

	ZO STD	PC FINDINGS	CONDITIONS
6.03.B	<p><b>Site Plan:</b> 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 0 dated 8/17/2023.</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>Vicinity sketch provided. Land uses within 300' not given.</p>	<p>Not 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:</p> <ul style="list-style-type: none"> <li>a. Michigan Wetlands Protection Act, P.A. 203 of 1979, as amended.</li> <li>b. Shorelands Protection and</li> </ul>	<p>No significant natural features have been identified. No topography lines given on site plan.</p>	<p>Not Met</p>

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	<p>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>	<p>Not Provided</p>	<p>Not Met</p>
6.03.B.4	<p>Existing man-made features such as roads and structures, with indication as to which are to be retained and which removed or altered.</p>	<p>Existing tower not denoted on site plan.</p>	<p>Existing tower to be removed after construction of new tower and compound.</p>
6.03.B.5	<p>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.</p>	<p>Provided on site plan and in project narrative. Height of tower and size of compound provided on site plan and in narrative. No dwelling space or recreation space provided. Irregular employee access.</p>	<p>Met</p>
6.03.B.6	<p>Existing and proposed public right-of-way, private easements, and deed restrictions.</p>	<p>Street and driveways are shown on site plan. Existing MDOT curb cut already in place and confirmed. 16' access road and utility easement shown on site plan.</p>	<p>Met</p>
6.03.B.7	<p>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 signs) and proposed street or road names shall also be indicated.</p>		

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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 not 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. No water supply or waste water systems are proposed.	Proposed utilities to be shown on final site plan.
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. No trash receptacles are proposed.	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.	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.	No exterior lighting is proposed.	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.	No landscaping plan provided. Site plan shows existing vegetation around majority of project site.	Landscaping shall meet all Zoning Ordinance requirements.
6.03.B.13	A storm drainage and storm water management plan for all streets.	No storm drainage and storm water management plan provided. Project does not directly affect any public streets or roads.	Met Any modifications to the storm drainage and storm water management plan shall 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	No above or below ground storage of the listed materials will be allowed.
6.03.B.15	Location of exterior drains, dry wells, catch 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.	No storm drainage or storm water management plan provided.	Not Met

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6.03.B.16	Expected project completion schedule.	No project completion schedule provided.	Not Met
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 shall 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	<p>(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:</p> <p>Findings Requirements</p> <ol style="list-style-type: none"> <li>1. The requirement is not applicable to the proposed development.</li> <li>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.</li> <li>3. Circumstances have not significantly changed on the property since the last time detailed information on the site was submitted.</li> <li>4. Another reasonable circumstance or condition exists.</li> </ol>	No waivers requested but needed to comply with ZO requirements.	PC to discuss

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<b>6.04</b>	<b>Site Plan Review Procedures (Amendment 2004-04)</b>		
<b>6.04.A</b>	<p><b>Submittal and Distribution of Site Plans (Amendment 2014-01):</b> 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"> <li>1. Fire Department</li> <li>2. County Road Commission</li> <li>3. District Health Department</li> <li>4. County Drain Commissioner</li> <li>5. County Construction Code Office</li> <li>6. Other agencies as may be relevant, including the Department of Natural Resources and the Natural Resources Conservation Service.</li> </ol>	<p>Verify that the applicant has submitted copies to the required regulatory agencies. The Zoning Administrator has not received written communications from all agencies that are relevant. Note: Code often doesn't opine until Township approval is granted because there may be changes during the review process.</p>	<p>Applicant to provide written permits and approvals from all applicable agencies prior to Land Use Permit approval.</p>
<b>6.05</b>	<b>Site Plan Review Standards</b>		
<b>6.05.A</b>	<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>
<b>6.05.B</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, buffering, and screening shall conform with the requirements of Article 23, Landscaping and Screening.</p>	<p>Existing vegetation to be substantially preserved. No landscape plan submitted.</p>	<p>Landscaping shall meet all Zoning Ordinance requirements. PC to Discuss.</p>

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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.	No storm water drainage plan submitted. Review from Drain Commissioner has not been received.	Conditions presented by the Drain Commissioner must be 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.	No dwelling units proposed. Proposed compound fence detailed on site plan.	
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 not 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 compound and tower have access to M-204. Communication has not been received from the Leelanau County Road Commission or MDOT.	Conditions presented by the Leelanau County Road Commission and MDOT 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.	No pedestrian circulation system is provided. The compound shall only be accessed by approved vehicular traffic.	
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.	No exterior lighting proposed.	All exterior lighting will meet zoning ordinance requirements.
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 compound and tower have access to M-204. Communication has not been received from the Leelanau County Road Commission or MDOT.	Conditions presented by the Leelanau County Road Commission and MDOT must be met.

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6.05.J	All streets shall be developed in accordance with County Road Commission specifications, unless specifically provided for otherwise in this Ordinance.	No street development proposed.	Conditions presented by the Leelanau County Road Commission and MDOT must be met.
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.	Compound will be accessed irregularly by employees, with all parking on-site.	
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 compound and tower have access to M-204. Communication has not been received from the Leelanau County Road Commission or MDOT.	Conditions presented the Leelanau County Road Commission and MDOT 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 not shown on site plans.	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 before the final site plan approval is granted.	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.
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	.

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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.	
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.	Applicant will conform to all requirements from applicable regulatory agencies.
<b>Article 7</b> <b>Section 7.01</b> <b>Purpose and Intent</b>  <b>7.01.A</b>	<p>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 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>	PC to Discuss	PC to Discuss
<b>Section</b>	2. Commission Decision and Basis for	PC to Discuss	PC to Discuss



	<b>ZO STD</b>	<b>PC FINDINGS</b>	<b>CONDITIONS</b>
<p><b>7.02.D.2 Planning Commission Action</b></p>	<p>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>		
<p><b>Article 16 Section 16.01 GENERAL STANDARDS APPLICABLE TO ALL SPECIAL LAND USES</b></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. The land use or activity shall be consistent with and shall comply with the following standards: 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.  2. The proposal is consistent with and in accordance with the general objectives, intent and purposes of this Ordinance.  3. The proposal is designed, constructed, operated and maintained so as to be consistent,</p>	<p>PC to Discuss</p>	<p>PC to Discuss</p>

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	<p>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. 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"> <li>1) The location and nature of the use will not be in conflict with any Use Permitted by Right of the district.</li> <li>2) The location and screening of vehicular circulation and parking areas in relation to surrounding development.</li> <li>3) The location and screening of outdoor storage, outdoor activity or work areas, and mechanical equipment in relation to surrounding development.</li> <li>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.</li> <li>5) The design and placement of the structures and infrastructure for the proposed use in relation to surrounding uses.</li> <li>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.</li> </ol> <p>b. Public Services The proposed special approval shall be located so as to be adequately served by essential</p>		

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	<p>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 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"> <li>1) Proximity and access to major thoroughfares.</li> <li>2) Estimated traffic generated by the proposed use.</li> <li>3) Proximity and relation to intersections.</li> <li>4) Adequacy of driver sight distances.</li> <li>5) Location of and access to off-street parking.</li> <li>6) Required vehicular turning movements.</li> <li>7) Provisions for pedestrian traffic.</li> </ol> <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</p>		

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	<p>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> <p>The Planning Commission may deny, approve, or approve with conditions, requests for special approval, based on the standards above.</p>		
<p><b>Section 16.30 Communication Towers</b></p>	<p>A. The following site and development requirements shall apply:</p> <p>1. The lot shall be a minimum of three (3) acres in size, except in the case where the tower and/or antenna are attached to an existing structure or building.</p> <p>2. The communication tower shall be located so that the distance from the base of the tower to all lot lines is at least equal to the height of the tower, measured from the surrounding ground surface, plus an additional twenty five (25) feet.</p> <p>3. The base of the tower shall be fenced with a minimum six (6) foot chain link fence.</p>	<p>Parcel is 15 acres in size.</p> <p>Communication tower is proposed to be 199' tall; distance from eastern property line is 57'2" as shown on site plan.</p> <p>Fencing shown on site plan includes 6' of 2"x2" 9 gauge fencing coated in black vinyl, topped by 3 strands of 12 gauge barbed wire, for a total fence height of 7'.</p>	<p>Met</p> <p>Not Met</p> <p>Met</p>
	<p>B. Special Performance Standards:</p> <p>1. All structures, including accessory buildings, shall be located at least thirty (30) feet from a lot line and one hundred (100) feet from any single family dwelling.</p> <p>2. All towers shall be of monopole construction, consisting of a single pole to support the antenna(s). Skeletal or lattice framework, and guy wires, are prohibited.</p> <p>3. Towers shall be designed to withstand a uniform wind loading as prescribed by the County Building Code. The plans of the tower construction shall be certified by a registered structural engineer, including the antenna mount and structure.</p> <p>4. Towers shall be located so that they do not interfere with reception in nearby residential</p>	<p>No structures proposed.</p> <p>Monopole tower construction proposed.</p> <p>Tower to increase reception for surrounding area, as existing tower fails to meet capacity needs.</p>	<p>Met</p> <p>Met</p> <p>Tower to be designed to meet County Building Code and certified by a registered structural engineer.</p> <p>Met</p>

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	<p>areas.</p> <p>5. Height of tower shall be less than two hundred (200) feet from grade.</p> <p>6. Towers shall not be artificially lighted unless required by the Federal Aviation Administration.</p> <p>7. Accessory structures shall not exceed six hundred (600) square feet in floor area.</p> <p>8. There shall not be advertising of any kind intended to be visible from the ground or other structures.</p> <p>9. Towers shall be constructed, maintained and operated in conformance with applicable state and federal laws, including laws promulgated by the FAA to assure safety in proximity to airports and landing strips.</p> <p>10. The applicant shall submit a notarized statement stipulating that the applicant has been denied establishing an antenna on all existing towers in excess of one hundred (100) feet, including the identification of all communication tower owners contacted to meet this requirement. Further, the applicant shall submit a notarized statement stipulating that the proposed tower is specifically designed to accommodate additional antennas for use as a co-location site, and that the application shall permit co-location, under reasonable conditions. Failure to permit reasonable co-location shall be grounds for the removal of the tower or antenna at the owner's expense.</p> <p>11. Removal of Abandoned Towers</p> <p>1. All abandoned or unused towers shall be removed within four months of the cessation of operations at the site unless a time extension has been approved by the Zoning Administrator. A copy of the relevant portions of a signed lease, which requires the applicant to remove the tower upon cessation of operations at the site, shall be submitted at the time of application together with a performance bond in an amount adequate to cover the cost of</p>	<p>Tower proposed as 199' tall.</p> <p>No accessory structures proposed.</p> <p>No advertising proposed</p> <p>Tower to replace existing tower. Tower will accommodate up to four wireless providers. <b>No notarized statement submitted.</b></p>	<p>Met</p> <p><b>Tower to meet all requirements of FAA</b></p> <p>Met</p> <p>Met</p> <p><b>Tower to meet all state and federal laws for operation.</b></p> <p><b>Not Met</b></p>

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	<p>removal of such tower. In the event that a tower is not removed within four months of cessation of operations at the site, the tower may be removed by the township and the costs of removal assessed against the property.</p> <p>2. Unused portions of towers above a manufactured connection shall be removed within four months of the time of antenna relocation. Replacement of portions of a tower previously removed requires the issuance of a new permit.</p>		

**Sample Motion:**

**Pick one**

\_\_\_\_\_, make a motion on behalf of the Planning Commission to *approve, approve with conditions, or deny* the application for special land use approval based on the attached Findings of Facts documents, including statements of conclusions relative to the special land use under consideration, and have specified the basis for the Tower application submitted from Atlas Tower, LLC. As part of the Planning Commission’s decision the PC was guided by the standards set forth in Articles 6, Site Plan Review, 7 Special Land Use standards, 16, Standards for Special Land Uses, and Section 16.30 of the Leland Township Zoning Ordinance \_\_\_\_\_ second

Discussion: (If Any)

Call the question:

AYES \_\_\_\_\_ NAYS \_\_\_\_\_

MOTION PASSED \_\_\_\_\_ FAILED \_\_\_\_\_