

(Act. Leger 101 702 000 618000)



Hamburg Township

a great place to grow

HAMBURG TOWNSHIP PZTA# 22-0001
Date 09/20/2022 12:34:25 PM
Ref PZTA-22- \$700
Receipt 1278529
Amount \$700.00

FAX 810-231-4295
PHONE 810-231-1000

P.O. Box 157
10405 Merrill Road
Hamburg, Michigan 48139

ZONING AMENDMENT APPLICATION

Please note: All required information, copies, fees, and other materials as appropriate must be submitted and complete before the Township Planning Commission will set a public hearing date on the Zoning Amendment Application.

Application fees and review fees are required at the time of application.

Zoning Amendments have application fees and review fees. Review fees shall be placed into a non-interest bearing escrow account. Upon final review, review fee balances shall be returned upon receipt of final billing. The applicant shall be responsible for all costs incurred.

The undersigned hereby makes application for a Zoning Amendment for: (Check all that apply)

1. **TYPE OF PROJECT:** ☒ Zoning Text Amendment ☐ Zoning Map Amendment

2. **PROJECT NAME:** _____ Submittal Date: 9/20/22

3. **PROJECT ADDRESS:** 4518 Shangrila

Tax Code Numbers: 15 - _____ 15 - _____ 15 - _____
15 - _____ 15 - _____ 15 - _____

☐ Metes & Bounds Parcel ☐ Subdivision _____ Lot Numbers: _____

4. **ZONING MAP AMENDMENT:** (please attached the existing zoning map and a proposed zoning map as a separate document)

Existing Zoning District Classification: _____ Proposed Zoning District Classification: _____

Number of Lots Proposed: _____ Acreage of Project: _____

5. **ZONING TEXT AMENDMENT:** (please attached the existing zoning ordinance and the proposed revisions as a separate document)

Zoning Ordinance Section proposed to be amended 36-187

6. **PROJECT DESCRIPTION (reason for amendment):** Raising & keep of poultry
on all parcels (Residential)

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7. **OWNER/PROPRIETOR INFORMATION:**

SEP 20 2022

Name: _____ Phone Number(s): Hamburg Township
Email: _____ Address: Planning and Zoning Department
City: _____ State: _____ Zip: _____

8. APPLICANT:

Name: CINDY VOIGTMAN Phone Number(s): (734) 320-4146
 Email: cindyvoigtman@gmail.com Address: 4518 Shangrila Dr.
 City: Pinckney State: MI Zip: 48169

ZONING AMENDMENT PROCESS: (Zoning Ordinance, Article 12)

1. Application. Petitions for amendments by individual property owners shall be submitted to the Zoning Administrator on a standard application form provided and shall be accompanied by a fee in accordance with the duly adopted schedule of fees, to cover administrative and publication costs. No part of such fee shall be returnable to the petitioner if the public hearing is held.
2. Referral to Planning Commission. All proposals for amendment shall be referred to the Planning Commission for their review and recommendation. The Planning Commission shall consider each proposal for amendment in terms of its own judgment on particular factors related to the individual proposal, the most likely effect on the community's physical development, and conformance with the Township Master Plan. The Planning Commission may recommend any additions or modifications to the original amendment proposal.
3. Public Hearing. Upon receipt of an application for an amendment, the Planning Commission shall hold a public hearing in accordance with the notification procedures described in Section 3.8.
4. Upon receipt of recommendation from the Planning Commission and the County Planning Commission, the Township Board shall consider the proposed amendment. The Township Board may hold additional hearings it deems necessary. Notice of a public hearing held by the Township Board shall be published in a newspaper of general circulation in the Township not more than fifteen (15) days nor less than five (5) days before the hearing.
5. If the Township Board shall deem any changes to the proposed amendment advisable, it shall refer the same to the Planning Commission for a report within a time specified by the Township Board. After receiving the report, the Township Board shall grant a hearing on the proposed amendment to a property owner who by certified mail addressed to the Township Clerk requests a hearing. The Township Board shall request the Planning Commission to attend the hearing.
6. Thereafter, the Township Board may adopt the amendment with or without changes by majority vote in accordance with procedures of Act 184 of 1943, as amended.
7. No application for a rezoning which has been denied by the Township Board shall be resubmitted for a period of one (1) year from the date of the last denial, except on grounds of newly discovered evidence or proof of changed conditions found upon inspection by the Township Board to be valid.
8. Amendments adopted by the Township Board shall be filed with the Township Clerk and one notice of amendment adoption shall be published in a newspaper of general circulation in the Township within fifteen (15) days after adoption. The notice of amendment adoption shall contain the following information: either a summary of the regulatory effect of the amendment, including the geographic area affected, or the text of the amendment; the effective date of the amendment; and, the time and place where a copy of the amendment may be purchased or inspected.

APPLICANT CERTIFICATION:

I hereby certify that all uses for which this application is made shall conform to the Ordinances of Hamburg Township, Livingston County and the State of Michigan. All information submitted as a part of the zoning amendment application is to my knowledge accurate. If the information is determined either now or in the future to be inaccurate any permits granted for the incorrect information shall be void and any structures built or uses approved may be in violation of the required ordinances and must otherwise be brought into compliance with all regulations.

I further agree that any deviation from the application submitted or the breach of any additional safeguards, conditions or requirements the Hamburg Township may impose in granting this application shall constitute a violation of the Ordinance and invalidate the permit granted.

PROPERTY OWNERS SIGNATURE: DATE: 9/20/2022

*If an agent submits the project to the Township for the property owner a letter authorizing must be submitted.

9/20/22

To: Chris Madigan
Hamburg Township

From: Cindy Voigtman & Shannon Peters
(734) 320-4146 (419) 377-9970

* Our New Proposal for changing the current Ordinance for raising and keeping of Poultry on Waterfront Residential and Natural River properties.

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Hamburg Township
Planning and Zoning Department

8/20/22

To: Chris Madison
Hawthorne Research

From: Cindy Goldman & Steven Peters
1304-837-4146
(415) 377-9410

* Our new proposal for changing the current
clearance for rising and rising of routing
on water front residential and industrial
properties.

▷ [New Proposal for Chicken Ordinance relating to Waterfront Residential (WFR) or Natural River (NR) properties:]

Sec. 36-187. Additional district regulations.

(a) PPRF public and private residential facilities; CE country estate single family residential; RAA low density rural residential; RA medium density residential; WFR waterfront residential; and NR natural river residential.

- (1) (remain the same as current ordinance).
- (2) remain the same as current ordinance).

* (3) Raising and Keeping of Poultry shall be subject to the following conditions:

- a. Animals must be kept within a fenced area which shall be located no nearer than 25 feet from any water body. This requirement shall not apply to a water body which is located entirely within the subject property and is not connected to any water body off the subject property.
- b. On parcels of two acres or less, a maximum of eight poultry animals are permitted.
- c. On parcels greater than two acres, 16 poultry animals are permitted.

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For each additional one acre over two acres, 16 additional poultry animals are permitted.

(next) →



- d. Roosters shall only be permitted on parcels greater than two acres.
- e. Poultry must be located within the required rear yard in an enclosed structure.
- f. Poultry must be kept and cared for under sanitary conditions; poultry shall not become excessively noisy, odorous, dangerous, or in any way disruptive to the character of the area in which they are kept, or otherwise become a public nuisance.
- g. On lots over ten acres additional poultry may be permitted with approval of a special use permit per section 36-36.
- h. Private restrictions on the use of property shall remain enforceable and take precedence over these additional district regulations. Private restrictions include, but are not limited to, deed restrictions, condominium master deed restrictions, neighborhood association bylaws, and covenant deeds. The interpretation of private restrictions is the sole responsibility of the private parties involved.

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10/1/20

10/1/20

Dear Mr. [Name]
I am writing to you regarding the [Topic]
[Text continues with several lines of faint, mostly illegible text, appearing to be a formal letter or report.]

10/1/20

10/1/20

Sec. 36-187. Additional district regulations.

(a) *PPRF public and private residential facilities; CE country estate single-family residential; RAA low density rural residential; RA medium density residential; WFR waterfront residential; and NR natural river residential.*

(1) General and specialized farming and agricultural activities shall be subject to the following conditions:

- a. Minimum lot size shall be ten acres.
- b. No building housing animals shall be located nearer than 75 feet from any property line.

(2) Raising and keeping of horses and other domestic animals shall be subject to the following conditions:

- a. Minimum lot size shall be two acres.
- b. Two horses or large domestic animals are permitted on parcels meeting the minimum lot size. For each additional horse or large domestic animal, two additional acres shall be required.
- c. Animals must be kept within a fenced area which shall be located no nearer than 100 feet from any water body. This requirement shall not apply to a water body which is located entirely within the subject property and is not connected to any water body off the subject property.
- d. The setback standards per section 36-293 shall apply to all districts.
- e. No building housing animals shall be located nearer than 75 feet from any property line.
- f. Animals shall be maintained and accommodated in a manner so as not to pose a nuisance to adjoining property or a hazard to water quality and public health, safety, and welfare. Where necessary to protect water quality and public health, safety and welfare, the zoning administrator may require additional setbacks or buffer strips from property lines or adjacent water bodies.

(3) Raising and keeping of poultry shall be subject to the following conditions:

~~X In the Waterfront Residential (WFR) or Natural River (NR) zoning districts the raising and keeping of poultry shall only be permitted on lots greater than 2.0 acres.~~

- b. Animals must be kept within a fenced area which shall be located no nearer than ~~100 feet~~ ^{25 ft.} from any water body. This requirement shall not apply to a water body which is located entirely within the subject property and is not connected to any water body off the subject property.
- c. On parcels two acres or less, a maximum of eight poultry animals are permitted.
- d. On parcels greater than two acres, 16 poultry animals are permitted. For each additional one acre over two acre, 16 additional poultry animals are permitted.
- e. Roosters shall only be permitted on parcels greater than two acres.
- f. Poultry must be located within the required rear yard in an enclosed structure.

~~X The setback standards per section 36-293 shall apply to all districts.~~

~~X Animals shall be maintained and accommodated in a manner so as not to pose a nuisance to adjoining property or a hazard to water quality and public health, safety, and welfare. Where necessary to protect water quality and public health, safety and welfare, the zoning administrator may require additional setbacks or buffer strips from property lines or adjacent water bodies.~~

- i. Poultry must be kept and cared for under sanitary conditions; poultry shall not become excessively noisy, odorous, dangerous, or in any way disruptive to the character of the area in which they are kept, or otherwise become a public nuisance.

adopted July 1, 2021

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Hamburg Township
Planning and Zoning Department

- j. On lots over ten acres additional poultry may be permitted with approval of a special use permit per section 36-36.
 - k. Private restrictions on the use of property shall remain enforceable and take precedence over these additional district regulations. Private restrictions include, but are not limited to, deed restrictions, condominium master deed restrictions, neighborhood association bylaws, and covenant deeds. The interpretation of private restrictions is the sole responsibility of the private parties involved.
- (b) *RC Multiple Family Residential.* The minimum distance between multiple-family structures shall be 35 feet, in addition to required setback from lot lines.
- (c) *MHP Mobile Home Park Residential.*
- (1) In addition to the requirements of this chapter, all uses permitted in mobile home park residential (MHP) shall comply with the Mobile Home Commission Act, MCL 125.2301, and the current mobile home code in effect.
 - (2) Front and rear yard. Each mobile home site shall have front and rear yards of not less than ten feet each.
 - (3) Side yard. A minimum of 20 feet shall be maintained between mobile homes.
 - (4) Lot area. The mobile home park shall be developed with sites averaging 5,500 square feet per mobile home unit. This 5,500 square foot for any one site may be reduced by 20 percent provided that the individual site shall be equal to at least 4,400 square feet. For each square foot of land gained through the reduction of a site below 5,500 square feet, at least an equal amount of land shall be dedicated as open space, but in no case shall the open and distance requirements be less than that required by the mobile home code.
 - (5) Landscape buffer. A landscape buffer shall be required along those boundaries of the mobile home park which abut a district other than MHP. For mobile home parks of less than 25 sites, a 15-foot unoccupied landscaped buffer strip shall be provided. For mobile home parks of 25 sites or more, a 25-foot unoccupied landscaped buffer strip shall be provided. The ten-foot setback between mobile home park boundaries and a mobile home required by the Mobile Home Code may be included as part of the landscape buffer strip. The selection, spacing, and size of plant material shall be such as to create, within a five-year period from the date of planting, a horizontal obscuring effect for the entire length of the entire buffer, and a vertical obscuring effect of no less than ten feet.
 - (6) Each mobile home park shall have two paved accesses at least, one of which shall be to a major arterial street.
 - (7) Upon completion of construction of all buildings and site improvements represented on the approved mobile home park construction plans and specifications, the developer, owner, or operation of the park, in conjunction with an architect or engineer, shall submit final plans and specifications, prepared in accordance with rule 913 of the mobile home code, to the zoning administrator.
- (d) *NS Neighborhood Service and CS Community Service.*
- (1) All uses permitted in these districts including storage shall be conducted entirely within an enclosed structure unless otherwise specified herein.
 - (2) Where these districts abut a residential district, there shall be provided either a landscape buffer strip designed in accordance with the provisions of section 36-278 or a fence between six and eight feet in height as determined and approved by the planning commission.
- (e) *LI Limited Industrial.*

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- (1) Vehicular access to uses permitted in this district shall be provided from a paved street within or abutting such districts.
- (2) Except as hereinafter provided, all uses permitted in this district shall be conducted in completely enclosed buildings.
 - a. Outside storage of materials, products and equipment, including tank storage, shall be permitted, subject to special approval of the planning commission.
 - b. Outdoor storage yards shall be completely enclosed by a solid fence or wall between six or eight feet in height.
 - c. Outdoor display of finished goods for sale shall be permitted only as specified with permitted retail uses.
 - d. No outside use of cranes, tanker loading or unloading facilities or rail transportation shall be permitted.
- (3) No structure shall be located less than 100 feet from any residential district.
- (4) Where this district abuts a residential district, there shall be provided either a landscape buffer strip designed in accordance with the provisions of section 36-278 or a fence between six and eight feet in height as determined and approved by the planning commission.
- (5) Every lot in this district shall provide a landscaped buffer strip of at least 15 feet in depth, measured from the front lot line, within the prescribed front yard setback. The buffer strip shall be composed of trees and/or foliage, pursuant to the Township Engineering and design standards.
- (6) All shipping and receiving activities shall be located at the rear or side of the building. No on-site truck storage overnight shall be permitted, except in the rear yard.
- (7) All piping, vents, ventilators, exhaust, refrigeration and cooling mechanisms shall be enclosed or maximally screened from view and insulated.
- (8) No crude petroleum products or processing and no processing of raw materials, including, but not limited to, logs, animal byproducts, pulp, petroleum, coal, and ores shall be permitted.
- (9) Any light industrial use which in the judgment of the planning commission may have off-site impacts requiring the imposition of additional restrictions to lessen the impacts of noise, odor, vibration, smoke, glare, dust, fumes, radiation, explosion, heat, toxic contamination, or other nuisances, shall be subject to special approval.
- (10) The planning commission may waive or modify the fencing or landscape buffering requirement upon a determination that a solid fence or landscaping buffer will not be necessary or effective for screening. In making such a determination, the following shall be considered:
 - a. Need for security;
 - b. Abutting district or existing use;
 - c. Extent that existing natural vegetation provides the desired screening;
 - d. Topographic conditions which would eliminate the benefits of required solid fencing or landscape buffer;
 - e. Building heights and views in relation to existing topography and vegetation as well as views from adjacent uses;
 - f. Similar conditions existing such that no good purpose would be served by providing the required landscaping buffer or solid fence.

(f) *GI General Industrial.*

- (1) Vehicular access to uses permitted in this district shall be provided from a paved street within or abutting such districts.
- (2) All uses permitted in this district shall be conducted in completely enclosed buildings, except that outdoor storage yards shall be completely enclosed by a solid fence or wall between six and eight feet in height.
- (3) No structure shall be located less than 100 feet from any residential district.
- (4) Where this district abuts a residential district, there shall be provided either a landscape buffer strip designed in accordance with the provisions of section 36-278 or a fence between six and eight feet in height as determined and approved by the planning commission.
- (5) Every lot in this district shall provide a landscaped buffer strip of at least 15 feet in depth, measured from the front lot line, within the prescribed front yard setback. The buffer strip shall be composed of trees and/or foliage.
- (6) The planning commission may waive or modify the fencing or landscape buffering requirement upon a determination that a solid fence or landscaping buffer will not be necessary or effective for screening. In making such a determination, the following shall be considered:
 - a. Need for security;
 - b. Abutting district or existing use;
 - c. Extent that existing natural vegetation provides the desired screening;
 - d. Topographic conditions which would eliminate the benefits of required solid fencing or landscape buffer;
 - e. Building heights and views in relation to existing topography and vegetation as well as views from adjacent uses;
 - f. Similar conditions existing such that no good purpose would be served by providing the required landscaping buffer or solid fence.

(g) *MD Mixed Development District.*

- (1) Developments planned under the provisions of the MD District shall be homogeneous and uniform in nature and all reasonable attempts shall be included in such plans to protect the existing environmental quality of the site. Preservation of natural features such as slopes, stands of trees, animal sanctuaries and similar characteristics shall be taken into account when the site has such features present. Similarly, appropriate measures shall be suggested by the applicant to ensure minimal negative impact upon adjacent land areas, residents, and property owners should the site plan be implemented.
- (2) Outdoor storage or display shall be prohibited.
- (3) The planning commission may permit the provision of landscaped area in lieu of and within the area which would otherwise provide for up to ten percent of the total required parking spaces.
- (4) Off-street parking areas shall not be permitted within the required front yard setback.
- (5) Off-street loading areas shall not be visible from any public or private road.
- (6) The planning commission may waive or modify the fencing or landscape buffering requirement upon a determination that a solid fence or landscaping buffer will not be necessary or effective for screening. In making such a determination, the following shall be considered:

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- a. Need for security;
 - b. Abutting district or existing use;
 - c. Extent that existing natural vegetation provides the desired screening;
 - d. Topographic conditions which would eliminate the benefits of required solid fencing or landscape buffer;
 - e. Building heights and views in relation to existing topography and vegetation as well as views from adjacent uses;
 - f. Similar conditions existing such that no good purpose would be served by providing the required landscaping buffer or solid fence.

(h) *OH Old Hamburg.*

- (1) In an OH Old Hamburg District, no exterior portion of any commercial building or structure (including walls, fences, light fixtures, steps, pavement, or other appurtenant features), or aboveground utility structures shall be erected, altered, restored, moved or demolished without the review of the planning commission prior to the issuance of a land use permit.
- (2) The review of the planning commission shall be advisory to the zoning administrator in the issuance of a land use permit. The purpose of the planning commission review is to advise on actions which may or may not be compatible with the desirable historic, architectural or cultural aspects of the district. The planning commission may consider Standards for Rehabilitation and Guidelines for Rehabilitation of Historic Buildings prepared by the U.S. Department of Interior for reviewing actions within the OH District. Such standards are made part of this chapter.
- (3) The provisions of this subsection (h) shall not be construed to prevent the ordinary maintenance or repair of any exterior feature in an OH District. Further, the provisions of this subsection (h) shall not prevent the construction, alteration, restoration or demolition of any feature which the building inspector certifies is required because of a threat to public safety.

(i) *VC and VR Village Center and Village Residential Districts.*

- (1) *Design standards.* The following design standards shall apply to all site plans reviewed under article III of this chapter special uses reviewed under section 36-36 subdivision plats reviewed under the subdivision control ordinance, and condominium projects reviewed under the condominium ordinance.
 - a. *General.* The overall design and mixture of uses shall be consistent with the intent of this district. Compatibility of uses shall be determined by the following:
 - 1. The uses shall not create noise, dust, odors, fumes or other nuisances that will have an obnoxious effect on surrounding residences.
 - 2. Traffic volumes generated by the use shall not have a negative impact on surrounding residential character.
 - 3. Architecture shall meet the requirements of section 36-73(7).
 - 4. Location and use of yards shall contribute to the continuation of open space areas within the immediate vicinity.
 - 5. Location and design of landscaping and pedestrian areas shall be compatible with and enhance the area pedestrian and open space network.
 - 6. Location, size and types of architectural projections such as porches or awnings shall be compatible with other structures along the same block.

7. Location, scale and design of signs shall be consistent with the character of other signs, street elements structures and uses located along the same street.
 8. Residential development shall be designed to be compatible with surrounding land uses, while providing a mixture of housing types to meet the varied needs of Township residents.
- b. *Sidewalks/pedestrian circulation.*
1. Site design shall demonstrate a special sensitivity to pedestrian circulation and safety.
 2. Sidewalks at least five feet wide and at least seven feet wide where abutting parking shall be provided along public streets and private roads; bikepaths shall be required in locations designated in the Hamburg Village master plan or to provide linkages with existing or planned bikepaths.
 3. All developments shall provide pedestrian linkages between public sidewalks and the building entrances.
- c. *Common open space.* For any development which includes ten or more dwelling units, 1,500 square feet of common open space shall be provided per dwelling unit. Such open space may be counted towards meeting open space requirements for minimum lot size reductions, provided that it meets all of the following requirements:
1. Open space shall be set aside by the developer through an irrevocable conveyance that is found acceptable to the planning commission, such as:
 - (i) Recorded deed restrictions;
 - (ii) Covenants that run perpetually with the land; or
 - (iii) A conservation easement established per section 8204 of Public Act No. 451 of 1994 (MCL 324.8204).
 2. The common open space shall be used for social, recreational and/or natural preservation. Common open space within the village shall be of a distinct geometric shape, generally rectilinear or square. The common open space shall include landscaping, sidewalks, pedestrian benches and pedestrian scale lamp posts. Open space at the edges of the village, as shown on the Hamburg Village master plan shall be left in a natural state, with the exception of trails or boardwalks.
- d. *Parking/loading areas.*
1. The amount of parking for nonresidential uses required under article IX of this chapter may be reduced by the planning commission by up to 50 percent upon a finding that patrons will be able to walk to the use from nearby residential areas, patrons are parked at other uses and visiting several uses, and/or on-street parking is available.
 2. Off street parking lots shall be located behind the front line of the principal building. Where this is not feasible or practical, the planning commission may permit off street parking within the front yard. Parking lots must be setback from any front lot line a minimum of 20 feet.
 3. All off street parking spaces or loading areas must be screened from view of any public road or pedestrian path right-of-way, or private road or pedestrian path easement by an evergreen hedge row or masonry wall, which is consistent with building architecture and site design, at least three feet in height.
 4. Where parking or loading areas abut a residential use, a six-foot-tall masonry wall, which is consistent with building architecture and site design, shall be constructed between the

parking lot or loading area and the adjacent residential use. The planning commission may substitute the masonry wall with one or more rows of six-foot-tall evergreens.

5. Loading/unloading from secondary streets may be permitted by the planning commission rather than the required on-site loading, upon demonstration by the applicant that through traffic flow and access to neighboring uses will not be disrupted.

e. *Architecture.*

1. Buildings shall possess architectural variety but enhance the overall cohesive and historic village character.
2. Building architecture shall meet the standards of section 36-73(7).
3. The first floor of front facades shall include at least 30 percent windows. The approximate size, shape, orientation and spacing shall match that of buildings on adjacent lots.
4. The mass and proportion of structures shall be similar to structures on adjacent lots and on the opposite side of the street. Larger buildings may be broken-up with varying building lines and rooflines to provide a series of smaller scale sections which are individually similar in mass and proportion to surrounding structures.
5. Buildings located on corner lots shall provide distinct and prominent architectural features or site elements which reflect the importance of the building's corner location and creates a positive visual landmark. An entry feature or site landmark shall be required at corners designated for such a feature in the Hamburg Village master plan. The architectural feature or site element shall be subject to planning commission approval.
6. On sites which contain commercial structures over 50 years old, no exterior portion of any commercial building or structure (including walls, fences, light fixtures, steps, pavement, or other appurtenant features), or aboveground utility structures shall be erected, altered, restored, moved or demolished without the review of the planning commission prior to the issuance of a land use permit. The purpose of the planning commission review is to advise on actions which may or may not be compatible with the desirable historic, architectural or cultural aspects of the district. The planning commission may consider Standards for Rehabilitation and Guidelines for Rehabilitation of Historic Buildings prepared by the U.S. Department of Interior for reviewing actions within the Old Hamburg Village. Such standards are made part of this chapter.
7. For proposed alterations to commercial structures for which site plan review is not required under article III of this chapter, the review of the planning commission shall be advisory to the zoning administrator in the issuance of a land use permit. The provisions of this section shall not be construed to prevent the ordinary maintenance or repair of any exterior feature. Further, the provisions of this section shall not prevent the construction, alteration, restoration or demolition of any feature which the building inspector certifies is required because of a threat to public safety.

- f. *Signs.* Signs shall be designed to be compatible with the principal building's architecture and materials.

- g. *Street and access design.* Streets shall meet the following, with the acknowledgment that for any public streets, any more stringent standards of the county road commission or the Michigan Department of Transportation shall apply.

1. Access points to M-36 shall be spaced at least 500 feet apart.

2. Access points along streets or driveways intersecting with M-36 shall be setback at least 60 feet from the M-36 right-of-way line.
 3. The Township may require shared access or connections between adjacent uses as a means to limit conflict points and preserve capacity along M-36.
 4. The maximum length of blocks shall be 700 feet.
 5. Street connections to adjacent parcels shall be provided where the master plan identifies a future street connection or there is the possibility to create future street connections. Road stubs for future connections shall be improved to the parcel line.
- h. *Landscaping.* All landscaping shall meet the minimum requirements of article VIII of this chapter. Because of the higher density of development permitted in the VC and VR districts, the following standards shall apply to frontage landscaping in place of the standards contained in article VIII of this chapter:
1. At least an 80-foot-wide landscaped greenbelt shall be provided along undeveloped areas of M-36, as designated on the Hamburg Village master plan, with at least two rows of trees spaced no greater than 25 feet on center. Trees shall be a mixture of evergreen and canopy trees meeting the minimum plant size requirements of article VIII of this chapter. Provision of this landscaped greenbelt may be counted towards the common open space requirements of subsection (c) of this section.
 2. Along all road frontages, other than M-36 section identified in subsection (i)(1)h.1 of this section, one canopy street tree shall be planted within five feet of the front lot line for each 40 linear feet of frontage.
- i. *Lighting.*
1. A consistent type of pedestrian scale ornamental lighting shall be provided along all sidewalks, within any off-street parking lots and along road frontages.
 2. Parking lot lighting shall not be greater than 20 feet in height.
- (2) *Approval standards.* The following criteria shall be used, in addition to the standards contained in article III of this chapter or the subdivision control ordinance, as a basis upon which site plans or subdivision plats shall be reviewed and approved by the Township:
- a. *Compatibility with adjacent uses.* The proposal shall be designed, constructed, and maintained to be compatible with permitted uses on surrounding land to the extent that is reasonably feasible, giving consideration to economic and site conditions. Consideration may be given to:
1. The location and screening of vehicular circulation and parking areas in relation to surrounding development, to the maximum extent feasible.
 2. The location and screening of outdoor storage, outdoor activity and work areas, and mechanical equipment in relation to surrounding development.
 3. The bulk, placement, and materials of construction of the proposed use in relation to surrounding development shall be compatible as determined by the general requirements listed in section 36-187(i)(1)a.
 4. Proposed site amenities.
 5. The site grading and stormwater drainage plan.

- b. *Transportation and access.* The proposed use shall be designed to minimize the impact of traffic generated by the use to the extent that is reasonably feasible, giving consideration to economic and site conditions. Consideration may be given to the following:

1. Relationship between the proposed development and existing and proposed streets.
2. Estimated traffic generated by the proposed use.
3. Location and access to on-street parking.
4. Location and access to off-street parking.
5. Provisions for vehicular traffic.
6. Continuation of the planned street network for the village.

The planning commission may require a traffic impact study for special uses.

- c. *Building architecture.* In determining the appropriateness of buildings, design elements shall be evaluated in relation to existing and proposed surrounding buildings and uses. The design shall meet the standards of subsection (i)(1)g of this section
- d. *Emergency access.* All buildings or groups of buildings shall be so arranged as to permit convenient and direct emergency vehicle access.
- e. *Health and safety concerns.* Any use shall comply with applicable federal, state, county, and local health and pollution laws and regulations related to noise; dust, smoke and other air pollutants; vibration; glare and heat; fire and explosive hazards; gases; electromagnetic; radioactive materials; and toxic and hazardous materials. The planning commission may require an environmental impact study for special uses.
- f. *Screening.* Off-street parking, outside refuse, storage areas, and mechanical and electrical equipment which are within sight of adjacent residential districts or public roads shall be adequately screened.
- g. *Appearance.* Signs and other site features shall be designed and located on the site so that the proposed development is aesthetically pleasing and harmonious with nearby developments.

(Zoning Ord. 2020, § 7.7, 1-5-2021)

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adopted July 1, 2021

The 6 Silliest Arguments Against Backyard Chickens

My Pet Chicken

<https://blog.mypetchicken.com/2012/07/20/the-6-silliest-arguments-against-backyard-chickens/>

We've never heard any meaningful reasons against keeping a small flock of pet backyard chickens. Objections to urban and suburban chicken keeping usually spring from basic ignorance or a lack of education about chickens, and occasionally just a plain lack of common sense. Below are the basic objections you will hear... and as you will see, they don't represent a single meaningful reason to make keeping a small flock of chickens illegal.

1. "Chickens are smelly!"

Chickens don't smell bad any more than other pets do. A properly clean chicken coop has no objectionable odors. While it's certainly true that if your chicken coop is seldom or never cleaned, it will begin to smell, the same is true of a cat box that is never cleaned, or a dog kennel that is never cleaned. There are laws against animal cruelty, animal neglect, animal abuse, and so on that apply to all pets. The bottom line is that responsible people give their pets proper care and provide them with a clean environment.

Chalk this argument up to a lack of common sense. Chickens are no different from other pets in this regard.

2. "Laying hens are loud!"

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The truth is that a flock of laying hens is actually quiet, far quieter than dogs are. A hen will cackle or squawk when she lays an egg. That occurs once a day---or less, depending on the breed and age of the hen, as well as the season.

Eggs laid by hens raised on pasture have 67% more vitamin A, 200% more Omega-3s, 300% more Vitamin E, 700% more Beta carotene... and 33% LESS cholesterol and 25% LESS saturated fat.

The noise level for the squawk after egg laying is up to 70 decibels at its very loudest, or about the same volume as a normal conversation between two people... and in the same range of noise volume made by an air conditioner, a washer, or a flushed toilet. That's as loud as they get. Lawn mowers and barking dogs register at around 90-100 decibels, much louder than a few hens. And roosters can be loud, sure--about as loud as a barking dog--but roosters are not required for egg production.

The noise argument is based on basic ignorance about chickens and biology. Many uneducated people think they will hear crowing if their neighbors keep hens for eggs, because they think a rooster is required for egg production... but he's not. Human women ovulate regardless of whether a male is around or not, and so does a hen. Remember, roosters are only required if you want your hen's eggs to be fertile!

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3. “Chicken flocks produce a lot of poop and waste!”

Very little solid waste is produced by chickens, and what IS produced can be composted to make great fertilizer.

By way of comparison, an average dog will produce around a pound of poop in a day, whereas a flock of four hens will only produce less than half that, about 1.5 ounces of waste per hen. Four chickens produce less waste than a medium house cat, too. Plus, composted chicken manure can eventually be used for your garden (another reason why people who have hobbies like gardening are often interested in keeping chickens, and vice versa).

Normally you don't compost dog or cat poo, since manure is more nutritious for plants if it has been produced by animals that get most of their nutrition from plants (including cows, sheep, goats, horses... and chickens).

The worry about chickens producing too much poop comes a lack of common sense--forgetting that ALL pets produce waste--paired with ignorance that small flocks of chickens actually produce less waste than most other single pets.

4. “Chickens will attract wild animals to my neighborhood!”

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Don't be silly! Presuming you keep everything clean and tidy with your pet chickens just as you would when keeping a pet cat or dog, raising chickens doesn't make rodents or other pests magically appear from thin air. While it IS true that if there are any pests already in your neighborhood, they might be attracted to chicken feed if you spill it or don't keep it secured, they would be just as attracted to spilled or unsecured cat or dog food, wild bird feed, a koi pond, or even to your family's food waste discarded in unsecured outdoor garbage cans or compost piles--and all of those probably already exist in most neighborhoods, anyway. Chicken food is no different from any other pet food in that respect.

If you do have small rodents in your area, a flock of chickens can actually reduce their number, since some breeds will catch and eat small mice and moles like cats do--chickens will eat small snakes, too. Plus, they eat other pests like ticks, mosquitos, grasshoppers and the like.

Chickens are generally more vulnerable to attack by smaller predators than dogs are... but even so, small dogs and cats can be attacked by hungry wild animals, too. That said, stories like this one don't mean that dachshunds or other small dogs are likely to "attract" predators to the neighborhood. This is another argument demonstrating a basic lack of common sense.

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5. “Legalizing chickens will negatively affect property values”

Not true. Take a few moments to read some old news stories about the legalization of backyard chickens, and you'll notice that no actual evidence indicating that property values drop due to backyard chickens is EVER cited. Instead, the media will report that opponents simply have a “fear” of reduced property values. It seems to me that reporters should follow that claim up with actual data... but there is none to be had (and you know the media these days). So this argument is like a bogeyman: it's not real, but is frequently employed to frighten people into a position of compliance and fear. We've heard stories about realtors like [this one](#) who feel that the right to keep a small flock of chickens could attract people to buy.

Rather than driving neighbors apart, chickens are usually conversation starters, particularly unusual breeds like Polish with their huge crests, or Silkies with their fur-like feathers. And today's small flock chicken coops are boutique, high-end items designed to look pretty in the yard. Remember, neighbors who want to keep chickens are just that: your neighbors. They care about the value of their homes and the quality of life in their community just as much as opponents of backyard chickens do--maybe more. People who keep backyard chickens are often involved in many other hobbies that add value to your neighborhood, including flower or vegetable gardening.

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beekeeping, growing fruit trees or berry bushes and so on. Think about it: this is exactly the sort of thing that can enhance community feeling and friendship in your neighborhood. Imagine a neighborhood where your neighbors share berries, fresh eggs, zucchini and tomatoes with you... and you might "lend" a cup of sugar or share a mug of coffee. That's what good neighbors do.

That's why some of the most expensive and exclusive communities in the country allow small flocks of laying chickens. For example, New York, Portland, Chicago and Boulder--cities with some of the highest property values in the country--allow hens. If keeping chickens negatively affected the property values of the communities that permitted them, surely the communities would be taking steps to repeal them based on this mounting evidence, right? This is not happening. Instead, in some areas with high property values, the regulations are actually becoming more permissive with regard to backyard chickens, presumably because these places have found that the quality of life has improved. For example, in 2010, Seattle went from allowing families 3 hens to allowing 8 hens, a much more reasonable number if your family eats lots of eggs, especially if you don't want to be limited to getting only the breeds with the highest egg production.

The "property value" argument is typically based on emotions and other evidence-less prejudices. There is

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zero evidence that legalizing pet chickens has affected property values.

6. *“People who want to keep chickens should just move to the country!”*

This is probably the most ridiculous “argument” of all, if it can even be termed an argument. In the United States, no matter where you live, you have basic rights that allow you to enjoy your own property... but that means your neighbors have the same rights to enjoy their property, as disappointing as some may find that to be. If YOU are unduly bothered by your neighbors--when their activities don't affect property values, produce foul odors, loud noise, excess waste or present other actual problems--then YOU are the one who'll need to consider moving out of town and into the country.

Some people would be happier with a buffer zone around them so that it will be easier for them to mind their own business and be less invasive of the privacy of others who live nearby. If you are that type of person, then just purchase a reasonable amount of acreage and put your house in the middle, so interaction with your neighbors will be minimal. Out in the country with plenty of space around you, you'll be happier and less stressed out by what any of your neighbors might be doing on their own property.

Wait, you're thinking that telling someone to move out of their home doesn't seem like a real, workable solution to a

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