



Brighton City Council Meeting

200 N First St • City Hall Council Chambers • Brighton, Michigan 48116
(810) 227-1911 • www.brightoncitymi.gov

July 8, 2025 – 6:30 p.m.

AGENDA

1. Call to order
2. Pledge of Allegiance
3. Roll call
4. Consider approval of the agenda
5. Consider approval of consent agenda items

Consent Agenda Items

- a. [Approval of minutes: regular meeting of June 24, 2025](#)
- b. [Approval of Resolution #2025-19, A Resolution Approving the Sale of Alcoholic Liquor to Suhel Kizi, dba, Brighton Gas Mart, 204 W. Grand River Ave, Brighton, MI 48116](#)

Correspondence

6. Councilmember updates
7. Staff updates
8. Call to the public

Public Hearing

9. [Conduct a public hearing and consider adoption of proposed ordinance 608, Amendments to Chapter 98, "Zoning" of the City of Brighton Code of Ordinances](#)
10. [Conduct a public hearing and consider adoption of proposed ordinance 609, Amendments to Chapter 22, "Peddlers, Solicitors, and Canvassers" of the City of Brighton Code of Ordinances](#)

New Business

11. [Consider conducting a first reading for proposed ordinance 610, Amendments to Chapter 98, "Accessory Structures" of the City of Brighton Code of Ordinances and consider setting a public hearing for August 12, 2025](#)

Other Business

12. Call to the public
13. Adjournment



Brighton City Council Meeting

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MINUTES OF THE REGULAR MEETING OF THE BRIGHTON CITY COUNCIL HELD ON JUNE 24, 2025

1. Call to order

Mayor Tobbe called the meeting to order at 6:30 p.m.

2. Pledge of Allegiance

Mayor Tobbe led those in attendance in the Pledge of Allegiance

3. Roll call

Present were Mayor Tobbe, Mayor Pro Tem Bohn, Councilmembers: Albert, Gardner, Gipson, Pettengill, and Schmenk.

Others Present: City Manager Gretchen Gomolka, City Clerk Tara Brown, Community Development Manager Mike Caruso, DPS Director Marcel Goch, Superintendents Josh Bradley and Brad Shrader, and Chief Brent Pirochta.

City Council and staff provided introductions, work background, and years of service at the City of Brighton.

4. Consider approval of the agenda

Motion by Councilmember Gardner, seconded by Councilmember Albert to approve the agenda as presented. **The motion carried, 7-0.**

5. Consider approval of consent agenda items

Motion by Councilmember Pettengill, seconded by Councilmember Albert to approve the consent agenda as presented. **The motion carried by roll call vote, 7-0.**

Consent Agenda Items

- a. Approval of minutes: regular meeting of June 10, 2025
- b. Approval of Resolution # 2025-18, Local Government Unit Approval for Social District Permit for Brauerei Becker LLC, D/B/A Brewery Becker, located at 500 W. Main Street
- c. Approval of the purchase of an ExMark Lazer S-Series Turf Mower from Weingartz in an amount not to exceed \$12,847
- d. Approval of the Tetra Tech Engineering services retainer agreement for engineering services from July 1, 2025, through June 30, 2026, in the amount of \$12,492

Correspondence

6. Councilmember updates and discussion of the proposed North Street development

Councilmember Schmenk relayed that the Kiwanis Club has installed a new book, Three Little Kittens, along the Tridge Story Walk.

Mayor Pro Tem Bohn stated the Planning Commission met on July 16, 2025, and approved a preliminary site plan approval with contingencies.

Councilmember Gardner thanked all who attended the Boots and Beats event for making it such a great event.

Councilmember Albert noted that the Brighton Veterans Memorial Committee will conduct a debrief meeting regarding the Memorial Day Parade on what went well and what needs improvement. Councilmember Albert stated

Mayor Tobbe opened discussion on the proposed North Street development by referencing provisions in the Public

Comment and Meeting Procedures, reading the recent press release, and delivering a formal statement. City Council and staff engaged in a detailed discussion of the proposed Planned Unit Development (PUD), reviewing the development agreement from January 2024 and outlining the approval process, which includes review by the Planning Commission before final consideration by City Council. Additional topics included the growth experienced in Livingston County and its individual jurisdictions over the past forty years, as well as concerns related to downtown parking. City Council emphasized the importance of contacting city officials directly with questions about the proposed development, rather than relying on social media for information.

7. Staff updates

Chief Pirochta stated that he attended the recent SEPLA conference and noted it was the best yet. The group was able to provide \$550 to a young student with brain cancer.

Community Development Manager Caruso stated that permits were issued to 265 W. Main Street for a golf simulator business and event space on the second floor. Also the former Lindbom property, West Village development, will begin land clearing very soon which will take three weeks and progressing onto underground utilities work, and then paving in September. Residents nearby will be alerted by A frame signs as well as notification on the City of Brighton social media platforms and app.

Councilmember Gardner asked when the Fifth Third Bank will move. Community Development Manager Caruso said that the bank would move to their new location in August or September depending on the certificate of occupancy.

City Manager Gomolka noted the Lindbom development has been reduced in scope and has eliminated certain features to allow for more green space by Pulte, the new developer.

DPS Director Goch noted that Grand River and I-96 will be closed for fifty days. Also, reclamite will be applied in early July. Notification will be posted in affected areas. The City of Brighton was awarded two grants to help fund new water pumps

8. Call to the public

Mayor Tobbe opened the call to the public at 8:09 p.m.

Caroline Passino, Murial Kaier, Ella Nikitin, Charlene Bargert, Susan Walters Bakhaus, and Bill McCririe all spoke regarding the proposed development.

Hearing and seeing no further comment, the call to the public was closed at 8:26 p.m.

New Business

9. Consider approval of the replacement of five water service lines on Glenwyth Road by Comprehensive Contracting in an amount not to exceed \$33,000

Motion by Councilmember Pettengill, seconded by Councilmember Schmenk to approve of the replacement of five water service lines on Glenwyth Road by Comprehensive Contracting in an amount not to exceed \$33,000. **The motion carried, 7-0.**

10. Consider approving the purchase of a Caterpillar 420 Backhoe Loader from Michigan Caterpillar, including a vibratory compactor attachment at a cost of \$133,775

Motion by Councilmember Gardner, seconded by Councilmember Schmenk to approve the purchase of a Caterpillar 420 Backhoe Loader from Michigan Caterpillar, including a vibratory compactor attachment at a cost of \$133,775. **The motion carried, 7-0.**

11. Consider setting a special meeting to consider the purchase or lease of real property

Motion by Councilmember Gardner, seconded by Councilmember Pettengill to schedule a special meeting to consider the purchase or lease of real property for July 1, 2025, beginning at 6:00 p.m. **The motion carried, 7-0.**

Other Business

12. Call to the public

Mayor Tobbe opened the call to the public at 8:47 p.m. Hearing and seeing no comment, the call to the public was closed.

13. Adjournment

Motion by Councilmember Albert, seconded by Councilmember Gipson to adjourn the meeting at 8:48 p.m. **The motion carried, 7-0.**

Tara Brown



City of Brighton

REPORT FROM THE CITY MANAGER TO CITY COUNCIL

JULY 8, 2025

SUBJECT: APPROVAL OF RESOLUTION #2025-19, A RESOLUTION APPROVING THE SALE OF ALCOHOLIC LIQUOR TO SUHEL KIZI, DBA, BRIGHTON GAS MART, 204 W. GRAND RIVER AVE, BRIGHTON, MI 48116

ADMINISTRATIVE SUMMARY

- Suhel Kizi has applied to the Michigan Liquor Control Commission (MLCC) to obtain a transfer of the current SDM license, with gas pumps and Sunday sales, located at Brighton Gas Mart LLC, 204 W. Grand River Ave.
- Brighton City Code 6-32 requires express approval of the Brighton City Council for a new liquor license operation in the City of Brighton.
- The Brighton City Police department investigated the applicant business including all stockholders above 10% ownership. A criminal record check reveals the stockholder has no violations.
- The required liquor license application fee has been paid to the City of Brighton.
- The Brighton City Police Department has determined that the applicant meets the requirements of the City of Brighton's liquor control ordinances (6-31 to 6-41) and therefore recommends approval of the request.

RECOMMENDATION

Approve resolution 2025-19 allowing Suhel Kizi, dba Brighton Gas Mart to operate a SDM License to include Sunday A.M. and P.M. sales, with gas pumps located at 204 W. Grand River Ave, in the City of Brighton in accordance with the Brighton Municipal Code.

Prepared by: Brent Pirochta, Chief of Police

Reviewed &

Approved by: Gretchen Gomolka, City Manager

Resolution #2025-20

CITY OF BRIGHTON
A RESOLUTION APPROVING
THE SALE OF ALCOHOLIC LIQUOR

WHEREAS, pertinent sections of the Brighton Municipal Code require that the Brighton City Council expressly approve the sale of alcoholic liquor by any person or persons within the City of Brighton; and

WHEREAS, the applicants have applied to the Michigan Liquor Control Commission for the purchase of a state issued liquor license to be used within the City of Brighton; and

WHEREAS, the Brighton Police Department has conducted an investigation of the applicant and found said applicant to be in compliance with the Brighton Municipal Code; and therefore

BE IT RESOLVED, Suhel Kizi, DBA, Brighton Gas Mart is approved to operate a SDM License to include Sunday A.M. and P.M. sales, with gas pumps located at 204 W. Grand River Ave, in the City of Brighton in accordance with the Brighton Municipal Code.

AYES:

NAYS:

ABSENT:

RESOLUTION DECLARED ADOPTED.

Dated: July 8, 2025

TARA BROWN, City Clerk

CERTIFICATION

I, Tara Brown, City Clerk of the City of Brighton, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the City Council of the City of Brighton at a regular meeting held on July 8, 2025.

TARA BROWN, City Clerk



City of Brighton

REPORT FROM THE CITY MANAGER TO CITY COUNCIL JULY 8, 2025

SUBJECT: CONDUCT A PUBLIC HEARING AND CONSIDER ADOPTION OF PROPOSED ORDINANCE 608, AMENDMENTS CHAPTER 98, "ZONING" OF THE CITY OF BRIGHTON CODE OF ORDINANCES.

ADMINISTRATIVE SUMMARY

The proposed amendments of Ordinance 608 would allow for two-family dwellings and townhomes as permitted use in the R1 Single-Family Zoning District, only if a subject property shares a property line with a parcel in the C2-General Business District. Ordinance 608 also provides revisions to the development standards of the R1 District that better align with the recent adopted changes to the R5 zoning district regulations.

- There are 13 parcels within the R1 Zoning District that share a property line with a property in the C2-General Business District. There are 12 such parcel along the west side of N. East Street and 1 on Kissane Street.
- The amendments proposed to the R1 zoning "Development Standards" is to incorporate the standards for single family parcels located in the R-5 zoning district.
- The Planning Commission conducted a public hearing on the amendments listed in proposed Ordinance 608 at their regular meeting of April 21, 2025.
- City Council conducted a first read of proposed Ordinance 608 at their regular meeting of June 10, 2025.

Recommendation

Conduct a public hearing and consider a motion to adopt Ordinance 608 as presented.

Prepared by: Michael Caruso, Community Development Manager

Approved by: Gretchen Gomolka, City Manager

Reviewed by: City Attorney (Required for all agreements, ordinances, etc.)

☒ Acceptable Form and Ready to Execute

☐ Other _____

Attachments: 1. Zoning Ordinance Amendments Proposed (Redlined Version)
2. Ordinance 608 (Draft)

98-3.4

R-1

Single-Family Residential

A. INTENT

Reserved for future use

i User Note: For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

B. PRINCIPAL PERMITTED USES

1. Single-family dwellings⁽ⁱ⁾
2. **Home occupations⁽ⁱ⁾** §98-4.1
3. **Family day care homes⁽ⁱ⁾** §98-4.33
4. **State licensed residential facilities⁽ⁱ⁾** §98-4.33
5. **Accessory buildings⁽ⁱ⁾ or uses⁽ⁱ⁾ customarily incidental to any of the above permitted uses** § 985.16
6. **Two-family dwellings;**
When a parcel shares a lot line with a C2 commercially zoned property
7. **Townhomes;**
When a parcel shares a lot line with a C2 commercially zoned property

C. SPECIAL LAND USES

1. **Places of worship and accessory uses where assembly and/or non-single-family housing occurs** §98-4.2
2. **Private schools having no rooms regularly used for housing or sleeping purposes** §98-4.3
3. **Parks, playgrounds, libraries, museums and community buildings owned or operated by public agencies** §98-4.4
4. **Golf courses, except miniature courses and driving tees operated for commercial use** §98-4.5
5. **Group day care homes⁽ⁱ⁾** §98-4.34



R-1 Single-Family Residential

98-3.4

D. DEVELOPMENT STANDARDS

For townhome development standards, refer to sections 98-3.7.1 and 98-3.47, "Uptown South" regulations.

For single-family & two-family homes, see below.

Lot Size

Minimum lot area:	8,700 sq. ft.
Single family	
(In the R5 zoning district:	7,200 sq ft.)
Two family	10,000 sq. ft.
Minimum lot width:	66 ft.
(In the R5 zoning district:	60 ft.)

Lot Coverage

Maximum lot coverage:	25% 35%
(In the R5 zoning district:	50%)

Setbacks

Minimum front yard setback:	25 ft.
(In the R5 zoning district:	10 ft.)
Maximum front yard setback:	50 ft.
(In the R5 zoning district:	20 ft.)
Minimum rear yard setback:	35 ft.
(In the R5 zoning district:	20 ft.)
Minimum side yard setback:	
Single family	
One side	5 ft.
Total of two sides	16 ft.
Two family	
One side	10 ft.
Total of two sides	20 ft.

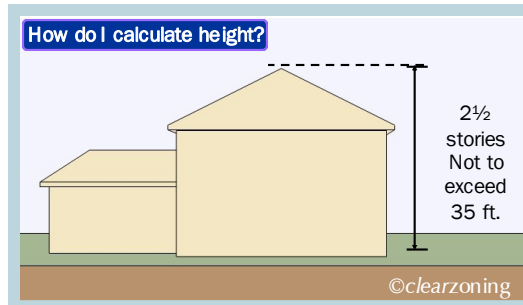
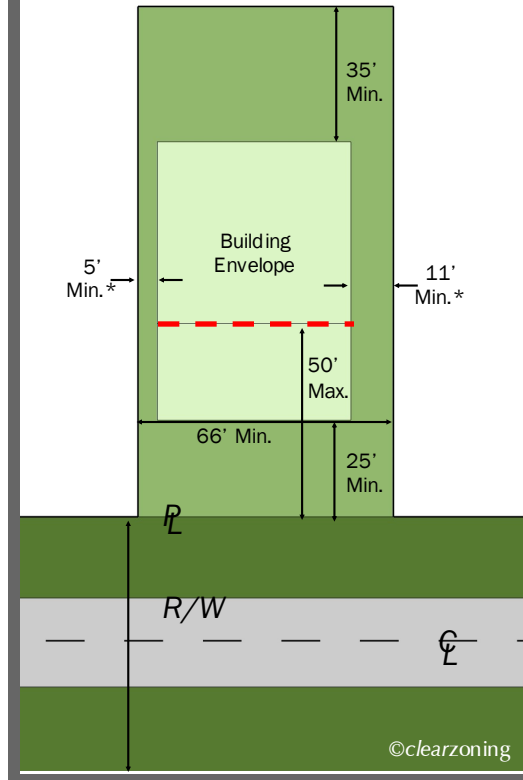
Building Height

Maximum building height:	2½ stories not to exceed 35 ft.
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Note to District Standard:

Section 98-3.32.B.1, 2, 3, 4, 7, 14, 15, 16

* Total of two sides must equal 16 feet in single-family



The above drawings are not to scale.

SELECTED REFERENCES

98-3. Zoning Districts

- **Planned Unit Development** §98-3.22

98-4. Use Standards

- **One Family Attached Dwelling Units** §98-4.36
- **Temporary or Garage Dwellings** §98-4.37
- **Public Buildings** §98-4.38
- **Domestic Employees Dwellings** §98-4.39
- **Removal of Soil, Sand...** §98-4.40
- **Disposal and Dumping...** §98-4.41

98-5. Site Standards

- **Refuse Disposal** §98-5.2
- **Stormwater Management Systems** §98-5.3
- **Exterior Lighting** §98-5.4
- **Off-Street Parking and Loading Regulations** §98-5.6
- **Landscaping Regulations** §98-5.7
- **Slope** §98-5.9
- **Front Yard Restriction** §98-5.10
- **Fences** §98-5.11
- **Principal buildings** §98-5.12
- **Open Storage of Obnoxious Matter** §98-5.13

98-5. Site Standards (Continued)

- **Public Improvements** §98-5.14
- **Regulated Wetlands and...** §98-5.15
- **Accessory Buildings and Uses** §98-5.16

98-6. Development Procedures

- **Site Plan Review** §98-6.1
- **Special Land Use Approval** §98-6.2

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



CITY OF BRIGHTON
ORDINANCE NO. 608

AN ORDINANCE OF THE CITY OF BRIGHTON, MICHIGAN; AMENDING CHAPTER 98, “ ZONING” OF THE CODE OF ORDINANCE AS FOLLOWS:

THE CITY OF BRIGHTON, LIVINGSTON COUNTY, HERBY ORDAINS:

Amend Section 98-3.4 (B) “Principal Permitted Uses” to include the following new language:

6. Two-family dwellings; When a parcel shares a lot line with a C2 commercially zoned property.
7. Townhomes; When a parcel shares a lot line with a C2 commercially zoned property.

Amend Section 98-3.4 (D) “Development Standards” to include the following new language:

For townhome development standards, refer to sections 98-3.7.1 and 98-3.47, "Uptown South" regulations.

Amend Section 98-3.4 (D) “Development Standards” by changing the lot size, lot coverage, setbacks, and building height language, to read as follows:

Lot Size

Minimum lot area:	8,700 square feet,	R5 Zoning District:	7,200 square ft.
Minimum lot width:	66 feet,	R5 Zoning District:	60 feet.

Lot Coverage

Maximum lot coverage: 35%,	R5 Zoning District:	50%.
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Setbacks

Minimum front yard setback:	25 feet,	R5 Zoning District:	10 feet.
Maximum front yard setback:	50 feet,	R5 Zoning District:	20 feet.
Minimum rear yard setback:	35 feet,	R5 Zoning District:	20 feet.

Minimum side yard setback:	One side 5 feet, total of both sides:	16 feet.
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Building Height

Maximum building height:	2½ stories not to exceed 35 feet.
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Effective Date:

This ordinance shall take effect fifteen (15) days after the enactment, and after publication as provided by law and the Charter.

YEAS: Council Member(s)_____

NAYS: Council Member(s)_____

ABSTAIN: Council Member(s)_____

ABSENT: Council Member(s)_____

As the Clerk for the City of Brighton , Livingston County, Michigan, I certify this is a true and complete copy of an ordinance adopted by the City of Brighton Council at a regular meeting held on _____, 2025.

Tara Brown, City Clerk

First Reading:

Brief Publication:

Second Reading:

Public Hearing:

Adoption:

Full Publication:



City of Brighton

REPORT FROM THE CITY MANAGER TO CITY COUNCIL

JULY 8, 2025

SUBJECT: CONDUCT A PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE 609, TO AMEND CHAPTER 22 OF THE CITY OF BRIGHTON CODE OF ORDINANCES, PEDDLERS, SOLICITORS, AND CANVASSERS

ADMINISTRATIVE SUMMARY

Currently, Chapter 22 of the Code of Ordinances includes two separate articles addressing peddlers, solicitors, and canvassers—Article VI (Peddlers) and Article VII (Solicitors and Canvassers). Staff recommends combining these into a single, cohesive ordinance to streamline the licensing and regulation of these activities within the City of Brighton.

The attached draft ordinance outlines regulations designed to promote public safety, reduce vehicle and pedestrian congestion, and ensure the safe use of streets and sidewalks. It also aims to prevent fraud, misrepresentation, and crime, while protecting the safety and privacy of residents in their homes. The ordinance establishes clear procedural requirements for peddling, soliciting, and canvassing, providing residents with greater transparency and control over interactions at their doorsteps.

City Council conducted a first read of proposed Ordinance 609 at their regular meeting of June 10, 2025, after which, concerns were raised about high school student solicitors, no soliciting signs, and the downtown district. These concerns have been addressed and are included in the updated ordinance highlighted in yellow.

RECOMMENDATION

Conduct a public hearing and consider adoption of Ordinance 609, Amendments to Chapter 22 to amend the City of Brighton code of ordinances, peddlers, solicitors, and canvassers.

Prepared by: Tara Brown, City Clerk

Reviewed by: Gretchen Gomolka, City Manager

Reviewed by: City Attorney (Required for all agreements, ordinances, etc.)

☒ Acceptable Form and Ready to Execute

☐ Other _____

Attachments: Draft ordinance amendments

CITY OF BRIGHTON
AMENDMENT TO CODE: PEDDLERS, SOLICITORS AND CANVASSERS
ORDINANCE NO. _____
DATE _____

The City of Brighton City Council ordains and adopts the following amendments to Chapter 22, Article VI, Peddlers, and Article VII, Solicitors and Canvassers, [new language underlined, deleted language ~~stricken~~]:

THE CITY OF BRIGHTON HEREBY ORDAINS:

SECTION 1: Repeal of Chapter 22 “Businesses”, Article VI “Peddlers”.

Chapter 22 “Businesses”, Article VI “Peddlers” is amended to repeal §§ 22-171 through 182. Article VI, Section 22-171 through Section 22-182 are hereby reserved.

SECTION 2: Chapter 22 Businesses, Article VII “SOLICITORS AND CANVASSERS”, Division 1 “Generally”, § 22-200 “Purpose”.

Chapter 22 Businesses, Article VII “SOLICITORS AND CANVASSERS”, Division 1 “Generally”, § 22-200 is amended to add a new section read as follows:

§ 22-200 Purpose.

The purpose of this Article is to license and regulate the movement, location, manner, and hours of operation of peddlers, solicitors and canvassers within the City. These regulations are designed to promote public safety, reduce vehicular and pedestrian traffic congestion, and ensure the safe use of streets and sidewalks. Additionally, this Article aims to protect the quiet enjoyment and peace of residents, while preserving ample opportunities for peddlers, solicitors and canvassers. Furthermore, this Article seeks to safeguard against misrepresentations, fraud, and crime, and to promote the safety and privacy of residents in their homes. The regulations herein provide procedural requirements for peddling, soliciting and canvassing, which aim to provide residents with transparency and the ability to safeguard their privacy.

SECTION 3: Amendment of Chapter 22, Businesses, Article VII, Division 1, Sections 22-201 through 22-210.

Chapter 22, “Businesses”, Article VII, Division 1, “Generally” is amended to read as follows:

§ 22-201 Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~Canvasser or solicitor means any individual, whether resident of the city or not, traveling either by foot, wagon, automobile, motor truck, or any other type of conveyance, from place to place, from house to house, or from street to street, taking or attempting to take orders for sale of goods, wares and merchandise, personal property of any nature whatsoever for future delivery, or for services to be furnished or performed in the future, whether or not such individual has, carries or exposes~~

~~for sale a sample of the subject of such sale or whether he is collecting advance payments on such sales or not, provided that such definition shall include any person who, for himself, or for another person hires, leases, uses or occupies any building, structure, tent, railroad box car, boat, hotel room, lodging house, apartment, shop or any other place within the city for the sole purpose of exhibiting samples and taking orders for future delivery.~~

“Canvasser” means any person, whether a resident of the city or not, traveling either by foot, wagon, automobile, motor truck or any other type of conveyance, from place to place, from house to house, or from street to street, within the city, for the purpose of either acquiring information or disseminating information.

“Peddler” means any person, whether a resident of the city or not, traveling either by foot, wagon, automobile, motor truck or any other type of conveyance, from place to place, from house to house, or from street to street, with in the city, carrying, conveying or transporting goods, wares, personal property or merchandise, for the purpose of offering and exposing the same for sale.

“Solicitor” means any person, whether a resident of the city or not, traveling either by foot, wagon, automobile, motor truck or any other type of conveyance, from place to place, from house to house, or from street to street, within the city:

1. For the purpose of taking or soliciting donations;
2. For the purpose of taking orders for the sale of goods, wares, merchandise or personal property of any nature for future delivery; or
3. For the purpose of providing services, or seeking employment to be performed at that time or in the future.

“Merchant” means a business licensed by the city and occupying a physical space open to the public in a non-residential district of the city.

§ 22-202 Persons excluded.

The provisions of this article shall not be construed to apply to nor regulate the following:

- 1) commercial travelers employed by wholesale houses and taking or attempting to take orders from merchants for goods, wares, and merchandise, and personal property of any nature whatsoever, to be retailed by such merchants;

~~nor to orders taken or attempted to be taken by residents of the county for charitable purposes approved by the city manager;~~

- 2) minor children participating in Halloween trick or treat activities;
- 3) minor children taking orders or selling goods for fundraising purposes to support a legitimately incorporated non-profit organization when such children are both
 - a. accompanied by a supervising adult **if under the age of fourteen;** and

- b. wearing the recognized uniform of the organization or carrying other documentations of their affiliation to such organization;
- 4) ~~nor to permanently employed~~ bonded route salesmen who solicit orders from and distribute goods to regular established customers on established routes, who are carrying proof of bond and traveling in a vehicle that prominently displays the name and telephone number of the company for which the goods, wares, personal property, or merchandise are sold; nor to persons who sell goods, wares, personal property or merchandise and who are selling such items from a stationary location with the permission of the owner or occupant of the premises.

§ 22-203 Permit and license required.

It shall be unlawful for any peddler, solicitor or canvasser to engage in such ~~business activity~~ within the city without first obtaining a permit and license therefore in compliance with the provisions of this article. A permit and license therefore is not required for such activity conducted within a downtown business district of the city.

§ 22-204 Application.

Applicants for permit and license under this article must file with the city clerk a sworn application in writing (~~in duplicate~~) on a form to be furnished by the city clerk, which shall give the following information:

- (1) Name and description of the applicant;
- (2) Permanent home address and full local address of the applicant;
- (3) A brief description, to be used by the City for verification purposes only, of the nature of the business, ~~and~~ goods to be sold, or information to be distributed or requested;
- (4) If employed, the name and address of the employer, together with credentials establishing the exact relationship;
- (5) The length of time for which the right to peddle, canvass or solicit ~~do business~~ is desired;
- (6) For solicitors, the intended recipient of a solicited donation, the place where the goods or property proposed to be sold, or orders taken for the sale thereof, are manufactured or produced, where such goods or products are located at the time such application is filed, and the proposed method of delivery;
- (7) A photograph of the applicant, taken within 60 days immediately prior to the date of the filing of the application, which picture shall be two inches by two inches showing the head and shoulders of the applicant in a clear and distinguishing manner;
- (8) The fingerprints of the applicant and the names of at least two reliable property owners residents of the county who will certify as to the applicant's good character and business respectability, or in lieu of the names of references, such other available evidence as to the good

character ~~and business responsibility~~ of the applicant as will enable an investigator to properly evaluate such character ~~and business responsibility~~;

(9) A statement as to whether or not the applicant has been convicted of any crime, ~~misdemeanor, or violation of any municipal ordinance~~, the nature of the offense and the punishment or penalty assessed therefor;

(10) The method of delivery and method of travel within the City, including make and model of vehicle to be used if any;

(11) If the applicant is an organization or entity, the above information shall be provided for every person who will peddle, solicit or canvass on behalf of the applicant.

~~(10)~~ (12) At the time of filing the application, a fee as set by resolution of the city council shall be paid to the city clerk to cover the cost of the initial investigation.

§ 22-205 Investigation and issuance.

(a) Upon receipt of an application for a license and permit required by this article, the original shall be referred to the chief of police, who shall cause such investigation of the applicant's ~~business and moral~~ character to be made as he or she deems necessary for the protection of the public good.

(b) If as a result of such investigation, the applicant's character ~~or business responsibility~~ is found to be unsatisfactory, the chief of police shall endorse on such application his disapproval and his or her reasons for the same, and return the application to the city clerk, who shall notify the applicant that his or her application is disapproved and that no permit and license will be issued. Upon disapproval of an application, the applicant shall be entitled, upon request, to a hearing before the city council. A request for a hearing must be made in writing, within five days of the disapproval of an application.

(c) If as a result of such investigation, the character ~~and business responsibility~~ of the applicant ~~are~~ is found to be satisfactory, the chief of police shall endorse on the application his or her approval, execute a permit addressed to the applicant for the carrying on of the business applied for and return such permit, along with the application to the city clerk, who shall, upon payment of the prescribed license fee, deliver to the applicant his or her permit and issue a license. Such license shall contain the signature of the city clerk and seal of the city and shall show the name, address and photograph of such licensee, the class type of license issued, the amount of fee paid, the date of issuance and the length of time the same shall be operative, as well as the license number and other identifying description of any vehicle used in such peddling, soliciting or canvassing and either the kind of goods to be sold thereunder, the information to be requested or disseminated thereunder or the person or entity for which donations are solicited, as applicable. ~~the amount of fee paid, the date of issuance and the length of time the same shall be operative, as well as the license number and other identifying description of any vehicle used in such soliciting or canvassing.~~ The clerk shall keep a permanent record of all licenses issued.

§ 22-206 Fees.

(a) The fee for a license required by this article which shall be charged by the city clerk shall be established by resolution of the city council.

(b) No fee shall be required of one selling products in compliance with the Michigan Right to Farm Act, MCL 286.471 et seq. of ~~the~~ a farm or orchard actually produced by the seller.

(c) No fee shall be required of any person who is a war veteran and who has first obtained a peddler's license pursuant to the terms and provisions of Act No. 359 of the Public Acts of Michigan of 1921 (MCL 35.441 et seq., ~~MSA 4.1241 et seq.~~), as amended, provided that the goods, wares and merchandise proposed to be sold by such person are his own.

~~(d) None of the license fees provided for by this section shall be so applied as to occasion an undue burden upon interstate commerce. In any case where a license fee is believed by a licensee or applicant for license to place an undue burden upon such commerce, he may apply to the city council for an adjustment of the fee so that it shall not be discriminatory, unreasonable, or unfair as to such commerce. Such application may be made before, at, or within six months after payment of the prescribed license fee. The applicant shall, by affidavit and supporting testimony, show his method of business and such other information as the council may deem necessary in order to determine the extent, if any of such undue burden on such commerce. The council shall then conduct an investigation, and shall make findings of fact from which it shall determine whether the fee fixed by this section is unfair, unreasonable or discriminatory as to applicant's business and shall fix as the license fee for the applicant, an amount that is fair, reasonable and nondiscriminatory, or, if the fee has already been paid, shall order a refund of the amount over and above the fee so fixed.~~

§ 22-207 Bond.

Every applicant for a solicitor's license for the purpose of taking orders for the sale of goods, wares, merchandise or personal property of any nature for future delivery who is not bonded shall obtain a license required by this Article, and provide a bond as required herein. ~~not a resident of the city, or who being a resident of the city represents a firm whose principal place of business is located outside the state,~~ Such applicant shall file with the city clerk a surety bond, running to the city in the amount of \$1,000.00 with surety acceptable to and approved by the council, conditioned that the applicant shall comply fully with all the provisions of this Code and the statutes of the state regulating and concerning the business of solicitor and guaranteeing to any citizen of the city that all money paid as a down payment will be accounted for and applied according to the representations of the solicitor and further guaranteeing to any citizen of the city doing business with such solicitor, that the property purchased will be delivered according to the representations of such solicitor. Action on such bond may be brought in the name of the city to the use or benefit of the aggrieved person.

§ 22-208 Duty of police.

It shall be the duty of any police officer of the city to require any person seen peddling, soliciting or canvassing, and who is not known by such officer to be duly licensed, to produce his or her

peddlers, solicitor's or canvasser's license and to enforce the provisions of this article against any person found to be violating the same.

§ 22-209 Records.

The chief of police shall report to the city clerk all ~~convictions for violations~~ of this article and the city clerk shall maintain a record for each license issued and record the reports of violation therein.

§ 22-210 Hours of Operation; Expiration of license.

A peddler, solicitor or canvasser with a valid permit shall not solicit between the hours of 9:00 p.m. and 9:00 a.m. All licenses issued under the provisions of this article shall expire on the date specified in the license.

~~§ 22-211 through § 22-220. (Reserved)~~

SECTION 4: Chapter 22 “Businesses”, Article VII “SOLICITORS AND CANVASSERS”, Division 1 “Generally”, § 22-211 “Endorsement by the City”.

Chapter 22 “Businesses”, Article VII “SOLICITORS AND CANVASSERS”, Division 1 “Generally”, is amended to add a new section 22-211 to read as follows:

§ 22-211 Endorsement by the City.

No peddler, solicitor or canvasser shall falsely claim or represent that their activities or speech are endorsed by the city, its departments, officers, or employees, solely on the basis of holding a license or certificate of registration issued under this Article.

SECTION 5: Chapter 22 “Businesses”, Article VII “SOLICITORS AND CANVASSERS”, Division 1 “Generally”, § 22-212 “Material Change of Information”.

Chapter 22 “Businesses”, Article VII “SOLICITORS AND CANVASSERS”, Division 1 “Generally”, is amended to add a new Section 22-212 to read as follows:

§ 22-212 Material Change of Information.

While a permit is in effect, a peddler, solicitor or canvasser shall, within one (1) business day of the change, report to the city clerk in writing any material change in any information previously provided on the application form.

SECTION 6: Chapter 22 “Businesses”, Article VII “SOLICITORS AND CANVASSERS”, Division 1 “Generally”, § 22-213 “Penalty”.

Chapter 22 “Businesses”, Article VII “SOLICITORS AND CANVASSERS”, Division 1 “Generally”, is amended to add a new Section 22-213 to read as follows:

§ 22-213 Penalty.

Unless otherwise specified, a violation of this article is a civil infraction punishable as provided in this Code. Equitable relief may also be awarded as permitted by Michigan law. Each act of

violation and every day upon which any such violation shall occur shall constitute a new and separate offense.

SECTION 7: Chapter 22 “Businesses”, Article VII “SOLICITORS AND CANVASSERS”, Division 1 “Generally”, § 22-214 “Request to Leave and Harassment”.

Chapter 22 “Businesses”, Article VII “SOLICITORS AND CANVASSERS”, Division 1 “Generally”, is amended to add a new Section 22-214 to read as follows:

§ 22-214 Request to Leave and Harassment; Adherence to No Soliciting Warning.

No peddler, solicitor or canvasser may peddle, solicit or canvass on private property that has a clearly visible and readable “No Soliciting” or similar warning posted on the property, or remain on private property after being instructed to leave by the lawful possessor of the property. Peddlers, solicitors and canvassers are prohibited from threatening or harassing any resident of the city during their activities and from engaging in any conduct that is fraudulent or could endanger the health or safety of others.

SECTION 8: Repeal of Chapter 22 “Businesses”, Article VII “SOLICITORS AND CANVASSERS”, Division 2.

Division 2 “Non-Commercial Soliciting” of Article II, “Solicitors and Canvassers” of Chapter 22 “Businesses” is hereby repealed.

SECTION 9: Division 2 Reserved; Section 22-215 through Section 22-245 Reserved.

Division 2 is hereby reserved. Sections § 22-215 through § 22-225 are hereby reserved.

SECTION 10: Heading Amended.

The heading of Article VII “Solicitors and Canvassers” of Chapter 22, “Businesses”, is hereby amended as follows:

Article VII Peddlers, Solicitors and Canvassers.”

SECTION 11. Repealer.

All ordinances that conflict with this Ordinance are repealed to the extent necessary to give this Ordinance full force and effect.

SECTION 12. Severability.

The provisions of this Ordinance are severable. If any provision of this Ordinance is found invalid for any reason, such holding will not affect the validity of the remaining provisions of this Ordinance.

SECTION 13. Effective Date.

This Ordinance shall take effect fifteen (15) days after enactment, and after publication as provided by law and the Charter.

YEAS: Council Member(s) _____

NAYS: Council Member(s) _____

ABSTAIN: Council Member(s) _____

ABSENT: Council Member(s) _____

CERTIFICATION

As the City Clerk of the City of Brighton, Livingston County, Michigan, I certify this is a true and complete copy of an ordinance adopted by the City of Brighton Council at a regular meeting held on _____, 2025.

Date: _____, 2025

City Clerk _____

Tara Brown

First Reading: _____

Brief Publication: _____

Second Reading: _____

Public Hearing: _____

Adoption: _____

Publication: _____

Effective Date: _____



City of Brighton

REPORT FROM THE CITY MANAGER TO CITY COUNCIL JULY 8, 2025

SUBJECT: CONSIDER CONDUCTING A FIRST READING OF PROPOSED ORDINANCE 610, AMENDMENTS TO CHAPTER 98, "ACCESSORY STRUCTURES" OF THE CITY OF BRIGHTON CODE OF ORDINANCES AND CONSIDER SETTING A PUBLIC HEARING DATE OF AUGUST 12, 2025.

ADMINISTRATIVE SUMMARY

Ordinance 610 proposes amendments to the regulations regarding accessory structures on all parcels in the city. Over the past few years, the Planning Commission has discussed the desire of property owners to expand their usable space, and whether the zoning ordinance may be too restrictive. During their recent Master Plan review, the Planning Commission discussed housing and what changes could be made to make a difference for current residents living here, and future residents as well. Increasing the lot coverage percentage from 25% to 35% in the R1 Single-Family Zoning District, has already been recommended by the Planning Commission, allowing residents to expand their usable space. The following are the proposed changes to the accessory structure ordinance section that can create more usable space for property owners:

- Amending the accessory structure regulations to allow attic space to be developed to include occupied floor area as a half-story.
- Increase the maximum height from 15 feet to 22 feet. This could allow an attic space to be utilized.
- Reducing the rear-yard setback in the R1 and R5 zoning districts to 10 feet, if a subject parcel is 132 feet or less in depth.
- Attic space used as an accessory dwelling unit is prohibited.

The Planning Commission conducted a public hearing on the amendments listed in proposed Ordinance 610 at their regular meeting of April 21, 2025. A motion was granted by the Commission recommending the approval of Ordinance 610 as presented.

Recommendation

Conduct a first reading of proposed Ordinance 608 and **motion to set a public hearing date for August 12, 2025.**

Prepared by: Michael Caruso, Community Development Manager

Reviewed by: City Attorney (Required for all agreements, ordinances, etc.)

☒ Acceptable Form and Ready to Execute

☐ Other _____

Approved by: Gretchen Gomolka, City Manager

Attachments: 1. Current Accessory Structure Ordinance
2. Zoning Ordinance Amendments Proposed (Redlined Version)
3. Ordinance 610 (Draft)

1. Twenty-five (25) feet from the boundary or edge of a regulated wetland.
 2. Twenty-five (25) feet from the ordinary high-water mark of a regulated watercourse.
- D. Appeals. An interested person who is aggrieved by a determination of the Planning Commission under this Section may request relief from the Zoning Board of Appeals.

98-5.16 ACCESSORY BUILDINGS OR USES

Accessory buildings or uses, including garages, may be erected subject to the requirements of the applicable district regulations, all applicable building codes, and the requirements of this Section.

A. Permit Requirements:

1. Placement of any accessory building exceeding 50 square feet on private property shall require a building permit from the City of Brighton.
2. Placement of an accessory building of 50-200 square feet on private property shall require, as a part of the permit process with the City of Brighton, a plot plan showing the proposed accessory building location.
3. Placement of an accessory building exceeding 200 square feet on private property shall require, as a part of the permit process with the City of Brighton, a boundary survey prepared by a registered and licensed land surveyor showing the proposed accessory building location.
4. One accessory building under 200 square feet shall be permitted on a parcel of private property.
5. The fee for an accessory building permit issued by the City of Brighton shall be in an amount as set by the City Council.

B. Design Criteria:

1. Attached Accessory Buildings - Accessory buildings may be attached to and made structurally a part of the principal building on private property, provided that the setbacks for the principal building are met.

2. Detached Accessory Buildings - Detached accessory buildings shall not exceed one story, nor ten feet in height to the eaves, shall not occupy more than 30 percent of the area of any rear yard, and not be closer than five feet to the side lot line and shall follow the minimum rear setbacks as required for the district, except that in the R-1 district, for lots 132 feet or less in depth, the minimum setback shall be 10 feet.
 3. In residential districts, detached accessory buildings under 200 square feet shall not be closer than five feet to the rear lot line.
- C. A detached garage or other legal accessory building or use, shall be located only in the rear yard.
- D. Private garages shall be not more than one story or 15 feet (4.5720 meters) in height and no service for profit may be conducted within the structure.
- E. In the A-1, A-2, R-1 and R-1-O districts, accessory buildings and uses are permitted when located on the same or adjoining lot and not involving any business, profession, trade or occupation. One private garage for each residential lot in which there is housed not more than three motor vehicles, not more than one of which may be a commercial vehicle, shall be considered a legal accessory use, provided, however, any such commercial vehicle shall not exceed three-quarters ton capacity.
- F. In the C1, C-2, and C-4 districts, any building used primarily for any of the permitted uses may have not more than 40 percent of the floor area devoted to industry, manufacturing or storage purposes incidental to such primary use. No more than five employees shall be engaged at any time on the premises in the use which is incidental to the primary use.
- G. In the SHD district, accessory buildings must be located on the same or adjoining lot of the permitted use.

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



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3. Placement of an accessory building exceeding 200 square feet on private property shall require, as a part of the permit process with the City of Brighton, a boundary survey prepared by a registered and licensed land surveyor showing the proposed accessory building location.
4. One accessory building under 200 square feet shall be permitted on a parcel of private property.
5. The fee for an accessory building permit issued by the City of Brighton shall be in an amount as set by the City Council.

B. Design Criteria:

1. Attached Accessory Buildings - Accessory buildings may be attached to and made structurally a part of the principal building on private property, provided that the setbacks for the principal building are met.

2. Detached Accessory Buildings - Detached accessory buildings shall not exceed one story, nor ten feet in height to the eaves; shall not occupy more than 30 percent of the area of any rear yard; **shall** not be closer than five feet to the side lot line; and shall follow the minimum rear setbacks as required for the district. ~~except that in the~~ **In the R1 and R5 districts**, for lots 132 feet or less in depth, the minimum **rear** setback shall be 10 feet.
 3. In residential districts, detached accessory buildings under 200 square feet shall not be closer than five feet to the rear lot line.
 4. **Attic space may be developed to include occupied floor area as a half story, provided all other regulations of this chapter are met. Attic space used as an accessory dwelling unit is prohibited.**
- C. A detached garage or other legal accessory building or use, shall be located only in the rear yard.
- D. Private garages shall be not more than one story or ~~15-22 feet (4.57-20 meters)~~ in height and no service for profit may be conducted within the structure.
- E. In the A-1, A-2, R-1 and R-1-O districts, accessory buildings and uses are permitted when located on the same or adjoining lot and not involving any business, profession, trade or occupation. One private garage for each residential lot in which there is housed not more than three motor vehicles, not more than one of which may be a commercial vehicle, shall be considered a legal accessory use, provided, however, any such commercial vehicle shall not exceed three-quarters ton capacity.
- F. In the C1, C-2, and C-4 districts, any building used primarily for any of the permitted uses may have not more than 40 percent of the floor area devoted to industry, manufacturing or storage purposes incidental to such primary use. No more than five employees shall be engaged at any time on the premises in the use which is incidental to the primary use.
- G. In the SHD district, accessory buildings must be located on the same or adjoining lot of the permitted use.

1
Purpose and
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Enforcement



CITY OF BRIGHTON
ORDINANCE NO. 610

AN ORDINANCE OF THE CITY OF BRIGHTON, MICHIGAN; AMENDING CHAPTER 98, “ZONING” OF THE CODE OF ORDINANCE AS FOLLOWS:

THE CITY OF BRIGHTON, LIVINGSTON COUNTY, HERBY ORDAINS:

Amend Section 98-5.16 “Accessory Buildings or Uses” by repealing subsection B (2) and replacing with the following new language:

2. Detached Accessory Buildings. Detached accessory buildings shall not exceed one story nor ten feet in height to the eaves; shall not occupy more than 30 percent of the area of any rear yard; shall not be closer than five feet to the side lot line; and shall follow the minimum rear setbacks as required for the district. In the R1 and R5 districts, for lots 132 feet or less in depth, the minimum rear setback shall be 10 feet.

Amend Section 98-5.16 “Accessory Buildings or Uses” to include the following new language to subsection B:

4. Attic space may be developed to include occupied floor area as a half story, provided all other regulations of this chapter are met. Attic space used as an accessory dwelling unit is prohibited.

Amend Section 98-5.16 “Accessory Buildings or Uses” by changing subsection D to read as follows:

- D. Private garages shall be not more than one story or 22 feet in height, and no service for profit may be conducted within the structure.

Effective Date:

This ordinance shall take effect fifteen (15) days after the enactment, and after publication as provided by law and the Charter.

YEAS: Council Member(s)_____

NAYS: Council Member(s)_____

ABSTAIN: Council Member(s)_____

ABSENT: Council Member(s)_____

As the Clerk for the City of Brighton , Livingston County, Michigan, I certify this is a true and complete copy of an ordinance adopted by the City of Brighton Council at a regular meeting held on _____, 2025.

Tara Brown, City Clerk

First Reading:

Brief Publication:

Second Reading:

Public Hearing:

Adoption:

Full Publication:

DRAFT