

ZONING AMENDMENT 12-09

SECTION 303/421

"UTILITY SUB-STATIONS"

Glen Life, Supervisor
Susanne M. Courtade, Clerk
Tracey Bartlett, Treasurer



Matt Courtade, Trustee
Bryan Marrow, Trustee
Dale McAllister, Trustee
Leroy "Butch" Strait, Trustee

Notice to the Residents of East Bay Township

Please take notice that the East Bay Charter Township Planning Commission will hold a public hearing at a regular meeting on Tuesday, November 10, 2009 at 6:30 pm., in the Township Hall at 1965 N. Three Mile Road, Traverse City, Michigan, for the purpose of considering the following amendments to the East Bay Charter Township Zoning Ordinance:

Section 303, Table Of Uses and Section 421, Agricultural-Rural District are to be amended to delete reference to "utility substations" as a permitted use, in coordination with zoning ordinance amendments pertaining to Essential Service Facilities adopted on June 8, 2009.

Copies of the proposed Zoning Ordinance amendments and the existing Zoning Ordinance are available for public viewing during regular business hours at the Office of Planning and Zoning, Township Hall, 1965 N. Three Mile Road, Traverse City, Michigan. Written Comments will be received until the night of the hearing.

If you are planning to attend this hearing and are handicapped requiring any special assistance, please notify the Township Clerk by calling at (231) 947-8647 as soon as possible.


Robert Tubbs, Chairman
East Bay Charter Township
Planning Commission

Leslie Couturier
Office of Planning and Zoning
(231) 947-8681

Williams & Works

MEMORANDUM

TO: Planning Commission
East Bay Charter Township

FROM: Jay Kilpatrick, AICP 

DATE: October 22, 2009

RE: Utility Sub-Station Amendment

This memo and the attached Zoning Ordinance amendment are meant to coordinate with the earlier amendment adopted this summer pertaining to Essential Service Facilities. In May, the Planning Commission considered an amendment to Section 204 and a new Section 628 to provide a more comprehensive approach to regulate Essential Service Facilities - such as sewer lift stations, power substations, transmission lines, etc. The amendment was ultimately approved by the Township Board and we are assembling a supplement to incorporate it into your Zoning Ordinance books. The amendment was fairly extensive since it inserted language in each district where we wanted to regulate these facilities and standards to distinguish between routine and major facilities. It also included special land use standards for the major essential service facilities.

Unfortunately, in the AG district there was some remnant language from the old ordinance permitting "Utility Sub-Stations" as a use by right. This should have been removed, but was overlooked and now it conflicts with the more complete approach established by the recent amendment. In addition, there are no standards that apply to "utility sub-stations" and the term itself is not defined.

Thus, a "housekeeping" amendment is in order to remove reference to Utility Sub-Stations as a use permitted by right in the AG district. The attached amends the Uses Table, Section 303 and a couple sections of Section 421.

As a minor amendment, we have taken the liberty of scheduling it for public hearing at the November 10th meeting.

c: Leslie Couturier
Zoning Administrator

East Bay Charter Township
Grand Traverse County
Ordinance # 12-09

AN ORDINANCE TO AMEND SECTION 303, LAND USE TABLE AND SECTION 421 AGRICULTURAL-RURAL DISTRICT, OF THE EAST BAY CHARTER TOWNSHIP ZONING ORDINANCE.

EAST BAY CHARTER TOWNSHIP HEREBY ORDAINS:

1. Section 303, Land Use Table, is hereby amended to delete the listing of "Utility Sub-Stations" as a use permitted by right in the AG district.
2. Section 421, 1, Permitted Uses List is hereby amended to delete the listing of "Utility substations."
3. Section 421, 2, Uses Permitted By Right, is hereby amended to delete the following text:
 - q. Utility substations.

4. Severability.

If any section, clause, or provision of this Ordinance be declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the remainder of the Ordinance. The Township Board hereby declares that it would have passed this Ordinance and each part, section, subsection, phrase, sentence and clause irrespective of the fact that any one or more parts, sections, subsections, phrases, sentences or clauses be declared invalid.

5. Effective Date.

This Ordinance shall become effective eight (8) days after publication.

CHARTER TOWNSHIP OF EAST BAY

Date: _____

By: _____
Glen Lile, Supervisor

Date: _____

By: _____
Susanne M. Courtade, Clerk

Published Date: _____, 2009

Effective Date: _____, 2009