

**Regular Birch Run Township Planning Commission Meeting  
June 21, 2021 at 7:00 p.m.  
11935 Silver Creek Dr, Birch Run, Michigan 48415**

**Minutes**

The regular meeting was called to order by Chairman CJ Norris at 7:00 p.m. with the Pledge of Allegiance to the Flag of the United States of America.

**Members Present:**

CJ Norris, Chair; Riley Kiessling, Vice Chair; Mike Marr, Secretary; Fred Sheridan, Ed Munson, and Keith Jewel, Members; Corey Trinklein, Recording Secretary

**Members Absent:**

Motion by Marr, seconded by Sheridan to excuse Helen Morse.

PASSED: Motion carried by unanimous voice vote

**Others Present:**

Doug Piggott, Planner for Rowe Professional Services & Adam Flory, Township Attorney. Two people were in attendance at this meeting.

**Approval of Meeting Minutes May 11, 2021 Special Planning Commission Meeting Minutes:**

Motion by Marr, seconded by Kiessling to approve the May 11, 2021 Special Planning Commission Meeting Minutes

PASSED: Motion carried by unanimous voice vote

**Public Hearing:**

None Scheduled

**Old Business:**

1. Committee report on Private Roads (Postponed till further action from 8-18-20 meeting)

Motion by Marr, seconded by Sheridan to permanently remove this item from future agendas.

PASSED: Motion carried by unanimous voice vote

2. Master Plan Review (Continuation from 8-18-20 meeting) (Attachment A)

Motion by Marr, seconded by Sheridan to set a Special Meeting for July 12 at 7:00pm at the Government Room.

PASSED: Motion carried by unanimous voice vote

3. Review of proposed ordinance regulation Wedding Barns – Sent to ROWE to draft ordinance language & present at future meeting (Attachment B)

Motion by Marr, seconded by Sheridan to amend the agenda to include item 4 under Old Business - Article 5, Revocation of Special Land Use Approval.

PASSED: Motion carried by unanimous voice vote

4. Review Article 5, Revocation of Special Land Use Approval language (Attachment C)

Motion by Marr, seconded by Sheridan to set a public hearing for amendment of Article 5 to add Section 5.09, Revocation of Special Land Use Approval for July 12, 2021 at 7:00pm at the Government Room.

Yeas: Norris, Kiessling, Marr, Sheridan, Munson, Jewell

Nays: None

Planning Commission Members:  
No Planning Commission Member Comments

Members in the audience:  
Attorney Adam Flory presented information regarding Medical and Recreational Marihuana and the Regulation of Caregivers under the Michigan Medical Marihuana Act.

**Reports:**

Township Board Representative (Fred Sheridan): Fred Sheridan had no updates.

Zoning Board of Appeals (ZBA) Rep. (Mike Marr): Mike Marr had no updates.

**New Business:**

Setting Public Hearing Dates: Public Hearing was set for July 12<sup>th</sup>.

**Other:**

None

**Announcements:**

Township Board Meeting – 2nd Tuesday of each month  
Planning Commission Meeting – Quarterly (Next meeting June 29, 2021 & September 20, 2021)  
ZBA – Semi Annual - 3rd Tuesday of April and October  
DDA – Meetings are held as needed (Next meeting September 8, 2021)  
*(All meetings are held in the Governmental Center unless noted)*

**Adjournment:**

Motion by Marr, seconded by Sheridan to adjourn at 9:07 p.m.  
Motion carried by unanimous voice vote

Minutes respectfully submitted by:  
Recording Secretary Corey Trinklein

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Mike Marr  
Planning Commission Secretary

# Attachment A



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## Memorandum

**To:** Birch Run Township Planning Commission  
**From:** Doug Piggott, AICP  
**Date:** June 1, 2021  
**RE:** Master Plan Update – Status

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The long-delayed finish to the Township Master Plan is on the agenda for the next Planning Commission meeting.

The plan was last worked on in October 2019 when Corey reviewed the updates of the final chapters related to future land use and implementation. All that remained at that time was for the Planning Commission members to select the implementation items to be included in the five-year implementation plan table, approve the pre-public hearing draft, and send it on to the Township Board to authorize a public hearing. Then we had a delay as Corey and I switched as project manager for the township, and then COVID hit and we did not have any meetings for 14 months.

I am proposing the following steps to get us back on track.

1. A copy of the current draft and this memo will be sent out to everyone prior to the June Planning Commission meeting. I will review the plan at that meeting to bring everyone up to speed on its current contents and the items that need to be completed. In preparation for that meeting, I would like the Planning Commission members to review the implementation section in particular and identify from the list of implementation strategies the 5-10 items that should be priorities over the next 5 years.
2. After the June meeting, I am proposing a follow-up special meeting just for the plan in order to finish up any issues and get approval of the Planning Commission to submit the plan to the Township Board.
3. The Township Board will be asked to authorize a public hearing for the plan. Once they do so, copies of the draft plan will be sent out to all surrounding jurisdictions, Saginaw County, and the Village of Birch Run for the required 63-day review period.
4. Following the review period, the Planning Commission will hold a public hearing and can then adopt the plan. That is the last step in the process unless the Township Board assumes final authority for approval of the plan, in which case it would be forwarded to them for their approval.

If you have any questions, please contact me at (810) 869-5110.

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# Attachment B



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## MEMORANDUM

**To:** Birch Run Township Planning Commission  
**From:** Doug Piggott, AICP  
Senior Planner  
**Subject:** Zoning Ordinance Text Amendment – Wedding Barns  
**Date:** April 15, 2021

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At the last Planning Commission meeting, ROWE was asked to prepare a report on the issues related to allowing Wedding Barns in the A-1 Zoning District. This report addresses:

- What is a wedding barn?
- What are the reasons wedding barns have become popular?
- What are the concerns communities have experienced with wedding barns?
- What are some of the zoning issues to consider in allowing wedding barns?

### What is a wedding barn?

A wedding barn is a venue, normally in rural areas, available for rent by individuals for gatherings. Although the term is “wedding barn”, the site is often available for events other than weddings, such as reunions, graduation open houses, corporate parties, etc. For wedding events, it may be the site both of the wedding ceremony itself as well as the reception, or only the reception. The venue may be a reused barn or some other rural structure and often includes other elements such as a meadow, field, barnyard, riding trails, or other space for outdoor events.

### Why are Wedding Barns so Popular?

Wedding barns are popular because they can provide a unique rural setting, often capable of handling a large group of individuals. It is popular with barn owners because it provides an alternative source of income. This may be particularly attractive if the barn is old and not as functionally efficient for use as a barn as more modern structures.

### What are the concerns communities have experienced with wedding barns?

While some communities have adopted provisions to permit wedding barns in their agricultural areas, others have reviewed the issues and decided to limit wedding venues to commercial areas only or an accessory use to a church. The principal concerns are the impact on neighbors:

- Traffic
- Lighting
- Noise
- Adequacy of utilities
- Dust control and parking
- Trespass by attendees

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In addition, there are concerns of a more general nature such as fire prevention and public safety for the attendees.

What are some of the zoning issues to consider in allowing wedding barns?

When considering allowing wedding barns as a use, some of the issues that should be addressed:

**Exclusionary zoning** – The Michigan Zoning Enabling Act (MZEA) does not allow a community to prohibit a use for which there is a demonstrated need and suitable location. Supporters of wedding barns will sometimes claim that prohibiting them is exclusionary zoning, in violation of that requirement. Other communities counter that the use is a commercial operation and that wedding venues can be developed in their commercial zoning district.

**Similar uses allowed** – The Birch Run Township Zoning Ordinance currently allows for some uses of an agri-business and/or public gathering nature in the A-1 district. If these uses are allowed, is there any reason to prohibit wedding barns? In addition, a few similar uses are allowed in other zoning districts:

- Outdoor recreation including but not limited to golf courses, driving ranges and country clubs; outdoor shooting ranges; campgrounds; commercial stables; and zoos; but excluding race tracks and drive-in theaters. (A-1)
- Retreat centers. (A-1)
- Commercial stables. (A-1)
- Clubs, lodges, and similar social centered organizations. (A-1, R-1, R-2, R-3, C-1)
- Banquet halls (part of indoor commercial recreation). (C-1, I-1)

All of these uses are by Special Land Use (SLU).

**Preservation of older barns** – Some communities have promoted wedding barns as a source of revenue to permit the preservation of rural barns in their community which they feel is important to retaining their rural character. Some communities have proposed regulations limiting the use to conversion of buildings over a particular age or that can demonstrate historical or architectural significance. The downside to this approach is the fact that these older structures are often the ones most vulnerable to fire hazards.

**Where it would be allowed** – One way of addressing some of the potential impacts of a use such as these is by establishing locational criteria to ensure that a site is appropriate. Unfortunately, some of these can be contradictory. For example, some communities require access on a primary road, but might also exclude sites with a relatively large number of surrounding residences (often a characteristic of rural areas along primary roads).

**Control of impacts** – Most communities include any zoning regulations' specific provisions to address off-site and on-site impacts.

- Traffic: A traffic study may need to be required depending on the location of the entry and location of the property.
- Lighting: Some communities primary concern is the adequacy of lighting on site to ensure safety while others are concerned about the potential for light trespass on neighbors. Requiring lighting details and a photometric plan of the site can help to address this issue.
- Noise: A reasonable noise decibel level should be set and maintained.
- Hours of Operation: Reasonable hours of operation can be required.
- Utilities: Water, electricity, and sanitary are important concerns and adequacy of these utilities should be verified by the applicant.
- Dust control and parking: Most wedding barns have temporary parking if this allowed. Measures

should be put in place to protect the adjacent property owners and the property itself from dust, mud, and the creation of ruts.

**Coordination with other permitting entities** – Most rural Planning Commissions rely on local, county, or state agencies to help ensure a development is appropriately designed and operated; these include:

- Road Commission – Is a commercial driveway permit required?
- County Health Department – Is the site equipped or allowed expansion of septic and well?
- Drain Commissioner – Will the compaction of soils or increase of impervious surface area affect runoff from the property?
- Fire Department – Is there access to the site and proper accessibility to water sources (tanker trucks/fire hydrants) to assist in fighting fires?
- Building Inspector – Many of the issues with the conversion of a barn into a meeting space are related to building codes or other construction codes:
  - Michigan Building Code;
  - International Fire Code & National Fire Protection Association Code; and
  - International Mechanical & Electrical Codes.

**Next Steps** – If the Planning Commission wants to move forward with considering a text amendment to allow Wedding Barns, some things to clarify include:

- Is it by SLUP in A-1, or is it allowed in other districts?
- Is it limited to weddings and wedding receptions? Are things like reunions, birthday parties, and corporate events okay?
- Is there a minimum lot size?
- Does it need to be on a primary road? A paved road?
- Is it only for existing barns? A certain age? Could someone build a new structure?
- Is a traffic study required?
- Are there a set hours of operations including days of the week, or is that addressed by the Planning Commission during approval of the SLUP?
- Is parking required to be paved, gravel, or is grass okay?
- Are port-a-johns acceptable?
- Is the cap on attendees based on building occupancy or established by the SLUP?

We hope this information assists the Planning Commission in consideration of wedding barns in Birch Run Township.

# Attachment C

## Add to Article 5 – Special Land Uses

### Section 5.09 Revocation of Special Land Use Approval.

A Special Land Use Permit may be revoked by the Planning Commission for failure to comply with the conditions imposed in the approval of the permit, or failure to comply with the general or specific standards for approval in effect at the time the SLUP was approved. If the Planning Commission determines that a parcel with a SLUP is in violation under this section, it shall give the applicant an opportunity to correct the violation. However, repeated violations, shall also be the basis for revocation, even if the applicant subsequently addresses the violation each time. Prior to revocation of the SLUP the Planning Commission shall hold a public hearing, providing notice as required by Section 3.08 of this ordinance. The decision of the Planning Commission shall have the same rights of appeal as the original SLUP.

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