

existing, conforming use, subject to the following:

- a. No variances to the requirements of this article are required.
 - b. The proposed addition or expansion shall not increase the total square footage of the building or area occupied by the use by more than 25 percent or 1,000 square feet, whichever is less, provided further that no other expansion has occurred within the past three years.
- vii. Reuse or reoccupancy of an existing building that has been vacant for more than 90 days, subject to the following:
- a. No variances to the requirements of this article are required.
 - b. The proposed use shall be conducted within a completely enclosed building.
 - c. The proposed use shall not require additional parking demands, access changes or other substantial modifications and improvements to the existing site or building.
- viii. Any excavation, filling, soil removal, mining or creation of ponds not to exceed 2,500 square feet, provided that such activity is not related to a residential, office, commercial or industrial development project.
- ix. Family day care homes (less than six children), as licensed by the State of Michigan.
- x. Temporary construction building and uses.
- xi. Accessory structures and uses specified in article 2 (accessory buildings, structures and uses).
- xii. Mobile Food Vending, as a temporary land use, subject to the following conditions:
- a. Location. Mobile food vending is permitted in the Village Center district on private property that is vacant or used for non-residential purposes. The vendor must provide approval of the property owners. Mobile food vending units shall be located and maintained on a dust-free surface and shall

not be placed on existing landscaped areas.

- b. Number of Vendors. There is no limit on the number of mobile food vendors allowed on a site, provided that all of the requirements of this section are met. However, if there are more than two mobile food vending units on a parcel at any one time, the following shall apply: 1) a designated on-site manager is required to direct traffic flow and maintain the site as described in this section, and 2) a restroom shall be provided within 200 ft of the vending area.
- c. Duration. A mobile food vending unit may be allowed to park at an approved location for up to 3 days per year. The Zoning Administrator may grant two additional 3-day periods if the applicant has satisfied all of the requirements of this section. A vendor may seek a new approval for a location on a different property in the City within the same calendar year.
- d. Goods available. Mobile food vending units may only sell food and non-alcoholic beverages. Sales of alcoholic beverages are prohibited. No others goods or services may be sold from a mobile food vending unit.
- e. Trash and upkeep. Mobile food vending units and the area upon which they are temporarily located shall be kept in good repair and free of refuse and debris. A trash receptacle shall be provided and emptied daily, or more frequently to meet demand.
- f. Hours of operation. Mobile food vending units shall not be in operation between the hours of 10 p.m. and 7 a.m. The Zoning Board of Appeals may extend operating hours upon finding that such extension will not negatively impact adjacent uses.
- g. Parking. Mobile food vending units shall not occupy any parking spaces required for the existing use of the property. The City may



take into consideration seasonal variation in parking demand and building occupancy when making this determination. There shall be at least three parking spaces for the mobile food vending unit provided and maintained on a dust-free surface.

- h. Site amenities permitted. Mobile food vending units may provide seating for up to twelve customers within 30 ft of the mobile food vending unit. Such seating shall not occupy any required parking spaces and shall be kept in good repair. One additional parking space shall be provided for every two seats.
- i. Signage. Mobile food vending units may be painted with signage but shall not have any signs or otherwise objects that otherwise attract attention projecting from the unit. No additional site signage is permitted.
- j. Sound. Sound amplifying equipment is prohibited. The decibel level of any equipment used in association with the mobile food vending unit, including generators, shall not exceed 70 decibels (dbA) as measured at the property lines.
- k. Lighting. Mobile food vending units shall be lit with available site lighting. No additional exterior lighting is permitted unless permitted by the zoning board of appeals upon finding that proposed exterior lighting mounted to the mobile vending unit will not spill over on to adjacent residential uses as measured at the property line.
- l. Temporary restroom facilities. Temporary restroom facilities, if provided, shall only placed on the subject property from one day before until one day after the approved mobile vending dates. Any temporary restroom facility shall be placed a minimum of 100 ft from a single family residential use, as measured from the property line.

- m. Permits. Administrative approval is valid for the duration of the mobile food vending in the approved location, but in no case greater than 3 days, unless granted an extension of the site plan for two additional 3-day periods in one calendar year. The mobile food vendor shall comply with all additional required permits and licenses as applicable.

- xiii. The city planner, city administrator, building official or applicant shall have the option to request planning commission review of a project otherwise eligible for administrative site plan approval.

A sketch plan, rather than a complete site plan package, shall be required for projects eligible for administrative approval involving a legally existing and conforming use and building, and where proposed alterations to a building or site that do not result in expansion or substantially affect the character or intensity of the use, vehicular or pedestrian circulation, drainage patterns, the demand for public infrastructure or services, significant environmental impacts or increased potential for hazards.

- 2. Site plan review applications and procedures.
 - A. Optional pre-application conference. In order to facilitate processing of a site plan in a timely manner, the applicant may request a pre-application site plan conference with the city planner and city administrator or designee. The purpose of such a conference is to provide information and guidance to the applicant that will assist in preparation of the site plan. The applicant need not present drawings or site plans at a pre-application conference, but even if drawings or site plans are presented, no formal action shall be taken on a site plan at a pre-application conference. The city planner's fee for any such pre-application conference shall be paid by the applicant if such charges are not covered by the city's monthly retainer.
 - B. Optional conceptual review by planning commission. An applicant may file a written request for conceptual review of a preliminary site plan by the planning commission, prior to submission of a site plan for formal review. A site plan

