



# DEXTER TOWNSHIP

## PLANNING COMMISSION

6880 DEXTER-PINCKNEY ROAD

DEXTER, MI 48130

TELEPHONE: 734-426-3767

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## PLANNING COMMISSION MEETING AGENDA

March 26, 2024

6:00 PM

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1. **Call to Order**
2. **Pledge of Allegiance**
3. **Conflict of Interest Review** (*Possible conflicts with agenda items*)
4. **Approval of Agenda**
5. **Public Comment** (*Comment on items that are not on the agenda. The Board will entertain public comments on agenda items as they come up for discussion.*)
6. **Public Hearings**
  - A. *Public hearing to amend relevant portions of Section 2.02, Article 4, Section 5.04, Section 6.04, Section 9.05, Section 10.04, Section 11.04, Section 12.04, Section 13.04, and Section 16.33 of the Dexter Township Zoning Ordinance to allow open air markets and Section 9.04, Section 9.05, Section 9.06, Section 9.07, and Section 9.08 to correct duplicative sections of the Dexter Township Zoning Ordinance.*
  - B. *Public hearing to amend relevant portions of Article 4, Section 5.04, Section 6.04, Section 7.04, Section 8.04, Section 9.05, and Section 16.33 of the Dexter Township Zoning Ordinance to allow food carts as an accessory permitted use in the AG, RR, LR, MHR and CU Zoning Districts.*
7. **Action Items**
  - A. *Recommendation to Township Board on proposed Zoning Ordinance amendment to amend relevant portions of Section 2.02, Article 4, Section 5.04, Section 6.04, Section 9.05, Section 10.04, Section 11.04, Section 12.04, Section 13.04, and*

*Section 16.33 of the Dexter Township Zoning Ordinance to allow open air markets and Section 9.04, Section 9.05, Section 9.06, Section 9.07, and Section 9.08 to correct duplicative sections of the Dexter Township Zoning Ordinance.*

**B.** *Recommendation to Township Board on proposed Zoning Ordinance amendment to amend relevant portions of Article 4, Section 5.04, Section 6.04, Section 7.04, Section 8.04, Section 9.05, and Section 16.33 of the Dexter Township Zoning Ordinance to allow food carts as an accessory permitted use in the AG, RR, LR, MHR and CU Zoning Districts.*

**8. Discussion Items**

**A.** *None.*

**9. Approval of Planning Commission Minutes – February 28, 2024**

**10. Correspondence**

**11. Township Board of Trustees Update**

**12. Concerns of Planning Commission Members, Director of Planning & Zoning, Township Supervisor, & Recording Secretary**

**13. Public Comment** (*non-agenda items*)

**14. Future Agenda Items**

**15. Adjournment**



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## MEMORANDUM

**To:** Dexter Township Planning Commission

**From:** Megan Masson-Minock, Township Planning Consultant

**Subject:** Public hearing to amend the Dexter Township Zoning Ordinance to allow open air markets to correct duplicative sections of the Dexter Township Zoning Ordinance.

**Date:** March 20, 2024

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The proposed zoning text amendment to Dexter Township Zoning Ordinance is to allow open air markets and to correct duplicative sections of the Dexter Township Zoning Ordinance. Two businesses, Portage Lake Trading Post and NautiMi, wanted to have an open air market last fall. The Township could not allow the market as proposed, since it was not allowed as a temporary use.

The Planning Commission examined language at its February 28, 2024 meeting, asked for changes, and directed staff to call a public hearing for the amendment for its meeting in March. The proposed zoning ordinance amendment would allow open air markets under the following circumstances:

- As a temporary accessory permitted use in the AG, RR, CU, RC, PI, PR and C zoning districts. The businesses in question are zoned C.
- The market is located 35 feet from front lot lines and 20 feet from side lot lines.
- The time frame is limited to no more than a single 4-hour event on a weekly basis for 9 months per calendar year.
- The hours of operation for markets outside of commercial districts is 7 a.m. to 8 p.m.
- Animal sales are prohibited
- The following parking regulations would need to be met:
  - 1 space for every 200 feet of interior retail space and retail areas under a canopy or tent
  - 1 space per vendor

The proposed amendments to Sections 9.04 through 9.08 are to correct duplicative sections.

The previous Zoning Ordinance, with amendments through November 8, 2018, did not specifically allow open air markets as temporary uses, but the general temporary use standards could have been applied and an open air market allowed as an "other temporary use". The

Open Air Market Zoning Ordinance Amendment Motions  
March 20, 2024

current Zoning Ordinance does not have provisions for allowing temporary uses not listed in Table 16.4.

The Planning Commission may make a favorable or unfavorable recommendation of the attached text amendment, or a different version of the text amendment.

The decision criteria for a zoning text amendment, per Section 30.05(B) are:

- **Master Plan:** The zoning text amendment shall be compatible with the goals, policies, and future land use map of the Master Plan.
- **State and Federal Law:** The zoning text amendment shall be consistent with state and federal law.

Based on those standards, staff has prepared the motions on the following page for the Planning Commission's consideration. Please note that per Section 30.05(C) that at least four (4) members of the Planning Commission must vote in the affirmative for a favorable recommendation.

**Motion #1**

Based on the information provided by staff and during the public hearing held on March 26, 2024, the Planning Commission makes a favorable recommendation of the proposed text amendment for relevant portions of Section 2.02, Article 4, Section 5.04, Section 6.04, Section 9.05, Section 10.04, Section 11.04, Section 12.04, Section 13.04, and Section 16.33 of the Dexter Township Zoning Ordinance to allow open air markets and Section 9.04, Section 9.05, Section 9.06, Section 9.07, and Section 9.08 to correct duplicative sections of the Dexter Township Zoning Ordinance (PICK ONE: *text amendment attached, text amendment drafted by the Planning Commission after the public hearing*), to the Township Board for the following reasons (select all that apply):

1. The zoning text amendment is compatible with the goals and policies of the Master Plan.
2. The zoning text amendment is consistent with state and federal law.

**Motion #2**

Based on the information provided by staff and during the public hearing held on March 26, 2024, the Planning Commission makes an unfavorable recommendation of the proposed text amendment for relevant portions of Section 2.02, Article 4, Section 5.04, Section 6.04, Section 9.05, Section 10.04, Section 11.04, Section 12.04, Section 13.04, and Section 16.33 of the Dexter Township Zoning Ordinance to allow open air markets and Section 9.04, Section 9.05, Section 9.06, Section 9.07, and Section 9.08 to correct duplicative sections of the Dexter Township Zoning Ordinance, specifically (PICK ONE: *text amendment attached, text amendment drafted by the Planning Commission after the public hearing*), to the Township Board for the following reasons (select all that apply):

1. The zoning text amendment is not compatible with the goals and policies of the Master Plan.

**Motion #3**

Based on the information provided by staff and during the public hearing held on March 26, 2024, the Planning Commission postpones the proposed text amendment for relevant portions of Section 2.02, Article 4, Section 5.04, Section 6.04, Section 9.05, Section 10.04, Section 11.04, Section 12.04, Section 13.04, and Section 16.33 of the Dexter Township Zoning Ordinance to allow open air markets and Section 9.04, Section 9.05, Section 9.06, Section 9.07, and Section 9.08 to correct duplicative sections of the Dexter Township Zoning Ordinance, specifically (PICK ONE: *text amendment attached, text amendment drafted by the Planning Commission after the public hearing*), to (INSERT DATE) for the following reasons (select all that apply):

1. The zoning text amendment application does not contain enough information necessary to conduct a review.
2. Additional information is necessary.
3. Significant changes are necessary to receive approval.





COMMERCIAL LAND USE	AG	RR	LR	MHR	CU	RC	PI	PR	C
Carry-out, drive-through, take-out, pick-up, or other form of restaurant or other food service establishment that serves food or drink for off-site consumption									S
Commercial agriculture, excluding slaughterhouses	P	P				P			
Commercial kennel	S								S
Commercial stable	P	S				P		P	
Commercial watercraft access ramp			S			S	S	S	S
Day care center	S	S				S			P
Driving range						P		S	P
Entrepreneurial kitchen	AS					AS	AP	AP	AP
Farm equipment sales and service of equipment	S								P
Food cart						S	P	P	P
Funeral home									P
Golf course or country club		S				S		S	
Health, fitness, or rehabilitation center									P
Junkyard									S
Landscape nursery and greenhouse, including sales of plant materials and supplies	P								P
Marina or yacht club			S			S		S	S
Medical office									P
Microbrewery or distillery									S
Motel or hotel									P
Motor vehicle sales									S



COMMERCIAL LAND USE	AG	RR	LR	MHR	CU	RC	PI	PR	C
Motor vehicle service station or maintenance and repair									S
Outdoor dining area									S
<b>Open Air Market</b>	<b>AP</b>	<b>AP</b>			<b>AP</b>	<b>AP</b>	<b>AP</b>	<b>AP</b>	<b>AP</b>
Open air sales									S
Personal service establishment that performs services on site within a completely enclosed building									P
Professional office that performs services on site within a completely enclosed building									P
Recycling collection or transfer station							P	P	S
Retail businesses that supply commodities on the premises within a completely enclosed building, such as food, drugs, alcohol, furniture, clothing, dry goods, books, flowers, jewelry, or hardware									P
Roadside stand	P	P							P
Sales of new industrial and construction equipment that serves food and drink for onsite consumption, including an outdoor dining area									S
Sit-down restaurant or other establishment that serves food and drink for onsite consumption, including an outdoor dining area									S
Sit-down restaurant or other establishment that serves food or drink for on-site consumption							S	S	
Sod farm									P
Special even facility	S	S				S			

COMMERCIAL LAND USE	AG	RR	LR	MHR	CU	RC	PI	PR	C
Veterinary Clinic	P	S							P
Watercraft sales, repair, or storage			S			S			P
Winery	S	S						S	P

**SECTION 3. MODIFY SECTION 5.04 TO**

**INCLUDE OPEN AIR MARKETS AS AN ACCESSORY PERMITTED USE**

- Accessory dwellings
- Home occupations
- Private stable
- **Open Air Markets**
- Accessory uses customarily incidental and subordinate to the permitted principal use
- Signs
- Solar energy systems designed exclusively for on premises consumption
- WECS, micro and small
- Wireless communication facility, minor colocation

**SECTION 4. MODIFY SECTION 6.04 TO**

**INCLUDE OPEN AIR MARKETS AS AN ACCESSORY PERMITTED USE**

- Accessory dwellings
- Home occupations
- Private stable
- **Open Air Markets**
- Accessory uses customarily incidental and subordinate to the permitted principal use
- Signs
- Solar energy systems designed exclusively for on premises consumption
- WECS, micro or small
- Wireless communication facility, minor colocation

**SECTION 5. MODIFY SECTION 9.03 TO BE DELETED SINCE IT IS THE SAME AS SECTION 9.04**

**~~Principal Permitted Uses~~**

~~The following are principal permitted uses in the District:~~

- ~~• Common use access lot~~
- ~~• Outdoor athletic facility or similar recreation facility of an open space and low intensity nature~~
- ~~• Public park or playground~~
- ~~• Recreation site dedicated for a platted subdivision or site condominium~~
- ~~• Polling place~~

**SECTION 6. MODIFY SECTION 9.04 TO ELIMINATE DUPLICATE SECTION, REPLACE WITH ACCESSORY PERMITTED USES, AND INCLUDE OPEN AIR MARKETS**

**Principal Permitted Uses**

~~The following are principal permitted uses in the District:~~

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 Text to be deleted is in strikeout font: ~~example~~

- ~~• Common use access lot~~
- ~~• Outdoor athletic facility or similar recreation facility of an open space and low intensity nature~~
- ~~• Public park or playground~~
- ~~• Recreation site dedicated for a platted subdivision or site condominium~~
- ~~• Polling place~~

#### **Accessory Permitted Uses**

- Accessory uses customarily incidental and subordinate to the permitted principal use
- **Open air markets**
- Signs
- Solar energy systems designed exclusively for on-premises consumption
- WECS, micro or small

### **SECTION 7. MODIFY SECTION 9.05 TO ELIMINATE DUPLICATE SECTION AND REPLACE WITH SPECIAL LAND USES**

#### **~~Accessory Permitted Uses~~**

- ~~• Accessory uses customarily incidental and subordinate to the permitted principal use~~
- ~~• **Open air markets**~~
- ~~• Signs~~
- ~~• Solar energy systems designed exclusively for on-premises consumption~~
- ~~• WECS, micro or small~~

#### **Special Land Uses**

The following special land uses are permitted by special approval in the District:

- Reserved

### **SECTION 8. MODIFY SECTION 9.06 TO ELIMINATE DUPLICATE SECTION AND REPLACE WITH ACCESSORY SPECIAL LAND USES**

#### **~~Special Land Uses~~**

~~The following special land uses are permitted by special approval in the District:~~

- ~~• Reserved~~

#### **Accessory Special Land Uses**

- Reserved.

### **SECTION 9. MODIFY SECTION 9.07 TO ELIMINATE DUPLICATE SECTION AND REPLACE WITH FOOTNOTES**

#### **~~Accessory Special Land Uses~~**

- ~~• Reserved.~~

## Footnotes

- 1) 50-foot Road Setback: The required front yard setback is 50 feet for any yard abutting the following gravel (exceptions noted) roads, measured from the right-of-way or access easement:

- Bell Road
- Brand Road
- Colby Road
- Donner Road
- Fleming Road
- Huron River Drive (gravel portions only)
- Island Lake Road (gravel portions only)
- Lima Center Road
- Madden Road
- McGregor Road (paved road)
- Stinchfield Woods Road
- Quigley Road
- Riker Road
- McKinley Road
- Toma Road
- Waterloo Road
- Wylie Road

- 2) 80-foot Road Setback: The required front yard setback is 80 feet for any yard abutting the following paved roads, measured from the right-of-way or access easement:

- Dexter-Pinckney Road
- Dexter-Townhall Road
- North Territorial Road
- Hankerd Road
- Huron River Drive (paved portions only)
- Island Lake Road (paved portions only)
- Stofer Road

- 3) 25-foot Local and Private Road Setback. Exceptions, listed below, shall be set back 20 feet:

- Silver Lake north residential area
- Argonne Drive
- Edgewater Drive
- Plainview Drive
- South Rainbow Drive
- Fairway Drive
- Noah Court
- Hillsdale Drive
- Parkview Drive
- Noah Road
- Rainbow Drive
- Revere Drive
- Ridgemont Lane

## SECTION 10. MODIFY SECTION 9.08 TO ELIMINATE THE DUPLICATE SECTION

### Footnotes

- ~~4) 50-foot Road Setback: The required front yard setback is 50 feet for any yard abutting the following gravel (exceptions noted) roads, measured from the right-of-way or access easement:~~

- ~~• Bell Road~~
- ~~• Brand Road~~
- ~~• Colby Road~~
- ~~• Donner Road~~
- ~~• Fleming Road~~
- ~~• Huron River Drive (gravel portions only)~~
- ~~• Island Lake Road (gravel portions only)~~
- ~~• Lima Center Road~~
- ~~• Madden Road~~
- ~~• McGregor Road (paved road)~~
- ~~• McKinley Road~~
- ~~• Stinchfield Woods Road~~
- ~~• Toma Road~~
- ~~• Waterloo Road~~
- ~~• Wylie Road~~
- ~~• Quigley Road~~
- ~~• Riker Road~~

- ~~5) 80-foot Road Setback: The required front yard setback is 80 feet for any yard abutting the following paved roads, measured from the right-of-way or access easement:~~

- ~~• Dexter-Pinckney Road~~
- ~~• Dexter-Townhall Road~~
- ~~• North Territorial Road~~
- ~~• Hankerd Road~~
- ~~• Huron River Drive (paved portions only)~~
- ~~• Island Lake Road (paved portions only)~~
- ~~• Stofer Road~~

- ~~6) 25-foot Local and Private Road Setback. Exceptions, listed below, shall be set back 20 feet:~~

- ~~• Silver Lake north residential area~~
- ~~• Fairway Drive~~
- ~~• Noah Court~~

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~~• Argonne Drive • Barrington Drive • Hillsdale Drive • Parkview Drive~~  
~~• Edgewater Drive • Noah Road~~  
~~• Plainview Drive • Rainbow Drive~~  
~~• South Rainbow Drive • Revere Drive • Ridgemoor Lane~~

**SECTION 11. MODIFY SECTION 10.04 TO INCLUDE OPEN AIR MARKETS AS AN ACCESSORY PERMITTED USE**

- Accessory uses customarily incidental and subordinate to the permitted principal use
- Accessory dwellings
- Home occupations
- Private stable
- **Open Air Markets**
- Signs
- WECS, micro and small
- Wireless communication facility, minor colocation
- Solar energy systems

**SECTION 7. MODIFY SECTION 11.04 TO INCLUDE OPEN AIR MARKETS AS AN ACCESSORY PERMITTED USE**

- Entrepreneurial kitchen
- **Open Air Markets**
- Signs
- Solar energy system
- WECS, micro or small
- Wireless communication facility, minor colocation

**SECTION 8. MODIFY SECTION 12.04 TO INCLUDE OPEN AIR MARKETS AS AN ACCESSORY PERMITTED USE**

- Entrepreneurial kitchen
- **Open Air Markets**
- Signs
- Solar energy system
- WECS, micro or small
- Wireless communication facility, minor colocation

**SECTION 9. MODIFY SECTION 13.04 TO INCLUDE OPEN AIR MARKETS AS AN ACCESSORY PERMITTED USE**

- Entrepreneurial kitchen
- **Open Air Markets**
- Signs
- Accessory uses customarily incidental and subordinate to the permitted principal use
- Solar energy systems
- WECS, micro or small
- Wireless communication facility, minor colocation

**SECTION 10. MODIFY SECTION 16.33 TO INCLUDE OPEN AIR MARKETS**

**A. The Following Location and Duration requirements shall apply:**

**Table 16.4: Temporary Structures and Uses**

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USE	ZONING DISTRICT	LOCATION	DURATION
Construction and Repairs	All	Principal building setbacks	6 months for repair; 12 months for construction
Schools and Religious Institutions	All	Principal building setbacks	6 months
Special Events	All	n/a	7 days
Real estate sales office	All	Principal building setbacks	12 months
Plant Sales	C, AG, RC	Principal building setbacks	6 months
Christmas Tree Sales	C, AG, RC	Principal building setbacks	3 months
Carnivals	C, PI, PL	Principal building setbacks and at least 200 feet from dwelling units	May 1 through September 30
Film Production	All	n/a	3 months
Cell on Wheels	C, PI, PL	n/a	30 days
Motor Home Parking	LR	n/a	30 days
Roadside Stand	C, AG, RR	n/a	9 months per calendar year
<b>Open Air Markets</b>	C, AG, RC, RR, PI, PR, CU	35 feet from front lot lines and 20 feet from side lot lines	No more than a single 4 hour event on a weekly basis for 9 months per calendar year

**SECTION 11. MODIFY SECTION 17.03 TO INCLUDE OPEN AIR MARKETS AS SUB-SECTION (M)**

**(M) Open Air Markets:**

**1) Hours of Operation:** The hours of operation for open air markets not located in commercial districts shall be limited to the hours between 7:00 am and 8:00 pm.

**2) Signs:** An open air market is a commercial service and the time period for temporary signs is defined by Section 19.05(A)(1)c.

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**3) Parking Regulations:** 1 space per 200 square feet of interior retail space and “open air” retail space under cover such as canopy or tent; plus 1 space per vendor is required.

**4) Animal Sales Prohibited:** The sale of live animals is not allowed in open air markets.







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## MEMORANDUM

**To:** Dexter Township Planning Commission

**From:** Megan Masson-Minock, Township Planning Consultant

**Subject:** Public hearing to amend the Dexter Township Zoning Ordinance to allow food carts as accessory permitted uses.

**Date:** March 20, 2024

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The proposed zoning text amendment to Dexter Township Zoning Ordinance is to allow food carts, more commonly known as food trucks, as temporary accessory permitted uses. When examining potential zoning ordinance amendments dealing with open air markets at its February 28, 2024 meeting, the Planning Commission identified that the Zoning Ordinance only allows food carts as principal uses, prohibiting a food truck rally in a parking lot or a food cart at a party in a residential area. The Planning Commission asked staff to draft a zoning ordinance amendment to allow food carts as a temporary accessory permitted use and to call a public hearing for the amendment for its meeting in March. The proposed zoning ordinance amendment would allow food carts as a temporary accessory permitted use under the following circumstances:

- As a temporary accessory permitted use in the AG, RR, LR, MHR and CU zoning districts. Food carts are currently permitted as principal uses in the PI, PR and C zoning districts and as a special land use in the RC zoning district.
- The duration would be limited to one (1) day.
- Food carts as temporary accessory permitted uses must meet the food cart special use requirements in Section 17.04(P):
  - Food carts may not be located within required side or rear yards or within clear vision zones.
  - Food carts and support furniture may be in parking areas, provided the location does not interfere with pedestrian or vehicular access or conflict with the parking spaces.
  - Trash receptacles are available to patrons and located within fifteen (15) feet of the food cart.
  - Food carts must have and maintain a valid license from the State of Michigan.

The previous Zoning Ordinance, with amendments through November 8, 2018, did not allow food carts or food trucks.

The Planning Commission may make a favorable or unfavorable recommendation of the attached text amendment, or a different version of the text amendment.

The decision criteria for a zoning text amendment, per Section 30.05(B) are:

- **Master Plan:** The zoning text amendment shall be compatible with the goals, policies, and future land use map of the Master Plan.
- **State and Federal Law:** The zoning text amendment shall be consistent with state and federal law.

Based on those standards, staff has prepared the motions on the following page for the Planning Commission's consideration. Please note that per Section 30.05(C) that at least four (4) members of the Planning Commission must vote in the affirmative for a favorable recommendation.

**Motion #1**

Based on the information provided by staff and during the public hearing held on March 26, 2024, the Planning Commission makes a favorable recommendation of the proposed text amendment for relevant portions Article 4, Section 5.04, Section 6.04, Section 7.04, Section 8.04, Section 9.05, and Section 16.33 of the Dexter Township Zoning Ordinance to allow food carts as an accessory permitted use in the AG, RR, LR, MHR and CU Zoning Districts (**PICK ONE: text amendment attached, text amendment drafted by the Planning Commission after the public hearing**), to the Township Board for the following reasons (select all that apply):

1. The zoning text amendment is compatible with the goals and policies of the Master Plan.
2. The zoning text amendment is consistent with state and federal law.

**Motion #2**

Based on the information provided by staff and during the public hearing held on March 26, 2024, the Planning Commission makes an unfavorable recommendation of the proposed text amendment for relevant portions Article 4, Section 5.04, Section 6.04, Section 7.04, Section 8.04, Section 9.05, and Section 16.33 of the Dexter Township Zoning Ordinance to allow food carts as an accessory permitted use in the AG, RR, LR, MHR and CU Zoning Districts, specifically (**PICK ONE: text amendment attached, text amendment drafted by the Planning Commission after the public hearing**), to the Township Board for the following reasons (select all that apply):

1. The zoning text amendment is not compatible with the goals and policies of the Master Plan.

**Motion #3**

Based on the information provided by staff and during the public hearing held on March 26, 2024, the Planning Commission postpones the proposed text amendment for relevant portions of Article 4, Section 5.04, Section 6.04, Section 7.04, Section 8.04, Section 9.05, and Section 16.33 of the Dexter Township Zoning Ordinance to allow food carts as an accessory permitted use in the AG, RR, LR, MHR and CU Zoning Districts, specifically (**PICK ONE: text amendment attached, text amendment drafted by the Planning Commission after the public hearing**), to (INSERT DATE) for the following reasons (select all that apply):

1. The zoning text amendment application does not contain enough information necessary to conduct a review.
2. Additional information is necessary.
3. Significant changes are necessary to receive approval.



ORDINANCE NO. \_\_\_\_\_

An ordinance to amend relevant portions of Article 4, Section 5.04, Section 6.04, Section 7.04, Section 8.04, Section 9.05, and Section 16.33 of the Dexter Township Zoning Ordinance to allow food carts as an accessory permitted use in the AG, RR, LR, MHR and CU Zoning Districts.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE TOWNSHIP OF DEXTER:

**SECTION 1. MODIFY ARTICLE 4 TO ALLOW FOOD CARTS AS AN ACCESSORY PERMITTED USE IN THE AG, RR, LR, MHR AND CU ZONING DISTRICTS**

**P Permitted Use**

**S Special Land Use**

**AP Accessory Permitted Use**

**AS Accessory Special Land Use**

<b>COMMERCIAL LAND USE</b>	<b>AG</b>	<b>RR</b>	<b>LR</b>	<b>MHR</b>	<b>CU</b>	<b>RC</b>	<b>PI</b>	<b>PR</b>	<b>C</b>
Adult Entertainment									S
Banquet Hall									S
Bar or Club									S
Bed and Breakfast	S	S	S			S			
Car Wash									S
Carry-out, drive-through, take-out, pick-up, or other form of restaurant or other food service establishment that serves food or drink for off-site consumption									S
Commercial agriculture, excluding slaughterhouses	P	P				P			
Commercial kennel	S								S
Commercial stable	P	S				P		P	
Commercial watercraft access ramp			S			S	S	S	S
Day care center	S	S				S			P

COMMERCIAL LAND USE	AG	RR	LR	MHR	CU	RC	PI	PR	C
Driving range						P		S	P
Entrepreneurial kitchen	AS					AS	AP	AP	AP
Farm equipment sales and service of equipment	S								P
Food cart	AS	AS	AS	AS	AS	S	P	P	P
Funeral home									P
Golf course or country club		S				S		S	
Health, fitness, or rehabilitation center									P
Junkyard									S
Landscape nursery and greenhouse, including sales of plant materials and supplies	P								P
Marina or yacht club			S			S		S	S
Medical office									P
Microbrewery or distillery									S
Motel or hotel									P
Motor vehicle sales									S
Motor vehicle service station or maintenance and repair									S
Outdoor dining area									S
Open air sales									S
Personal service establishment that performs services on site within a completely enclosed building									P
Professional office that performs services on site within a completely enclosed building									P
Recycling collection or transfer station							P	P	S

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Text to be deleted is in strikeout font: ~~example~~

COMMERCIAL LAND USE	AG	RR	LR	MHR	CU	RC	PI	PR	C
Retail businesses that supply commodities on the premises within a completely enclosed building, such as food, drugs, alcohol, furniture, clothing, dry goods, books, flowers, jewelry, or hardware									P
Roadside stand	P	P							P
Sales of new industrial and construction equipment that serves food and drink for onsite consumption, including an outdoor dining area									S
Sit-down restaurant or other establishment that serves food and drink for onsite consumption, including an outdoor dining area									S
Sit-down restaurant or other establishment that serves food or drink for on-site consumption							S	S	
Sod farm									P
Special even facility	S	S				S			
Veterinary Clinic	P	S							P
Watercraft sales, repair, or storage			S			S			P
Winery	S	S						S	P

**SECTION 2. MODIFY SECTION 5.04 TO INCLUDE FOOD CARTS AS AN ACCESSORY PERMITTED USE**

- Accessory dwellings
- Home occupations
- Private stable
- **Food Carts**
- Accessory uses customarily incidental and subordinate to the permitted principal use
- Signs
- Solar energy systems designed exclusively for on premises consumption
- WECS, micro and small
- Wireless communication facility, minor colocation

Text to be added is in red font: **example**  
 Text to be deleted is in strikeout font: ~~example~~

**SECTION 3. MODIFY SECTION 6.04 TO INCLUDE FOOD CARTS AS AN ACCESSORY PERMITTED USE**

- Accessory dwellings
- Home occupations
- Private stable
- **Food Carts**
- Accessory uses customarily incidental and subordinate to the permitted principal use
- Signs
- Solar energy systems designed exclusively for on premises consumption
- WECS, micro or small
- Wireless communication facility, minor colocation

**SECTION 4. MODIFY SECTION 7.04 TO INCLUDE FOOD CARTS AS AN ACCESSORY PERMITTED USE**

- Accessory dwellings
- Home occupations
- **Food Carts**
- Wireless communication facility, minor colocation
- Accessory uses customarily incidental and subordinate to the permitted principal use
- Signs
- Solar energy systems designed exclusively for on premises consumption
- WECS, micro or small

**SECTION 5. MODIFY SECTION 8.04 TO INCLUDE FOOD CARTS AS AN ACCESSORY PERMITTED USE**

- Accessory uses customarily incidental and subordinate to the permitted principal use
- Signs
- Solar energy systems designed exclusively for on premises consumption
- **Food Carts**
- WECS, micro or small
- Wireless communication facility, minor colocation

**SECTION 6. MODIFY SECTION 9.05 TO ELIMINATE DUPLICATE SECTION AND REPLACE WITH SPECIAL LAND USES**

**Accessory Permitted Uses**

- Accessory uses customarily incidental and subordinate to the permitted principal use
- **Food Carts**
- Signs
- Solar energy systems designed exclusively for on-premises consumption
- WECS, micro or small

**SECTION 7. MODIFY SECTION 16.33 TO INCLUDE FOOD CARTS**

**A. The Following Location and Duration requirements shall apply:**

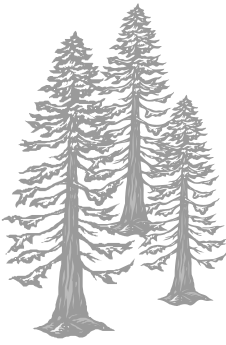
**Table 16.4: Temporary Structures and Uses**

Text to be added is in red font: **example**  
Text to be deleted is in strikeout font: ~~example~~



USE	ZONING DISTRICT	LOCATION	DURATION
<b>Construction and Repairs</b>	All	Principal building setbacks	6 months for repair; 12 months for construction
<b>Schools and Religious Institutions</b>	All	Principal building setbacks	6 months
<b>Special Events</b>	All	n/a	7 days
<b>Real estate sales office</b>	All	Principal building setbacks	12 months
<b>Plant Sales</b>	C, AG, RC	Principal building setbacks	6 months
<b>Christmas Tree Sales</b>	C, AG, RC	Principal building setbacks	3 months
<b>Carnivals</b>	C, PI, PL	Principal building setbacks and at least 200 feet from dwelling units	May 1 through September 30
<b>Film Production</b>	All	n/a	3 months
<b>Cell on Wheels</b>	C, PI, PL	n/a	30 days
<b>Motor Home Parking</b>	LR	n/a	30 days
<b>Roadside Stand</b>	C, AG, RR	n/a	9 months per calendar year
<b>Food Carts</b>	AG, RC, RR, LR, MHR, CU	See Section 17.04(P)1	1 day





# DEXTER TOWNSHIP PLANNING COMMISSION

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Dexter Twp Planning Commission  
3/26/2024 Meeting Backlog  
MARTY STRAUB  
CHAIRPERSON  
BOB NESTER  
VICE CHAIR  
TOM LEWIS  
SECRETARY  
MARIS METZ  
EX-OFFICIO TWP. BRD.  
CHANDRA HURD  
CHRISTINA MAIER  
ALICIA ABBOTT  
COMMISSIONERS  
JANIS MILLER  
RECORDING SECRETARY

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## REGULAR MEETING OF THE PLANNING COMMISSION Wednesday, February 28, 2024

Present: Marty Straub, Chairperson, Tom Lewis, Secretary; Chandra Hurd, Christina Maier, Alicia Abbott, and Gretchen Driskell. Absent: Bob Nester, Vice-Chair (he has submitted a letter of resignation which comes before the Township Board on March 19<sup>th</sup>).

Also present: Megan Masson-Minock, Planning Director, and Samatha Edwards, Administrative Manager

Absent: Janis Miller, Recording Secretary.

1. **Call to Order:** Chairperson Straub called the meeting to order at 6:00 PM.
2. **Pledge of Allegiance:** Recited by all.
3. **Conflict of Interest:**  
Alicia Abott is remodeling her home and questioned whether she should recuse herself from discussion, or voting, on the amendments to Article 25, Table 25.1 Activities Requiring Zoning Permits. After discussion, consensus of all five Commissioners was that she did not have a conflict of interest. Note: Nester absent and Abbott abstained.
4. **Approval of Agenda:**  
*With no corrections or additions, Chairperson Straub declared the Agenda is approved as presented.*
5. **Public Comment:** (non-agenda items) Opened 6:05 PM. No public comments.
6. **Public Hearings**
  - A. Public hearing to amend the title of Article 4 of the Zoning Ordinance from “Table of Regulations” to “Table of Uses”.  
This was an inconsistency that was discovered by staff review. The previous Zoning Ordinance had the uses stated within each zoning district. “Regulations” is associated with dimensional requirements.  
Opened 6:07 PM  
Jeff Lindholm, 5857 Ray Knight Drive  
He was questioning the Table of Uses permits for residential businesses. He also said the documentation of Open-Air Markets wasn’t very clear and he questioned why Open-Air Markets were restricted from May 1<sup>st</sup> to October 31<sup>st</sup>. Chairperson Straub said that these comments were not for this public hearing but would be taken into consideration on the following public hearing.  
Closed 6:15 PM

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- B. Public Hearing to amend Table 25.1 in Article 25, Section 25.03 of the Zoning Ordinance as to which structures, uses, or activities require zoning permits.

Open 6:15 PM

Discussion: A Commercial use of a building would need a zoning permit to evaluate parking, loading, etc. The Table states “Home Occupation” and Jeff Lindholm’s concern is in the rural area of Dexter Township there are people running business’ out of their homes for years and have not filed for a permit. Home Occupation based businesses should be dealt with separately from Commercial. Anything preexisting is presumed they were permitted at the time or it could be a preexisting non-conforming use. The placement of the comma is the issue and if it was moved it would change other verbiage in the Zoning Ordinance. Agricultural businesses fall under The Right to Farm Act and Dexter Township has no jurisdiction over those businesses.

Closed 6:23 PM

Continued Discussion:

Question, why a permit is needed for demolition or raising a building. Planning Director Masson-Minock stated it is because Chelsea Area Construction Agency does not require [physical] checks, or paperwork, to make sure all the utilities are cut off, so the permit is a safety check from the Township’s point of view.

Question, why the height of a flag-pole was removed. Section 16.21 addresses setbacks and maximum heights for flag-poles.

The new items in the table have footnote references (B, C) that should have been included in the board packet [and ordinance?] for clarity.

**7. Action Items:**

The Commissioners decided to take the more difficult one first, hence “B” before “A”.

- B. Recommendation to Township Board on proposed Zoning Ordinance amendment to Table 25.1 in Article 25, Section 25.03 of the Zoning Ordinance as to which structures, uses, or activities require zoning permits.

***Motion by Driskell (as formulated by Planner Masson-Minock):***

***Based on the information provided by staff and during the public hearing held on February 28, 2024, the Planning Commission makes a favorable recommendation of the proposed text amendment for Table 25.1, in Article 25, Section 25.03 of the Zoning Ordinance; specifically text as noted in red in the [PC] board packet, to the Township Board for the following reasons: 1. The zoning text amendment is compatible with the goals and policies of the Master Plan, and 2. The zoning text amendment is consistent with state and federal law.***

***Motion seconded by Abbott.***

***Roll Call Vote: Yeas - Hurd, Driskell, Lewis, Abbott, Maier, and Straub;***

***Nays - None; Absent - Nester. Motion carried 6-0.***

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- A. Recommendation to Township Board on proposed Zoning Ordinance amendment to amend the title of Article 4 from “Table of Regulations” to “Table of Uses”.

*Motion by Maier (as formulated by Planner Masson-Minock):*

*Based on the information provided by staff and during the public hearing held on February 28, 2024, the Planning Commission makes a favorable recommendation of the proposed text amendment for the title of Article 4 of the Zoning Ordinance, specifically changing the title from “Schedule Table of Regulations” to “Schedule Table of Uses”, to the Township Board for the following reasons: 1. The zoning text amendment is compatible with the goals and policies of the Master Plan, and 2. The zoning text amendment is consistent with state and federal law.*

*Motion seconded by Hurd.*

*Roll Call Vote: Yeas - Hurd, Driskell, Lewis, Abbott, Maier, and Straub;*

*Nays - None; Absent - Nester. Motion carried 6-0.*

**8. Discussion Items**

- A. Zoning amendments regarding open air markets

Planning Director Masson-Minock is looking for some input from the Commissioners. The complexity of this text amendment is due to the fact when you add a use you are adding it into about four or five different sections. There were also some mistakes that were marked in red and strikeouts for deletion. The current Zoning Ordinance does not provide for a farmers’ market where multiple vendors would come to sell. The approach was to look at it as a temporary accessory use, like a parking lot. A road side stand is different in that it is attached to the property which is selling the goods. Discussion of open-air business, which does include flea markets, as there is no definition in the zoning Ordinance for “open air sales” as stated in the table. Discussion of food trucks, which is listed in the table as food carts. Planner Mason-Minock suggests adding food trucks to a temporary event and write a few more regulations in the section Food Carts to put parameters around food trucks. We need to have coordination between open-air sales, open-air business, and open-air markets. Need clarification regarding signs in open-air markets. This Section will be addressed in future Planning Commission meetings.

**9. Approval of Planning Commission Minutes:**

**Discussion: Spelling corrections, add verbiage to 7. B., change date of the meeting on top of first page, change 7C to 7B, change 7D to 7C, and change 7E to 7D.**

*Moved by Maier, seconded by Abbott, to approve the meeting minutes of January 23, 2024 as amended. Motion carried 6 0. (Nester absent)*

**10. Correspondence**

Letter from the City of Dexter and Planning and Zoning report for January.

Abbott questioned the Natures Preserve report that they were approved in 2020 but the applicant has yet to submit construction escrow as well as provide insurance and bonds that are required, or schedule the preconstruction meeting. Planning Director Megan Masson-Minock responded that they may owe us money and she had met with OHM (township engineers) for which she will update the PC in March.

*Documents regarding the agenda items can be obtained at the Township Hall during normal business hours, the Townships website: [www.dextertownship.org](http://www.dextertownship.org) and can be viewed on [ew.livestream.com/dextertownship.org](http://ew.livestream.com/dextertownship.org).*

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**11. Township Board of Trustees Update**

Trustee Driskell gave an update of the January 16<sup>th</sup> Board of Trustees meeting. She noted that the [Dexter Township] Public Safety Millage passed

**12. Concerns of Commission Members, Director of Planning and Zoning, Supervisor, and Recording Secretary:**

Maier noted that the website list of links to the Master Plan need to be corrected.

Administrative Manager Sam Edwards said that anyone interested in the empty Planning Commission seat email the Office Manager.

Also note: Meeting on March 20<sup>th</sup> at 6:30 PM on single hauler proposal.

Chairperson Straub commented on Bob Nesters history with the Township and suggested a resolution in his honor.

**13. Public Comment:** Opened 7:35 PM. No public present.

**14. Future Agenda Items: March 26, 2024**

A) Issues mentioned tonight.

**15. Adjournment:**

Motion by Maier to adjourn. Motion seconded by Hurd. All ayes. Meeting adjourned at 7:36 PM.

Respectfully submitted,

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Tom Lewis, Secretary

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Janis Miller, Recording Secretary