

**CLEVELAND TOWNSHIP
LEELANAU COUNTY**

ORDINANCE NO. 2020-1

AMENDMENT TO THE CLEVELAND TOWNSHIP ZONING ORDINANCE

AN ORDINANCE TO AMEND ARTICLE IV. GENERAL PROVISIONS, SECTION 4.06(d) CLEAR ACCESS; 4.14; 4.18(f)(iii)(3); AND 4.21 PRIVATE ROADS(c)(iii) LAND USE PERMITS.

CLEVELAND TOWNSHIP HEREBY ORDAINS:

Amendment of Article IV “General Provisions” of Zoning Ordinance:

Section 4.06 Fire Hazards (d) Clear Access – All uses permitted in any district shall provide and maintain a driveway or clear right-of-way to each building unobstructed by boarding trees of not less than fourteen sixteen (16) feet in width or less than fourteen (14) feet vertically from the ground.

Section 4.14 Structures Exempt from Land Use Permits and Setbacks Restrictions. Structures generally considered to be landscaping objects such as mailboxes, fences, sidewalks, driveways (still require a permit from the Leelanau county Road commission), and other similar objects shall be exempt from setback requirements and shall not require a Land Use Permit.

Section 4.18 Planned Unit Development (PUD) (f)(iii)(3), strike existing language and replace with:

~~(3) — Preservation of ridgelines and steep slopes: For this subsection “ridgeline” is defined as a line, including vegetation, at the top of a hill or hills, which background is open sky as seen from a public road, at elevation above six hundred fifty feet (650’) MSL (mean sea level) as defined by the USGS Quadrangle map.~~

~~A 15% increase over allowable base density shall be granted if the development meets the following:~~

- ~~a) — Limited development upon ridgelines and barren ridges (unless substantial native vegetation is introduced)~~
- ~~b) — At least 50% of steep slope areas (33% percent slope and over) in the development must be located in a designated open space~~
- ~~c) — No or minimal tree removal from steep slope areas proposed for development~~
- ~~d) — Structures near ridgelines and/or upon steep slope areas are below the existing tree canopy and/or below the ridgeline where practical.~~
- ~~e) — Limited site lighting on steep slopes that is in addition to potential lighting approved for outdoor recreational uses~~

All projects within the Scenic Viewshed Preservation Overlay District must comply with Section 4.27 of the Cleveland Township Zoning Ordinance.

Amend Section 4.21 Private Access Roads (c)(iii) Land Use Permits. A Land Use Permit for building or dwelling, driveway or easement to be served by a private access road shall not be issued unless the applicant provides the Cleveland Township Zoning Administrator with:

- 1) Proof of lawful access over the private access road to the lot, parcel or building site.
- 2) An approved plan for the private access road
- 3) A copy of the signed and recorded road maintenance agreement or restrictive covenant as provided by Section 4.22.7;
- 4) A copy of the Notice of Private Access as provided under Section 4.22.7.
- 5) A driveway permit for the private access road issued by the Leelanau County Road Commission if required by the road commission.
- 6) Leelanau County Soil Erosion, Sedimentation, and Storm Water Runoff Control Ordinance compliance.

Effective Date

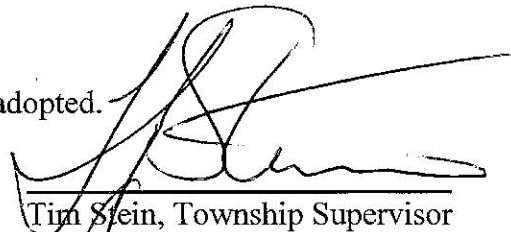
This Ordinance shall become effective thirty (30) days after publication in accordance with law.

At a regular meeting of the Township Board for Cleveland Township held on the 14th day of January, 2020, Todd Nowak moved for adoption of the foregoing ordinance and Bill Olsen supported the motion.

Voting for: Bill Olsen, Todd Nowak, Tim Stein, Jan Nowak and Angie Diotte.

Voting against:

The Township Supervisor declared the ordinance adopted.



Tim Stein, Township Supervisor

CERTIFICATION

The foregoing is a true copy of Ordinance No. 2020-1 which was enacted by the Township Board for the Cleveland Township at a regular meeting held on January 14, 2020.



Jan Nowak, Township Clerk