Conditions presented by the Leelanau County Road Commission must be met.
6.05.J	All streets shall be developed in accordance with County Road Commission specifications, unless specifically provided for otherwise in this Ordinance.	N/A	
6.05.K	All parking areas shall be so designed to facilitate efficient and safe vehicular and pedestrian circulation, minimize congestion at access and egress points to intersecting roads, including the use of service drives as appropriate, and minimize the negative visual impact of such parking areas.	Parking areas for residential units will be interior, and include 8 spaces for four units. No exterior parking is proposed for the property. All commercial parking will be in existing public parking spaces.	PC to Discuss and confirm if in fact a handicapped parking space or spaces are require by the Building Safety Dept.
6.05.L	When abutting major or minor thoroughfares, residential and nonresidential development shall not include unnecessary curb cuts and shall use shared drives and/or service drives where the opportunity exists unless precluded by substantial practical difficulties.	The structure has access to a public street and proposed sidewalks on two sides. Communication has been received from the Leelanau County Road Commission.	Conditions presented the Leelanau County Road Commission must be met.
6.05.M	The site plan shall provide for the appropriate location of all necessary and proposed utilities. Locational requirements shall include underground facilities to the greatest extent feasible.	Proposed utilities are shown on site plans, with all proposed utilities to be underground.	Final site plan to provide utilities as approved by the utility companies.
6.05.N	Site plans shall conform to all applicable requirements of state and federal statutes and approval may be conditioned on the applicant receiving necessary state and federal permits	Regulatory agencies are in the process of giving approvals to allow the project to proceed to final authorizations.	Applicant to provide approvals from all applicable agencies.

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	before the final site plan approval is granted.		
6.05.O	The applicant shall demonstrate that reasonable precautions will be made to prevent hazardous materials from entering the environment including:	Reasonable precautions have been made in the planning and requirements to prevent hazardous materials from entering the environment.	Met
6.05. O.1.	Sites at which hazardous substances are stored, used or generated shall be designed to prevent spills and discharges to the air, surface of the ground, ground water, lakes, streams, rivers, or wetlands.	N/A	.
6.05. O.2.	General purpose floor drains shall only be allowed if they are approved by the responsible agency for connection to a public sewer system, an on-site closed holding tank (not a septic system), or regulated through a State of Michigan ground water discharge permit.	None are shown on the proposed site plan.	PC to verify Confirm with regulatory agencies prior to issuing LUP approval from Leland Twp.
6.05.O.3.	State and federal agency requirements for storage, spill prevention, record keeping, emergency response, transport and disposal of hazardous substances shall be met. No discharges to ground water, including direct and indirect discharges, shall be allowed without required permits and approvals.	There was no mention of any agency requirements based on the uses of the applicant.	Confirm with regulatory agencies prior to issuing LUP approval from Leland Twp.
Article 7 Section 7.01 Purpose and Intent 7.01.A	A. Special Land Uses: It is the intent of this Ordinance to provide a set of procedures and standards for specific uses of land or structures that will allow, on one hand, practical latitude for the investor or developer, but that will, at the same time, promote the intent and purpose of this Zoning Ordinance, and insure that the land use or activity authorized shall be compatible with adjacent uses of land, the natural environment, and the capacities of public services and facilities affected by the land uses. In order to provide control and reasonable flexibility, this Article permits detailed review of certain specified types of	PC to Discuss	PC to Discuss

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	<p>land use activities which, because of their particular and unique characteristics, require special consideration in relation to the welfare of adjacent properties and to the community as a whole. Land uses and structures possessing these characteristics may be authorized within certain zoning districts by the issuance of a Land use Permit for a Special Land Use. By such a procedure, the Planning Commission and Township Board shall have the opportunity to impose conditions upon each use which are deemed necessary for the protection of the public welfare. Such conditions shall be based on standards in this Ordinance.</p> <p>1. Planned Unit Developments: It is also the intent of this Article to establish procedures which offer an alternative to traditional residential and commercial development patterns through the use of planned unit development legislation, as authorized by Section 16(c) of the Township Rural Zoning Act (Public Act 184 of 1943, as amended) for the purpose of:</p> <ul style="list-style-type: none"> a. encouraging the use of Township land in accordance with its character and adaptability; b. assuring the permanent preservation of open space, woodlands, and other natural resources; c. allowing innovation and greater flexibility in the design of residential developments; d. facilitating the construction and maintenance of streets, utilities, and public services in a more economical and efficient manner; e. ensuring compatibility of design and use between neighboring properties; and, f. encouraging a less sprawling form of development, thus preserving open space as undeveloped land. <p>Approval standards for special land uses are included in Article 16, Standards for Special Land Uses, except that approval standards for</p>		

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	planned unit developments are included in Article 17, Standards for Planned Unit Developments.		
Section 7.02.D.2 Planning Commission Action	<p>2. Commission Decision and Basis for Decision: Upon review of the special land use application, all supporting materials, and the hearing, the Planning Commission may deny, approve, or approve with conditions the application for special land use approval. Its decision shall be incorporated in a statement of conclusions relative to the special land use under consideration, and shall specify the basis for the decision and any conditions imposed. In arriving at its decision, the Planning Commission shall refer to and be guided by those standards set forth in Articles 16, Standards for Special Land Uses, and Article 17, Standards for Planned Unit Developments. A request for approval of a land use or activity which is in compliance with those standards, other applicable ordinances, and state and federal statutes shall be approved. The Planning Commission may require that a performance guarantee, in accordance with Section 3.06 of this Ordinance, be deposited with the Township to insure completion of improvements</p>	PC to Discuss	PC to Discuss
Article 12 Section 12.01 C-1: Village Commercial District	<p>Section 12.01.A: Intent The Village Commercial District is intended to provide for central business areas where the presence of retail stores and service establishments address the day-to-day retail and service needs of tourists and local residents. This District is intended to provide for a more pedestrian-oriented commercial area than provided for in other commercial districts and promote convenient pedestrian shopping and stability of retail development by encouraging a contiguous retail frontage and by prohibiting automotive related, highway service, and non-retail uses which tend to break up such continuity and the character intended for this</p>	<p>Residential Provide for a broad range of housing opportunities, which respond to the varying economic, family, and lifestyle needs of area residents and tourists. Direct higher density residential development to be located in and around the villages, through zoning regulations and incentives. Provide a range of development options in the zoning regulations, such as Conservation Design Subdivisions and Planned Unit Developments, to encourage a mix of housing types in a single development.</p> <p>Economic Strengthen the local economy through the development and retention of enterprises, which provide employment</p>	PC to Discuss

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	<p>District. The Village Commercial District is intended to implement, in part, the Mixed Use Area(s) component of the Leland Township Comprehensive Development Plan.</p> <p>Provisions of Article 21: Off-Street Parking and Loading apply to newly established C-1 districts but not to existing C-1 districts. (Amendment 1996-06)</p>	<p>opportunities. Preserve Leland Township as a tourist-friendly community. Direct intensive commercial development to the villages and encourage mixed-use land use patterns and character.</p>	
<p>Article 16 Section 16.01 GENERAL STANDARDS APPLICABLE TO ALL SPECIAL LAND USES</p>	<p>A. Approval of a special land use shall be based on the determination that the proposal, will comply with all applicable requirements of this Ordinance, including site plan review criteria set forth in Article 6, and applicable supplemental standards for specific use set forth in this Article.</p> <p>The land use or activity shall be consistent with and shall comply with the following standards:</p> <p>1. The general principles and objectives of the Comprehensive Development Plan of the Township are proper and relevant consideration by the Planning Commission in reaching its decision.</p> <p>2. The proposal is consistent with and in accordance with the general objectives, intent and purposes of this Ordinance.</p> <p>3. The proposal is designed, constructed, operated and maintained so as to be consistent, compatible and appropriate in appearance with the existing adjacent land uses, existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed. In determining whether this requirement has been met, consideration shall be given to:</p> <p>a. Compatibility with Adjacent Land Uses The proposed special approval shall be designed, constructed, operated and maintained to be compatible with uses on surrounding land.</p>	<p>PC to Discuss</p> <p>PC to Discuss</p> <p>PC to Discuss</p>	<p>PC to Discuss</p> <p>PC to Discuss</p> <p>PC to Discuss</p>

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	<p>The site design of the proposed special approval shall minimize the impact of site activity on surrounding properties. In determining whether this requirement has been met, consideration shall be given to:</p> <ol style="list-style-type: none"> 1) The location and nature of the use will not be in conflict with any Use Permitted by Right of the district. 2) The location and screening of vehicular circulation and parking areas in relation to surrounding development. 3) The location and screening of outdoor storage, outdoor activity or work areas, and mechanical equipment in relation to surrounding development. 4) The hours of operation of the proposed use. Approval of a special approval request may be conditioned upon operation within specified hours considered appropriate to ensure minimal impact on surrounding uses. 5) The design and placement of the structures and infrastructure for the proposed use in relation to surrounding uses. 6) The relation of the character, density and open space of the surrounding area to density and open space of the proposed project, considering the overall site design, including landscaping and other proposed site amenities. <p>b. Public Services The proposed special approval shall be located so as to be adequately served by essential public facilities and services, such as highways, streets, emergency services, drainage systems, water and sewage facilities, and schools, unless the proposal contains an acceptable plan for providing necessary services or evidence that such services will be available by the time the special approval is established.</p> <p>c. Impact of Traffic The location of the proposed special approval</p>	<p>PC to Discuss</p> <p>PC to Discuss</p> <p>PC to Discuss</p>	

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	<p>within the zoning district shall minimize the impact of the traffic generated by the proposed use. In determining whether this requirement has been met, consideration shall be given to the following:</p> <ol style="list-style-type: none"> 1) Proximity and access to major thoroughfares. 2) Estimated traffic generated by the proposed use. 3) Proximity and relation to intersections. 4) Adequacy of driver sight distances. 5) Location of and access to off-street parking. 6) Required vehicular turning movements. 7) Provisions for pedestrian traffic. <p>d. Detrimental Effects The proposed special approval shall not involve any activities, processes, materials, equipment, or conditions of operation, and shall not be located or designed so as to be detrimental or hazardous to persons or property or to public health, safety, and welfare. In determining whether this requirement has been met consideration shall be given to the level of traffic noise, vibration, smoke, fumes odors, dust, glare and light.</p> <p>e. Economic Well-Being of the Community The proposed special approval shall not be detrimental to the economic well-being of those who will use the land or residents, businesses, landowners, and the community as a whole.</p> <p>f. Compatibility with Natural Environment The proposed special approval shall be compatible with the natural environment and conserve natural resources.</p> <p>4. Meet the site plan review requirements of Article 6.</p> <p>5. Conform with all applicable county, state and federal requirements for that use.</p>		

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	<p>The Planning Commission may deny, approve, or approve with conditions, requests for special approval, based on the standards above.</p>		
<p>Master Plan Section 7.3.4</p> <p>Residential Goal</p>	<p>Provide for a broad range of housing opportunities, which respond to the varying economic, family, and lifestyle needs of area residents and tourists.</p> <p>Objectives and Action Steps</p> <p>A. Discourage development in areas identified on the Agricultural Considerations Areas map (Figure 6-2) and direct higher density residential development to be located in and around the villages, through zoning regulations and incentives.</p> <p>B. Provide a range of development options in the zoning regulations, such as Conservation Design Subdivisions and Planned Unit Developments, to encourage a mix of housing types in a single development.</p> <p>C. Develop residential development options, to allow for clustering of new development within land parcels so as to encourage preservation of open space.</p> <p>D. Protect the residential neighborhoods from intrusion of incompatible uses.</p>	<p>PC to Discuss</p>	<p>PC to Discuss</p>
<p>Master Plan Section 7.3.5</p> <p>Economic Goals</p>	<p>Strengthen the local economy through the development and retention of enterprises, which provide employment opportunities.</p> <p>Preserve Leland Township as a tourist-friendly community.</p> <p>Objectives and Action Steps</p> <p>B. Allow for a diversity of commercial and light industrial development, with year-around employment opportunities, including non-</p>	<p>PC to Discuss</p> <p>Land devoted to commercial use should generally not be expanded within the Village beyond its current limits.</p> <p>Retail orientated establishments should be primarily limited to the rectangular area formed by Lake Street, William Street, First Street, and the Leland River, and extending along both sides of the river to include Fishtown area to the west and along the north side of the</p>	<p>PC to Discuss</p>

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	<p>tourism based ventures.</p> <p>C. Direct intensive commercial development to the villages and encourage mixed-use land use patterns and character.</p> <p>D. Review both positive and negative impacts of the local tourism industry and work to resolve any identified issues, such as traffic, parking and the need for restroom facilities.</p>	<p>river to Chandler Street to the east, with the provision for transitional uses beyond the core.</p> <p>This Plan encourages the continuance of the commercial land uses located south of Leland River on the east side of M-22 between Pine and Thompson Streets but strongly discourages the expansion of commercial uses into other areas south of the Leland River.</p>	
<p>Article 17 Standards for Planned Unit Developments</p> <p>Section 17.01 Approval Standards</p> <p>17.01.A</p>	<p>A. Minimum Eligibility: To be considered as a planned unit development project, the proposed development project must be consistent with the intent of a planned unit development pursuant to Section 7.01(A)(1)(a-f), and comply with the provisions of 17.01(B-D).</p>	<p>PC to Discuss</p>	<p>PC to Discuss</p>
<p>17.01.B</p>	<p>B. Permitted Uses: Uses permitted in the applicable district and/or any of the following uses may be allowed in combination (Amendment 2007-03):</p> <ol style="list-style-type: none"> 1. Single family platted subdivision, consisting of single family dwellings or two family dwellings. 2. Condominium subdivisions, consisting of single family dwellings or two family dwellings. 3. Condominium Projects 4. Multifamily dwellings, provided no more than four (4) dwelling units are located within any single building. 5. Nonresidential subordinate uses (an integral part of the planned unit development) in the AC, AR, R-1B or R-2 districts shall be permitted provided (see full conditions in ZO) 	<p>The proposed project is a condominium project with four dwelling units located in a single building in the C-1 Zoning District.</p>	<p>Met</p>
<p>17.01.C</p>	<p>C. Minimum Parcel Size and Lot Width</p> <p>2. In the C-1 and C-2 Districts the minimum size of a parcel used for a planned unit development shall be of sufficient size to</p>	<p>PC to Discuss</p>	<p>PC to Discuss</p>

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	<p>contain on the site both physically and aesthetically, not only the development proposed, but also any effects of such development that would ordinarily be apparent and different from the effects of permitted uses on the adjacent properties. (Amendment 2004-07)</p>		
<p>17.01.D</p>	<p>D. Unified Control: The proposed development shall be under single ownership or control, such that there is a single person or entity having proprietary responsibility for the full completion of the project. The applicant shall provide sufficient documentation of ownership or control in the form of agreements, contracts, covenants, and/or deed restrictions that indicate that the development will be completed in its entirety as proposed.</p>	<p>The subject site is under the sole control of the applicant, who is also acting as the developer and will maintain sole control over the completion of the project. Master Deeds and by-laws will be required as part of the project and review and approved by staff and legal counsel prior to issuance of the Land Use Approval.</p>	<p>Applicant to provide sufficient documentation of ownership or control to indicate the development will be completed in its entirety as proposed. **PC may require a performance guarantee per zoning ordinance Section 3.06**</p>
<p>17.01.E</p>	<p>E. Dedicated Open Space 1. Guarantee of Open Space: The planned unit development shall include dedicated open space. The dedicated open space shall forever remain open space, subject only to uses approved by the Township on the approved site plan. Further subdivision of open space land or its use for other than recreation, conservation or agricultural purposes, except for easements for utilities and septic systems, shall be strictly prohibited. The applicant shall guarantee to the satisfaction of the Township Attorney that all open space portions of the development will be maintained in perpetuity and in the manner approved. Documents shall be presented that bind all successors and future owners in fee title to commitments made as a part of the proposal. This provision shall not prohibit a transfer of ownership or control, provided notice of such transfer is provided to the Township and the land uses continue as approved in the open space development. a. Any structure(s) or building(s) accessory to a recreation, conservation or agriculture use</p>	<p>PC to Discuss</p>	<p>PC to Discuss</p>

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	<p>may be erected within the dedicated open space, subject to the approved site plan. These accessory structure(s) or building(s) shall not exceed, in the aggregate, one percent (1%) of the total dedicated open space area.</p> <p>2. Open Space Requirements:</p> <p>a. The total area of dedicated open space (as defined by this ordinance) shall equal at least fifty (50) percent of a parcel located in the AC District, at least forty (40) percent of a parcel located in the A-R District, at least twenty (20) percent of a parcel located in the R-1B District. In the C-1, C-2 and R-2 districts, the total amount of dedicated open space shall be site-determined, based on environmental features, lot size and neighborhood character. Dedicated open space may include flood plain areas and/or may include perimeter buffer areas, but required dedicated open space shall not include required yard setback areas, roads, parking spaces, public rights-of-way, and year-round submerged lands. (Amendment 2007-03)</p> <p>b. All land within a development that is not devoted to a building, dwelling unit, an accessory use, vehicle access, vehicle parking, a roadway, or an approved land improvement, shall be set aside as common land for recreation, conservation, agricultural uses, or preserved in an undeveloped state.</p> <p>c. The dedicated open space shall be set aside by the owner through an irrevocable conveyance that is found acceptable to the Township Attorney, such as recorded deed restrictions, covenants that run perpetually with the land, transfer to a non profit land trust, or a conservation easement established per the State of Michigan Conservation and Historic Preservation Act, Public Act 197 of 1980, as amended (M.C.L.A. 399.251). Such conveyance shall assure that the open space will</p>	<p>PC to Discuss “site-determined” open space requirements for C-1 Zoning District.</p>	<p>PC to Discuss</p>

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	<p>be protected from all forms of development, except as shown on an approved site plan, and shall never be changed to another use. Such conveyance shall:</p> <p>(1) Indicate the proposed allowable use(s) of the dedicated open space.</p> <p>(2) Require that the dedicated open space be maintained by parties who have an ownership interest in the open space.</p> <p>(3) Provide standards for scheduled maintenance of the open space.</p> <p>(4) Provide for maintenance to be undertaken by the Township of Leland in the event that the dedicated open space is inadequately maintained, or is determined by the Township to be a public nuisance, with the assessment of costs upon the property owners.</p> <p>d. All dedicated open space must be a minimum of twenty (20) feet wide, except that the dedicated open space must include the land directly adjacent to any major or minor thoroughfare right of way and run the full length of the right of way along the project site at a width of at least one hundred (100) feet. No more than two access roads may cross the dedicated open space along this right-of-way.</p> <p>e. Dedicated open space must be easily accessible from all planned unit development dwelling units.</p>		
<p>17.01.F</p>	<p>F. Access and Circulation</p> <p>1. Direct access: Direct access from a paved minor or major thoroughfare to a planned unit development is required. The nearest edge of any entrance or exit drive shall be located no closer than two hundred (200) feet from any existing street or road intersection (as measured from the nearest intersection right-of-way line).</p> <p>2. Pedestrian Circulation: A pedestrian circulation system may be required along one side of, or all of, the internal roads of the planned unit development. The exact location</p>	<p>The proposed project has direct access from a paved thoroughfare.</p> <p>Nearest edge of entrance or exit drive is closer than 200' to existing intersection (89' per application).</p> <p>No internal roads are proposed.</p>	<p>PC to Discuss</p> <p>PC to Discuss</p> <p>N/A</p>

	ZO STD	PC FINDINGS	CONDITIONS
	<p>and alignment of the sidewalks shall be jointly agreed upon by the applicant and the approving body, and shall be coordinated with existing or planned sidewalks and roads in the area. Pedestrian circulation network shall assure ease of access from residences to the designated open space areas.</p> <p>3. Vehicular Circulation: Construction of private roads or private access drives as a means of providing access and circulation and increasing the rural character of the planned unit development project is encouraged. They shall meet clear view, drainage, and signage requirements of this Ordinance. Private roadways within a planned unit development must be constructed according to the provisions of Section 20.05, unless such provisions are exempted from the design requirements where the following findings are made by the Planning Commission:</p> <p>a. a deed restriction is placed on the project site that perpetually vests fee simple use of the land area used for the road in the parties adjoining the road and prohibits future transfer to the public; and,</p> <p>b. a maintenance plan, including a means of guaranteeing maintenance assessments from the affected property owners, is reviewed and approved by the Planning Commission.</p>	<p>No internal roads are proposed. The maintenance and common use of the shared driveway will be governed by the Master Deed and Bylaws.</p>	<p>PC to Discuss</p>
<p>17.01.G</p>	<p>G. Natural Features: The development shall be designed to promote the preservation of natural features. If animal or plant habitats of significant value exist on the site, the Planning Commission, as a condition of approval, may require that the open space development preserve these areas in a natural state and adequately protect them as nature preserves or limited access areas. The planned unit development site plan shall clearly show the location of existing natural features in relation to proposed buildings, roads, parking areas, areas to be graded, and other project elements.</p>	<p>No natural features or habitats of significant value were identified.</p>	<p>PC to Discuss</p>

	ZO STD	PC FINDINGS	CONDITIONS
<p>17.01.H</p>	<p>H. Lots and Dwelling Units: The following minimum and maximum standards shall apply to all lots and dwelling units in planned unit developments:</p> <p>1. Minimum Lot Area: The minimum lot area shall be five thousand (5,000) square feet where public sewer is available. Where public sewer is not available, minimize lot size shall be determined by the application for and approval of an on-site sewage disposal system permit by the Leelanau County Health Department.</p> <p>2. Minimum Lot Frontage and Width:</p> <p>a. Each parcel of land for a single-family detached residence shall have frontage of not less than sixty (60) feet, except for a corner lot which shall have continuous frontage of not less than seventy (70) feet along each front lot line.</p> <p>b. Each parcel of land for a two family dwelling shall have frontage of not less than seventy-five (75) feet, except for a corner lot which shall have continuous frontage of not less than eighty-five (85) feet along each front lot line.</p> <p>3. a. Number of Dwelling Units (Amendment 2004-09): (4) The total number of dwelling units permitted in a planned unit development in the C-1, C-2 or R-2 districts shall be based on the compliance with applicable building code requirements, the provisions of adequate septic or sewer disposal and the provision of adequate on-site parking standards, as determined by the Planning Commission based on the applicable (or similar use) standard(s) of Section 21.03.</p> <p>5. Yard and Setback Requirements – in C-1, C-2, R1B or R-2 Districts (Amendment 2007-03)</p> <p>a. PUD project perimeter setback shall be equal</p>	<p>The lot area is 10,000 square feet. Public sewer is available.</p> <p>No stand alone single or two-family dwelling units proposed.</p> <p>PC to Discuss</p> <p>C-1 Setback Requirements</p>	<p>Met</p> <p>N/A</p> <p>PC to Discuss</p> <p>Project to meet all C-1 setback</p>

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	<p>to applicable setback of the underlying zoning district, unless reduced by the Planning Commission based on the following criteria:</p> <p>(1) Use of the adjacent property (2) Architectural design and character of the adjacent property (3) Location of structure and/or applicable setbacks on the adjacent property (4) Location along a public street or road</p> <p>b. Building spacing: Emergency vehicle access shall be approved by the Leland Township Fire and Rescue Department.</p> <p>6. Maximum Building Height – Thirty-five (35) feet. (Amendment 2013-07)</p>	<p>3. Yard and Setback Requirements:</p> <p>a. Front yard: Five (5) feet. b. Side yards: Five (5) feet, except that ten (10) feet shall be required on the street side of a corner lot or where a side yard abuts a residential zoning district. c. Rear Yard: Five (5) feet, except that twenty-five (25) feet shall be required where a rear yard abuts a residential zoning district.</p> <p>PC to Discuss</p> <p>Building proposed to be 34'</p>	<p>requirements. Project to meet all conditions set by Leland Township Fire & Rescue.</p> <p>Met</p>
17.01.I	<p>I. Utilities</p> <p>1. The planned unit development shall provide for underground installation of all utilities. 2. A planned unit development permit shall not be issued unless public water and sanitary sewer service is provided to the development if such service is available. 3. Provisions shall be made for the construction of storm water facilities. The storm water system may include the establishment of detention or retention basins</p>	<p>PUD application provides for underground installation of all utilities. Public sewer is provided for the development. Public water is not available at this location. Private well will be required.....</p> <p>PUD application and site plan dated 6/15/2023 detail provisions for storm water system.</p>	<p>Met</p> <p>Met</p> <p>PC to Discuss</p>
17.01.J	<p>J. Scheduled Phasing</p> <p>1. Scheduled Phasing (Amendment 2016-01): When proposed construction is to be phased, the project shall be designed in a manner that allows each phase to fully function on its own regarding services, utilities, circulation, facilities, and open space. Each phase shall contain the necessary components to ensure protection of natural resources and the health, safety and welfare of the users of the open space development and the residents of the surrounding area. The timing for the beginning and completion of each phase of a use, development or activity shall be proposed by the applicant, modified as necessary, and approved by the Planning Commission. Projects</p>	<p>The project is projected to be completed in one phase of less than 12 months.</p>	<p>Met</p>

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	<p>which require phasing shall contain easily identifiable completion of activities or construction as stated in the approved finding of facts, to allow the Township to verify that the agreed-upon timetable is being met.</p> <p>2. Timing of Phases: Each phase of the project shall be commenced within twelve (12) months of the schedule set forth on the approved site plan. If construction of any phase is not commenced within the approved time period, an extension may be granted following review of a formal request for extension by the owner and approval of same by the Planning Commission. Such approval may be withheld only where harm to adjacent lands or uses would occur, there have been significant changed conditions in the area, or in the case of fraud or violation of the terms of the original approval.</p> <p>3. Revision of Approved Plans: Approved plans for an open space development may be revised in accordance with the procedures set forth in Section 6.08.</p>		
17.01.K	K. Applicable Provisions of Article 20, Access Control and Private Roads; Article 21, Off-Street Parking and Loading; Article 23, Landscaping and Screening; and Article 24, Environmental Standards.	PC to Discuss	The project shall meet all applicable provisions of Article 20, Article 23, and Article 24.
Section 17.02 – Waiver of Standards	<p>A. The Planning Commission may waive any of the standards for a planned unit development contained in this Article, except 17.01(A-D), where the following findings are documented along with the rationale for the decision:</p> <p>1. No good public purpose will be achieved by requiring conformance with the standards sought by the applicant to be waived.</p> <p>2. The spirit and intent of the open space development provisions will still be achieved.</p> <p>3. No nuisance will be created.</p>	No waiver requested.	PC to Discuss
Section 17.03 Parking Requirements	All on-site parking areas shall be located in the side or rear yards. The base number of parking spaces shall be calculated based on the	Parking areas for residential units will be interior, and include 8 spaces for four units. No exterior parking is proposed for the property. All commercial parking will be in existing public	PC to Discuss

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<p>for PUDS in C-1, C-2, R-1B and R-2</p>	<p>standards in Article 21; however, the Planning Commission may grant a reduction in the required number and/or location of parking spaces based on the mix of uses and whether the peak times for different uses will significantly overlap, and whether additional parking is available off-site. The number of parking spaces shall not be reduced to less than one space per dwelling unit. Off-street parking that can be easily viewed from roads shall be screened with landscaping, unless specifically waived by the Planning Commission. Shared parking agreements are encouraged.</p>	<p>parking spaces.</p>	
<p>Article 23 Landscaping and Screening Section 23.03 Landscape Plan Required</p>	<p>A separate detailed landscape plan shall be required to be submitted as part of a site plan review (see Article 6). The landscape plan shall identify all buffer areas (see Section 23.04), site landscaping (see Section 23.05), and parking lot landscaping (see Section 23.06), and shall include, but not necessarily be limited to, the following items:</p> <ol style="list-style-type: none"> 1. Location, spacing, size, and root type [bare root (BR) or balled and burlapped (BB)] and descriptions for each plant type proposed for use within the required landscape area. 2. Minimum scale: 1" = 100'. 3. Existing and proposed contours on-site and 150 feet beyond the site at intervals not to exceed two (2) feet. 4. Typical straight cross-section including slope, height, and width of berms and type of ground cover, or height and type of construction of wall or fence, including footings. 5. Significant construction details to resolve specific site conditions, such as tree wells to preserve existing trees or culverts to maintain natural drainage patterns. 6. Planting and staking details in either text or drawing form to ensure proper installation and establishment of proposed plant materials. 7. Identification of existing trees and vegetative 	<p>A landscape plan has been submitted, dated 6/15/2023. It identifies buffer areas, and site landscaping. No external parking is proposed.</p> <p>Location, spacing, size, root type and species are detailed for all plant types.</p> <p>Scale is 1" to 10' Existing site contours at 1' intervals are provided, although they do not extend 150' from the site. The site is proposed to have fill added to level the site.</p> <p>No berms, walls, or fencing is proposed.</p> <p>No significant construction details are identified.</p> <p>Planting and irrigation plans provided in text form on site plan.</p> <p>No existing trees are to be preserved on the site.</p>	<p>PC to discuss.</p> <p>Landscaping and screening to meet all provisions of Article 23.</p>

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	cover to be preserved. 8. Identification of grass and other ground cover and method of planting. 9. Identification of landscape maintenance program including a statement that all diseased, damaged, or dead materials shall be replaced in accordance with standards of this Ordinance.	Turf areas identified. Landscape maintenance program provided in text form on site plan.	
23.04 Buffer Areas	B. Front Yard Buffer Areas: A strip of land with a minimum width equal to the front yard setback of its zoning classification shall be located abutting the right-of-way of a minor or major thoroughfare, and shall be landscaped with a minimum of one (1) tree not less than twelve (12) feet in height or a minimum caliper of 2 ½ inches (whichever is greater at the time of planting) for each thirty (30) lineal feet, or major portion thereof, of frontage abutting said right-of-way. The remainder of the front yard buffer area shall be landscaped in grass, ground cover, shrubs, and/or other natural, living, landscape material. Access ways from public rights-of-way through required buffer areas shall be permitted, but such access ways shall not be subtracted from the lineal dimension used to determine the minimum number of required trees.	The zone in between the right of way and the proposed building is proposed to be concrete sidewalk. A turf area with hardwood trees is proposed for within the right of way. Four 2.5” maple trees are proposed for the 100’ of lineal frontage on Main Street.	PC to Discuss

Leland Village Mixed-Use Master Plan Excerpt

The Leland Village Mixed-Use category is intended to accommodate a mixture of residential and commercial land uses in the similar manner it has accommodated such uses to this point in time. It is the intent of this plan that Leland Village maintain its compact developed pattern and “small village” character and that all future development or redevelopment be of such character and design to continue the Village’s existing identity and current character. Specific recommendations regarding future land use in the Village of Leland include:

A. Land devoted to commercial use should generally not be expanded within the Village beyond its current limits. Retail orientated establishments should be primarily limited to the rectangular area formed by Lake Street, William Street, First Street, and the Leland River, and extending along both sides of the river to include Fishtown area to the west and along the north side of the river to Chandler Street to the east, with the provision for transitional uses beyond the core. This Plan encourages the continuance of the

commercial land uses located south of Leland River on the east side of M-22 between Pine and Thompson Streets but strongly discourages the expansion of commercial uses into other areas south of the Leland River.

B. While Fishtown is within the commercial area discussed above, the Fishtown area is unique in character and design, and thus merits some special considerations. In the 2005 survey findings, the residents of Leland Township indicated a strong desire to see Fishtown continue “as is”. Since the present zoning ordinance does not adequately provide for Fishtown, this plan recommends the area be addressed with the development of an overlay district or separate zoning district to specifically accommodate the unique situation of the Fishtown, and allow for the continuation of this area which is a vital part of the unique charm of Leland.

C. Uses which are not as retail orientated as the balance of the Village’s Core business district, or which do not benefit as greatly from being located within a central retail or business area or in close proximity to high levels of pedestrian and/or vehicular traffic, should continue to be located in that area of the Village defined by the Leland River, Oak Street, and Chandler St.

D. The balance of the Leland Village area should be used primarily for accommodating existing and future single residential development. Development densities should be similar to development densities currently existing in the Village and measures should be taken to minimize the negative impacts of new developments and redevelopment projects upon surrounding properties. Developments of particularly high density, such as multiple family developments, should be limited to locations outside of the central village area where the village character is not as dominant, and where ease of access to M-22 is available.

E. The redevelopment of the County courthouse and associated county-owned properties in Leland could have a significant impact on the character of Leland. Due to the location of these properties and the County’s plans to vacate them, a community input session was conducted. At this community meeting the future uses of the properties were discussed revealing significant support for this area being re-developed as residential. The desire expressed was that such development be primarily single family residential at a density and scale consistent with the existing lot sizes and the surrounding neighborhood. The concept of a park along the river was also well received. As of summer 2007, the property has been sold, and the relocation of county offices is expected to be complete by spring 2008. While final development plans have not yet been submitted, the current owners have expressed interest in developing the property consistent with community’s desire for residential uses of a scale consistent with the desires expressed by the community.

F. The updating of the zoning provisions to encourage design that is consistent with the relevant guidelines in the New Designs for Growth Guidebook and the implementation of

a zoning ordinance that incorporates some form-based zoning principles, especially in the two village mixed use areas.