

**Special Birch Run Township Planning Commission Meeting
December 17, 2018 at 7:00 p.m.
11935 Silver Creek Dr, Birch Run, Michigan 48415**

Minutes

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

Members Present:

Steve Schaar, Vice Chair; Members Mike Marr, Fred Sheridan, Elaine Parlberg, Helen Morse, Ed Musson.

Members absent:

C. J. Norris

Motion to Excuse the Absentee from the Special Birch Run Planning Commission Meeting

Motion by Sheridan seconded by Marr to excuse C. J. Norris from the planning commission meeting

Ayes: Morse, Parlberg, Munson, Schaar, Marr, Sheridan,

Nays: none

Others Present:

Doug Piggott, Rowe Professional Services, Lee Austin (Austin & Associates), Lennie Jones II, Craig Rudnick, Don Pringle, Mark Major, Mike Braun, Lynette Braun, C Braun, Tracy Gibson, Karen Miske, Corey Trinklein, Karen Stafford, Scott Stafford. (See Attachment A)

Minutes:

Approval of the September 25, 2018 special Planning Commission Meeting Minutes

Motion by Sheridan second by Marr to approve September 25, 2018 minutes.

Motion carried by unanimous vote.

Public Meeting to Recommend Approval of PUD SITE PLAN Surrender Puri is requesting for a senior living facility located at 12575 S Beyer Rd. Parcels ID 05-10-6-28-3003-002 & 003 (See Attachment B)

- i. Applicant is proposing two units of assisted living housing per current code. Site plan is submitted with the site being on the north end of the property
- ii. Public Comment
None
- iii. Staff Comments:

Rowe Professional Services Doug Piggott reviewed the Planning Commission review letter dated 12/6/2018. (See Attachment C) Zoning Ordinance Compliance check list (See Attachment D), the special use standards for approval of site plan (See Attachment E). Unloading area have been identified and sign location has been identified and must meet sign ordinance requirements.

iv. Planning Commission Discussion and Recommendation

Fire Chief will not approve site without a turnaround added to turn his fire equipment around. His is willing to work with applicant. Also waste disposal is not resolved.

Motion by Sheridan and seconded by Marr to recommend approval to the Township Board on Phase I shown on the site plan submitted with the following conditions: Sign must conform to the sign ordinance, Planning commission waives landscaping buffering on the side and back of site, Fire equipment turn around be provided, (See Attachment F). The building inspector be provided with the resolution of the waste disposal issue in writing from the Birch Run Sewer dept and the Genesee Waste department.

Ayes: Schaar, Marr, Morse, Munson, Parlberg, Sheridan **PASSED**

Old Business:

Committee report on Private Roads (postponed until further action-06/06/14 meeting)

Doug reviewed the "Community-Goals, Objectives, and Strategies" outline and asked that we review it for the next meeting with any additions or deletions. (See Attachment G & H)

Doug brought a copy of the Taymouth Twp ordinance (Attachment I) on Accessory family housing units which was reviewed. Board was okay with the draft but would like a few addition standards added or changed. They include: roof pitch must be 4/12 or greater, change blood relative to include a broader meaning for use. (Doug will work on language). Add the requirement for a surety bond and allow for one-year extensions. (See Attachment J)

Doug delivered a draft of a Solar Energy Ordinance. He did a quick review and it was decided to move forward with a public hearing.

Motion by Sheridan seconded by Marr to schedule a public hearing date for this proposed ordinance Amendment

Ayes: Parlberg, Munson, Sheridan, Morse, Schaar, Marr **PASSED**

Doug provided an amendment to the Outdoor Entertainment Ordinance as requested by the planning commission. (See Attachment K)

Motion by Sheridan seconded by Marr to schedule a public hearing on this amendment at the next scheduled meeting.

Ayes: Munson, Parlberg, Sheridan, Morse, Sheridan, Schaar, Marr **PASSED**

Need to set a public hearing date for clarification of Table 9-4 footnote #11 (See Attachment L)

Motion by Sheridan seconded by Parlberg to set a public hearing date at the next meeting.

Ayes: Munson, Parlberg, Sheridan, Marr, Morse, Schaar **PASSED**

Open Discussion for Issues not on the Agenda:

Correspondence received:	none
Planning Commission Members:	none

Public in the audience: A number of citizens that live near the Race track wanted to inform the board that the race track was advertising a 24-hour race and that the concerts were very noisy and in general were not happy about the addition noise.

Reports:

Township Board Representative (Fred Sheridan): None

Zoning Board of Appeals (ZBA) Representative (Mike Marr): Meeting scheduled for 12/20/2018.

New Business:

Doug brought an Annual Report Template for annual planning commission reporting. Marr said he would prepare the report.

Corey Trinklein asked that notices for public hearing be given to him on the Wednesday before the Wednesday it needed to be published to give him enough time to review the notice.

Announcements:

Township Board-2nd Tuesday of each month

Planning Commission-Quarterly-January 2019

ZBA-Semi Annual-3rd Tuesday or April and October

DDA-TBA

(All meetings are held in the Governmental Center unless noted)

Adjournment:

Motion by Marr, seconded by Sheridan to adjourn.

Motion Carried by Unanimous Voice Vote

Planning Commission Meeting ended at 9:20 pm.

Mike Marr
Secretary

Attachment A

SIGN IN SHEET

PLANNING COMMISSION MEETING

December 17, 2018

1. Tommy Jones II
2. Craig Rudnick
3. Don Pringle
4. Mark Major
5. Lee Austin / Austin & Associates
6. MIKE BRAUN
7. Lynette Braun
8. Carmen Braun
9. Jacey Gibson
10. Karen Miske
11. Corey Trinklein
12. Karen Stafford
13. Scott Stafford
14. _____
15. _____
16. _____
17. _____
18. _____
19. _____

Attachment B

SITE PLAN APPLICATION

Birch Run Township
8425 Main Street
P O Box 152
Birch Run, MI. 48415
(989) 624-9773/(989) 624-1177 fax

Date Nov 15, 2018 Request# 1

Name of Applicant: Birch Run #1, LLC. (Surender Puri)

Address: 381 Orchard Lane, Highland Park, IL 60035

Phone Number: _____ Home (847) 219 - 1978 Cell _____

Developer: Name: Birch Run #1, LLC.

Address: 381 Orchard Lane, Highland Park, IL 60035

Parcel ID #: 05-10-6-28-3003-002 & 05-10-6-28-3003-003

Legal Description See Attached

Existing Zoning Classification: A-1 Agricultural (Special Use)

Proposed Zoning Classification: PUD

Current Use of Property:
Vacant Land..... Formerly known as a Golf Course

Proposed Use of Property:
Phase 1 - to consist of two(2) assisted living buildings with potential future development.

Name of property owner (s).
• Birch Run #1, LLC. Address: 381 Orchard Lane
Highland Park, IL 60035

• _____ Address: _____
Name of other firm(s), corporations, or person(s) having legal interest in this property:

1. Birch Run #1, LLC.
2. _____
3. _____

3-9-2017

Requirements for Re-zoning approvals are found in Article 7.
Attachments: Required attachments as per Birch Run Township Ordinance, Section 7.03
(Procedures)

Applicant Signature: [Signature]
Date: Nov 15 2018

I/We certify that I/We are the sole owner(s) of this above described property and
certify the aforementioned information is accurate and agree to the request for site
plan review and/or rezoning as presented.

Authorization to Access Property

I (we), the legal owners of the property described in Section II above, do hereby
grant the members of the Planning Commission and Township employees or their agents or
representative permission to access and review the site for the purpose of this appeal.

[Signature] Nov. 15 2018
Signature of Property Owner Date

Signature of Property Owner Date

Fees:

Application Fees: Administration & One (1) Planning Commission Meeting: \$750.00
Outside Consultant Escrow \$2500.00/\$5000.00 (a portion of this
charge may be refundable or additional fees may be applicable).
Please check with the Zoning Administrator on the applicable fees
for your particular project.

Zoning Ordinance Standards are available online at www.birchruntwp.com

Amount Paid: 3250/-

☐ Check # 503 + 504 ☐ Cash _____ ☐ Date _____

Planning Commission Action:

- Schedule Public Hearing Date for: _____

Signature Planning Commission Chair Person _____

Date _____

Attachment C



ROWE PROFESSIONAL
SERVICES COMPANY

Large Firm Resources. Personal Attention.

December 6, 2018

Mike Setzer
Birch Run Township
8425 Main Street
PO Box 152
Birch Run, MI 48415

RE: Senior Living Facility Development

Dear Mr. Setzer:

As requested, ROWE Professional Services Company has conducted a review of the proposed site plan. The proposed site plan is located at Section 28 of the township and is zoned PUD. The proposed development would be an assisted living facility. The site plan was prepared by the applicant and the drawings are dated November 7, 2018. Because this is a site plan associated with a PUD concept plan, final approval on site plans is provided by the township board, with the planning commission providing a recommendation only.

Planning Review

Informational Requirements

The site plan does not include a few elements required under Section 4.04.D.1 of the zoning ordinance. Some may not be applicable. The zoning ordinance does not specifically grant the planning commission the authority to waive inapplicable requirements, but it may not be reasonable to require information that is not applicable to ordinance requirements. Attached is a Site Plan Review Information Checklist noting all the missing information. Below we have noted the missing information we believe is necessary to verify compliance with the ordinance. We have noted the missing information using the numbering system in 4.04.D.1 to identify the requirement.

- e. Project description, including the location, dimensions, and height of existing and proposed structures to be erected, altered, or moved on the property; the total number of dwelling units and offices; the square feet associated with each building and use including total and usable floor area; carports and garages; configuration of proposed roads, parking areas, and lots; employees by shift; amount of recreational and open space and the type of recreation facilities to be provided, and related information as pertinent or otherwise required by this Ordinance. **It does not appear that a project description has been submitted. However, the site plan appears to be consistent with the description submitted with the PUD rezoning request.**

- g. Proposed location of free standing and wall signs, and dimensions and construction details of such signs. **It does not appear that any signs are being proposed, but they should be added to the site plan if they are being proposed.**

Need to be a condition

- p. A vicinity sketch showing the location of the site in relation to the surrounding street system, extending a minimum one (1) mile from the site, and the identification of surrounding land uses within three hundred (300) feet in every direction of the proposed use including land uses on the opposite side of any roads. **It does appear that there is a vicinity map provided but the location map is not to scale.**

Zoning Compliance

We reviewed the drawing for zoning compliance with the concept plan approved by the township as well as other zoning ordinance requirements. The following issues or questions related to compliance with ordinance requirements were identified. Comments made are noted in **bold**.

10/19/18
JMS
Sec. 16.05 Loading and Unloading Space Requirements – **It does not appear that a loading/unloading space is provided on the site plan. It is indicated in the zoning ordinance that two spaces are required. The planning commission can determine they are not necessary.**

Sec. 17.03. Landscape Plan Required – **It is indicated in the zoning ordinance that the spaces between the proposed plants is required; it does not appear that this information is indicated on the site plan.**

Sec. 17.04 Buffer Areas – **Compliance with the side and rear yard buffer is difficult to determine because this is just a portion of the overall development. The planning commission does have the authority to waive or modify these requirements.**

9/20/18
JMS
Sec. 17.06 Minimum Standards of Landscape Elements – **The site plan does not appear to show the existing trees to be labeled "To Remain"; this should be indicated on the site plan. If all existing trees on this portion of the site are to be removed, it should be noted on the plan. Trees on the site appear to have been planted during the development of the site as a golf driving range.**

Engineering Review

The following are our comments regarding the proposed storm sewer system:

1. A county drain permit will be required to discharge into the Trinklein Drain.
2. There are some pipes proposed with a diameter of less than 12 inches. ROWE does not recommend installing storm sewer pipes less than 12 inches in diameter due to the higher potential for clogging.
3. It is not clear where the proposed storm pipe outlets to the Trinklein Drain; label points to different location.
4. The storm sewer pipe run that is proposed to go under the parking area in front of the facilities is less than 3 feet. A stronger pipe class should be considered for this area.
5. Request clarification regarding the proposed detention volume calculations; do they include the ditch areas that outlet to the actual basin?

ROWE's review is for the standard engineering practices for the township's use in determination of whether to approve the storm sewer site plan. The developer and designer shall be responsible for the accuracy and validity of the information presented on the storm sewer plans. Regulatory and other governmental agencies with jurisdiction may have additional comments or requirements.

The developer and designer remain responsible for the design, construction, and any resulting impacts of the project.

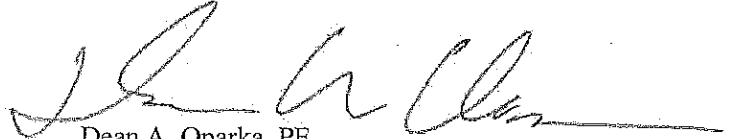
Mr. Mike Setzer
December 6, 2018
Page 3

Please feel free to contact our office at (810) 341-7500 if you have any questions concerning this review.

Sincerely,
ROWE Professional Services Company



Doug Piggott, AICP
Senior Planner



Dean A. Oparka, PE
Project Manager

Attachments: Zoning Ordinance Compliance Checklist
Site Plan Informational Checklist

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Attachment D

BIRCH RUN TOWNSHIP	
ZONING ORDINANCE COMPLIANCE CHECKLIST	
PROJECT NAME: Senior Living Facility Development	SITE PLAN DATE: 11-7-18

Proposed Use: Assisted Living			
Zoning District: PUD	Permitted Principal Land Use	P*	Special Land Use

*Permitted under the terms of the PUD rezoning approved for this property

DISTRICT DIMENSIONAL REQUIREMENTS		
	Required **	Proposed **
Minimum Lot Area	-	-
Minimum Lot Width and Frontage	-	-
Maximum Height in Feet	-	-
Minimum Floor Area Per Dwelling	-	-
Maximum Lot Coverage	-	-
Minimum Front Yard Setback	-	-
Minimum Side Yard Setback	-	-
Minimum Side Yard Setback	-	-
Minimum Rear Yard Setback	-	-

** The proposed building location and site layout are consistent with the approved PUD concept plan.

ZONING ORDINANCE COMPLIANCE CHECKLIST				
PROJECT NAME: Senior Living Facility Development			SITE PLAN DATE: 11-7-18	
Requirement	Complies	Does Not Comply	N/A	Comment
Sec. 13.02 Nonconforming Lots – In a district that allows single family dwellings a single-family dwelling and customary accessory buildings may be erected on any single lot of record even if it is nonconforming provided it meets the yard dimensions, setbacks and other requirements.			X	It does not appear that this is a non-conforming lot.
Sec. 13.03 Nonconforming Uses – Does a nonconforming use comply with the requirements of this section?			X	This does not appear to be a non-conforming use.
Sec. 13.04 Nonconforming Structure – Does a nonconforming structure comply with the requirements of this section?			X	This does not appear to be a non-conforming structure.

PARKING REQUIREMENTS				
Requirement	Complies	Does Not Comply	N/A	Comment
Sec. 16.02 Off Street Parking General Requirements – Does the proposed site plan comply with the requirements for C. Use of off-street parking areas E. Location of joint use of parking areas F. Vehicles waiting to park/exit H. Barrier free parking spaces	X			It does appear that the site plan is consistent with the concept plan.
Sec. 16.03 Site Development Requirements for Off-Street Parking – Does a nonconforming use comply with the requirements for A. Marking and Designation B. Driveways C. Surface D. Drainage E. Location/Setback F. Lighting G. Parking Spaces and Maneuvering Lanes H. Service Drives and Connections to Adjacent Parking Areas J. Landscaping and Screening			X	This does not appear to be a non-conforming use.
Sec. 16.05 Loading and Unloading Space Requirements – Does a nonconforming use comply with the requirements for C. Access D. Screening E. Location		?		It does not appear that a loading/unloading spaces is provided on the site plan. The PC can determine they are not necessary.

PARKING COMPLIANCE CHECKLIST		
Use	Parking Space Requirement (per Sec. 16.04)	Parking Spaces Provided
Group Homes (Adult Foster Care)	One (1) space for every three (3) residents of the home, and one (1) additional parking space shall be provided for each employee of the largest work shift. Need to know how many employees will be on the largest work shift to determine.	46 Spaces 1 barrier free spaces
	Loading Space Requirement (per Sec. 16.05 B)	Loading Spaces Provided
5,001 to 60,000 square feet of gross floor area:	1 space, plus 1 space per each 20,000 sq. ft. 29,226 sq. ft. 2 spaces required if determined necessary during site plan review.	N/A

ZONING ORDINANCE COMPLIANCE CHECKLIST

PROJECT NAME: Senior Living Facility Development

SITE PLAN DATE: 11-7-18

Requirement	Complies	Does Not Comply	N/A	Comment
Sec. 17.03 Landscape Plan Required – Does the landscape plan meet the requirements of this section?	?			It does not appear that the plant spacing that is being proposed is shown.
Sec. 17.04 Buffer Areas – Do required buffer areas meet the requirements of this section?	?			Located on Sheet L1, the front yard buffer appears to be complied with. Compliance with the rear side yard buffer is difficult to be determined and should be reviewed by the PC.
Sec. 17.05 Parking Lot Landscaping and Screening – Do proposed parking lots meet the requirements of this section?	X			Located on Sheet L1.
Sec. 17.06 Minimum Standards of Landscape Elements – Does proposed landscaping meet the requirements of this section?	?			It does not appear to be shown if there are any existing trees and, if they are, they should be labeled "To Remain". Trees on the site appear to have been planted during the development of the site as a golf driving range.
Sec. 17.08 Fencing and Walls Construction– Do proposed fences and wall meet the requirements of this section?			X	It does not appear that a fence or wall is being proposed.
Sec. 18.02 Natural Resources – Does a nonconforming use comply with the requirements for A. Compliance with Local, County, State, and Federal Regulations B. Discharges C. Sensitive Lands D. Clearing, Grading, and Drainage			X	It does not appear that this is a non-conforming use.
Sec. 18.03 Potable Water and Sewage Disposal – Are all building provided with a potable water supply and waste water disposal system that ensures a safe and effective means of collection, treatment, and disposal of generated wastes?	X			Located on Sheet C10.
Sec. 18.04 Lighting – Does proposed lighting meet the requirements of this section?	X			Located on Sheet C12.
Sec. 18.05 Vibration – Is there a characteristic of the proposed use that would indicate that the use may violate the requirements of this section?			X	It does not appear that this will be an issue.
Sec. 18.06 Glare and Heat – Is there a characteristic of the proposed use that would indicate that the use may violate the requirements of this section?			X	It does not appear that this will be an issue.

ZONING ORDINANCE COMPLIANCE CHECKLIST

PROJECT NAME: Senior Living Facility Development

SITE PLAN DATE: 11-7-18

Requirement	Complies	Does Not Comply	N/A	Comment
Sec. 19.02 Lots to Have Access – Do parcels created have frontage on a public road, or private road constructed and approved according to this Ordinance, and take their access from such frontage so as to provide safe, convenient access for fire protection, other emergency vehicles, and any required off-street parking?	X			Located on Sheet C4.
Sec. 19.03 Driveways – Do proposed driveway comply with the requirements of this section?	X			It does appear that the site plan is similar to the concept plan.
Sec. 19.04 Clear Vision Zone – Do all intersection of roads or intersections of roads and driveways comply with the requirements of this section?	X			Located on Sheet C4.
Sec. 19.05 Private Roads – Do any proposed private roads comply with the requirements of this section?			X	It does not appear that any private roads are being proposed in the site plan or the concept plan.
Sec. 19.06 Shared Driveways – Do any proposed shared driveways comply with the requirements of this section?			X	It does not appear that any shared driveways are being proposed in the site plan or the concept plan.
Sec. 20.04 Permitted Yard Encroachments for Principal Buildings – Do any proposed yard encroachments qualify for exceptions under the provisions of this section?			X	This does not appear to be applicable to the site plan.
Sec. 20.07 One Single-Family Dwelling to a Lot – Are proposed residential lots in compliance with this requirement?			X	This does not appear to be applicable to the site plan.
Sec. 20.09 Exception to Frontage Requirements – Do any proposed frontage exceptions qualify under the provisions of this section?			X	This does not appear to be applicable to the site plan.
Sec. 20.10 Height Requirement Exceptions – Do any proposed height exceptions qualify under the provisions of this section?			X	This does not appear to be applicable to the site plan.
Sec. 20.12 Fences for Residences – Do any proposed condominiums comply with the requirements of this section?			X	This does not appear to be applicable to the site plan.
Sec. 20.14 Condominium Subdivisions – Do proposed condominiums comply with the requirements of this section?			X	This does not appear to be applicable to the site plan.
Sec. 20.16 Outdoor Storage – Does proposed outdoor storage comply with the requirements of this section?			X	This does not appear to be applicable to the site plan.
Sec. 20.20 Accessory Uses, Buildings, and Structures – Do any proposed accessory uses, buildings or structures comply with the requirements of this section?			X	This does not appear to be applicable to the site plan.

ZONING ORDINANCE COMPLIANCE CHECKLIST				
PROJECT NAME: Senior Living Facility Development			SITE PLAN DATE: 11-7-18	
Requirement	Complies	Does Not Comply	N/A	Comment
Sec. 20.21 Removal of Soil and Gravel – Does any proposed removal of soil, sand, gravel, or minerals for use elsewhere on the parcel or a different parcel, not otherwise associated with the erection of a structure comply with the requirements of this section?			X	This does not appear to be applicable to the site plan.
Sec. 20.22 Off-Premises Advertising Signs / Billboards – Do any proposed off-premises advertising signs comply with the requirements of this?			X	This does not appear to be applicable to the site plan.
Sec. 20.23 Display of Sexually Oriented Material – Does any operation that involves the display of sexually oriented material comply with the requirements of this?			X	This does not appear to be applicable to the site plan.

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Attachment E

BIRCH RUN TOWNSHIP SITE PLAN REVIEW CHECKLIST			
PROJECT: Senior Living Facility Development		SITE PLAN DATE: 11-7-18	
Site Plan Informational Requirements Section 4.04.D.1	Provided	Not Provided	Note
a. Name, address and telephone number of the applicant (and owner if different) and project designer	X		Located on Sheet 1.
b. A survey showing property dimensions and legal description, including angles, lot area and dimensions, and an arrow pointing north.	X		Located on all sheets.
c. Existing natural features such as woodlands, streams, flood plains, county drains, lakes or ponds, and topography (at two-foot intervals on-site and within one hundred fifty (150) feet of the site)	X		Located on Sheets 3 and 4.
d. Existing public right-of-way, private easements of record, and deed restrictions, and existing improvements on the site including but not limited to roads, driveways, structures, and buildings.	X		Located on Sheet 4.
e. Project description, including the location, dimensions, and height of existing and proposed structures to be erected, altered, or moved on the property; the total number of dwelling units and offices; the square feet associated with each building and use including total and usable floor area; carports and garages; configuration of proposed roads, parking areas, and lots; employees by shift; amount of recreational and open space and the type of recreation facilities to be provided, and related information as pertinent or otherwise required by this Ordinance.	?		It does not appear that a project description has been submitted. However, the site plan appears to be consistent with the description submitted with the PUD rezoning request.
f. Proposed location and dimensions of accessory structures, including trash receptacles.		X	It does not appear that any accessory structures or trash receptacles are being proposed at this time.
g. Proposed location of free standing and wall signs, and dimensions and construction details of such signs.	?		It does not appear that any signs are being proposed.
h. A landscaping plan indicating the locations of plant materials to be preserved and locations of proposed planting and screening, fencing, and lighting in compliance with the requirements of Article 17, Landscaping and Screening. Also, proposed locations of common open spaces, if applicable.	X		Located on Sheet L1.

<p align="center">BIRCH RUN TOWNSHIP</p> <p align="center">SITE PLAN REVIEW CHECKLIST</p>			
<p>PROJECT: Senior Living Facility Development</p>		<p>SITE PLAN DATE: 11-7-18</p>	
<p>Site Plan Informational Requirements</p> <p>Section 4.04.D.1</p>	<p>Provided</p>	<p>Not Provided</p>	<p>Note</p>
<p>i. Final construction plans that ensure proper construction of roads and alleys including plan/profiles, cross-sections, acceleration, deceleration or right turn lanes, driveways, parking spaces, sidewalks, with indication of direction of travel, and the inside radii of all curves including driveway curb returns. The width of streets, driveways and sidewalks, the total number of parking spaces, and dimensions of a typical individual parking space and associated aisles shall be identified. Proposed traffic control measures (including signs) and proposed street or road names shall also be indicated.</p>	<p>X</p>		<p>Located on Sheet C4.</p>
<p>j. Final construction plans that ensure proper construction of facilities designed to manage storm water including location of any retention and/or detention areas and points of discharge for all drains, and engineering specifications including dimensions and elevations of all pipes and drains. The point of discharge for all drains and pipes shall be specified on the site plan.</p>	<p>X</p>		<p>Located on Sheet C4.</p>
<p>k. Final construction plans that ensure proper construction of facilities designed to provide, collect, store, dispose of, and/or transport potable water, waste water and sewage, including but not necessarily limited to the locations, specifications and elevations of pipes, drains, sumps, holding tanks, and easements that exist or are proposed to be established for installation, repair and maintenance of such utilities.</p>	<p>X</p>		<p>Located on Sheet C4.</p>
<p>l. Final construction plans that ensure proper location of other utilities not otherwise addressed in (j) and (k) above, and any easements that exist or are proposed to be established for installation, repair and maintenance of utilities.</p>	<p>X</p>		<p>Located on Sheets C4 and C10.</p>
<p>m. Location and specifications for any existing or proposed above or below ground storage facilities for any chemicals, salts, flammable materials, or hazardous materials as well as any containment structures or clear zones required by government authorities.</p>		<p>X</p>	<p>It does not appear that this is applicable to the site plan.</p>
<p>n. A statement from the applicant identifying all federal, state, county, and local permits required, if any.</p>	<p>X</p>		<p>Located on Sheet 2.</p>
<p>o. Elevation drawings of all buildings and structures</p>	<p>X</p>		<p>Located on Sheet A-4.</p>

<p align="center">BIRCH RUN TOWNSHIP SITE PLAN REVIEW CHECKLIST</p>			
PROJECT: Senior Living Facility Development		SITE PLAN DATE: 11-7-18	
Site Plan Informational Requirements Section 4.04.D.1	Provided	Not Provided	Note
p. A vicinity sketch showing the location of the site in relation to the surrounding street system, extending a minimum one (1) mile from the site, and the identification of surrounding land uses within three hundred (300) feet in every direction of the proposed use including land uses on the opposite side of any roads.	?		Vicinity map is located on Sheet 1 but it is not to scale.
q. Such other information as may be necessary to enable the Planning Commission to determine whether the proposed site plan will conform to the provisions of this Ordinance.	?		To be determined by the Planning Commission.

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Attachment F

TO: Mike Setzer

REF: Birch Run Senior Living Facility

The Birch Run Township Fire department is requesting a turnaround or cul-de-sac for fire apparatus at both the south and north drives where the road dead ends.

Chief David Matzke
Birch Run Fire Department

Community- Goals, Objectives, and Strategies

Key-, ROWE Suggestions

Page 1 of 5

Community Goals, Objectives, and Strategies

Key: ROWE Suggestions

<p>Birch Run Township has an ample supply of competitively located and appropriately sized industrial sites. (cont.)</p>	<p>Ensure that development occurs in such a way that undue environmental harm does not result. Duplicate of item in land use related to nuisances.</p>	
	<p>Ensure an adequate range of uses within the Industrial (I-1) district.</p>	<p>Review the list of permitted and special land uses allowed in the Industrial (I-1) zoning district.</p>
	<p>Encourage the number of industrial uses, new businesses, and expansion of existing businesses.</p>	<p>Develop a marketing plan for available industrial properties.</p>
		<p>Coordinate job creation and expansion with county, regional, state agencies and programs.</p>
<p>Commercial Development</p>	<p>Objectives</p>	<p>Strategies</p>
	<p>Discourage strip commercial development. Duplicate of below.</p>	
	<p>Encourage commercial development in compact clusters/planned centers and discourage strip commercial development.</p>	<p>Evaluate areas proposed for future commercial development to determine their adequacy for more commercial development.</p>
		<p>Review the number of zoning districts that allow compact cluster/planned centers.</p>
<p>Birch Run Township has clearly defined nodes of commercial activity, appropriately distributed and scaled to serve state/regional, community and neighborhood needs.</p>	<p>Ensure new commercial development is designed to give the same consideration to the needs of pedestrians, bicyclists and bus riders as to the needs of motorists and trucks.</p>	<p>Encourage internal sidewalks and pedestrian traffic between commercial developments.</p>
	<p>Encourage local retail businesses and services in locations that primarily serve local residents.</p>	
	<p>Focus economic development efforts on retaining existing businesses.</p>	<p>Coordinate with Saginaw County Chamber of Commerce, Birch Run Chamber of Commerce, Birch Run Township DDA, and Village of Birch Run DDA to help advertise existing businesses in the area.</p>
		<p>The township and township DDA work to implement the township's DDA Development and TIF Plan.</p>
<p>Residential Development/Neighborhoods</p>	<p>Objectives</p>	<p>Strategies</p>
	<p>Encourage a variety of housing choices in neighborhoods through a balance of preservation, rehabilitation and new construction of both affordable, middle income and upper end housing.</p>	<p>Amend the zoning ordinance to include "missing middle" housing types such as four-plex, tri-plex, duplexes etc.</p>
	<p>Strengthen the livability of existing neighborhoods through improved safety, upkeep, reinvestment and community involvement.</p>	<p>Review zoning ordinance procedures on historical home improvements or other additions.</p>
		<p>Zone land to offer a variety of density and housing types to optimize dwelling choices. (Moved from Objectives)</p>
<p>Birch Run Township provides a range of housing choices in safe and attractive environments to accommodate a variety of lifestyles.</p>		<p>Ensure the design of new neighborhoods has a street system that is fully integrated with the existing public street system. (Moved from Objectives)</p>
		<p>Modify zoning regulations to encourage use of conservation zoning and/or similar cluster zoning options.</p>
		<p>Review Capital Improvement Plan (CIP) to review the development and replacement of sidewalks and roads.</p>
		<p>Ensure the design of new neighborhoods has a street system that is fully integrated with the existing public street system. (Moved from Objectives)</p>

Key-, ROWE Suggestions

Page 3 of 5

Key-, ROWE Suggestions

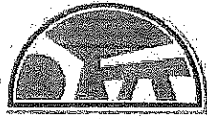
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Community- Goals, Objectives, and Strategies

Key - ROWE Suggestions

	Explore the feasibility of a fire Department with round-the-clock personnel and a full-time fire chief fire marshal/inspector. (Moved to Strategies)		
	Encourage the creation of an urgent care clinic. Addressed		
Visual Character			
Goals	Objectives	Strategies	
	Promote a high standard of building, landscape and other property maintenance across the entire Township.	Maintain a consistent enforcement program for building and zoning enforcement. (Moved from Objectives)	
		Evaluate the adoption of housing, rental, and/or property maintenance codes. (Moved from Objectives)	
		Encourage property owners and businesses to make improvements consistent with adopted design guidelines. Key guidelines should be incorporated into regulations to ensure conformance. (Moved from Objectives)	
	Ensure that all publicly-financed infrastructure repairs are of high quality.	Review the procedure for accepting bids for improvement projects.	
		Encourage developers to bury all overhead utility wires. (Moved from infrastructure objectives)	
		Explore the use of "placemaking" to create a unique environment.	
	Birch Run Township is a beautiful and well maintained community.	Review zoning ordinance to have design standards for the different zoning districts or types of development.	
		Adopt uniform sign regulations that restrict the size, number and placement of new signs and billboards in the Township. (Moved from Objectives)	
Citizen Attitudes/ Opportunities	Objectives	Strategies	
Goals			
	Birch Run Township should assist in fostering civic activities and promoting public relations.	Civic and special interest groups, the Village and Township and School District all cooperate in community projects such as the 4th of July parade. (Moved from Objectives)	
		A Civic Events Council is created to manage community wide events, to encourage civic participation and to liaison between the needs of residents and local government. (Moved from Objectives)	
	Encourage active participation of all citizens. Duplicate		
	Promote transparent government practices.	Continue to post minutes, agenda, and important township documents on the website.	
		Explore the use of social media platforms to communicate to residents.	

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Attachment H
**ROWE PROFESSIONAL
SERVICES COMPANY**

Large Firm Resources. Personal Attention.™

MEMORANDUM

To: Birch Run Township Planning Commission
From: Doug Piggott, AICP
Senior Planner
Subject: Items for the December Planning Commission Meeting
Date: December 6, 2018

In preparation for the December 17th Planning Commission meeting, this memo is intended to summarize the issues that will be discussed and the content attached.

1. Master Plan – The original intent of setting the December Planning Commission meeting was to restart the Master Plan update process. Several months ago, we provided an analysis of the previous plan's goals and objectives with some suggested changes and additions of potential strategies for the Planning Commission to consider. These serve as the framework of the plan and should be reviewed and approved by the Planning Commission before we move forward with any changes to the Future Land Use and Implementation elements of the plan. However, given the number of additional items that now appear to be on the agenda, we may need to move this to a January meeting. A copy of the goals and objectives analysis is attached.
2. Draft Zoning Ordinance Amendments – At the September meeting, the Planning Commission discussed four separate amendments to the zoning ordinance. The commission members wanted additional review of each before setting a public hearing on them. Below is a discussion of each amendment and their current status.
 - (a) Accessory Housing – This was referred to previously as "Aging Relative Structures" but, as we have discussed it, the use can be for disabled as well as elderly relatives. At the June Planning Commission, we were asked to review the Taymouth Township regulations regarding this use and provided a copy and analysis of the Taymouth regulations. We did so at the September meeting, but since then we have discovered that Taymouth Township had developed new provisions for accessory housing as part of their Zoning Ordinance update project. Those provisions and an analysis of them are attached.
 - (b) Solar Energy – We prepared a draft of a set of amendments to the Zoning Ordinance to address solar energy as an accessory use and solar farm projects. Because the draft was provided to the Planning Commission members at the meeting rather than provided in advance and, as a result, the members had no opportunity to review them, we asked that the Planning Commission members take the text home and review it for discussion at the next meeting. A copy of the draft handed out in September is attached for your convenience.

- (c) Outdoor Entertainment – At the August Planning Commission meeting, there was discussion regarding the relationship between an Outdoor Entertainment and Events special land use and the Temporary Non-Residential Uses and Structures Permit allowed to be issued per Section 20.18 of the Zoning Ordinance. It was the Planning Commission's opinion that consideration should be given to prohibiting property granted an Outdoor Entertainment and Events special land use from also being eligible for a Temporary Non-Residential Uses and Structures Permit. We prepared a draft amendment and presented it to the Planning Commission at the September meeting. The Planning Commission was going to review the proposed amendment at their next meeting. A copy of the draft handed out in September is attached for your convenience.
 - (d) Footnotes of Table 9-4 – We drafted and presented proposed amendment language to footnote 11 of Table 9-4 of the Zoning Ordinance to address a perceived typo in the footnote that applied provisions in 11.a. and 11.b. to the A-1 and R-1 districts but not to the R-2 district. The Planning Commission authorized a public hearing on the amendments at the December 17th meeting. However, we then realized that the amendment may also need to refer to the R-3 zoning district based on the way the footnote appears in the table.
- 3. Annual Report – We noted at the September Planning Commission meeting that the commission is required under the Michigan Planning Enabling Act to prepare an annual report to the Township Board and reviewed a sample report. Attached is a draft report for the Planning Commission to review.
 - 4. PUD Site Plan Approval – As a follow-up to the mixed-use PUD request reviewed by the Planning Commission and approved by the Township Board earlier this year, the property owner has applied for site plan approval of Phase I of the project. Attached is our zoning and engineering review of the site plan including applicable checklists.
 - 5. Hetzer Special Land Use Request – Earlier this year, the township received an SLU application for a drug rehabilitation facility in the township. The application was sent back to the applicant due to many informational deficiencies in their proposed site plan. Although the SLU permit application will not be held until January at the earliest, we wanted to make you aware of the fact that the project is back on track for consideration.

Attachments

Attachment I

of a mobile home on construction site for use by the contractor in carrying construction on such site including for office space and storage of documents and tools.

B. Accessory family housing units.

1. Site and development requirements:

- a. Minimum 2-acre lot size.
- b. No accessory structures shall be established in association with the accessory family housing unit, including an attached or detached garage.

2. Special performance standards:

- a. Separate sale or ownership of the accessory unit from the primary dwelling on a lot or parcel is prohibited.
- b. The owner may reside in either the accessory family housing unit or the principal dwelling unit.
- c. Adequate provision for wastewater disposal, either by public sanitary sewer or expanded private on-site facilities, shall be required.
- d. Dwellings modified in conjunction with an accessory apartment shall, on sides adjacent to streets, retain the appearance of a single-family detached dwelling.
- e. All accessory family housing units shall have non-skid floors.
- f. The accessory family housing unit or shall provide adequate access for emergency vehicles.
- g. The accessory family housing unit shall meet all applicable codes and standards for a dwelling under this Ordinance, including setbacks, except that the housing unit shall contain at least 400 square feet of floor area.
- h. The Planning Commission may impose any other reasonable conditions deemed necessary to protect adjoining properties and the public welfare.
- i. A permit for an accessory family housing unit shall expire two years after its issuance. The landowner may request of the Zoning Administrator, at the time the permit is to expire, a two-year extension of the permit. The Zoning Administrator shall approve the extension unless the Zoning Administrator finds that the accessory family housing unit does not meet the requirements of this Ordinance, including its use by only blood relatives of those individuals occupying the principal dwelling unit. A mobile home accessory family housing unit shall be removed from the property within 120 days after the Special Use Permit has expired. [T-9]

C. Automobile salvage and private junkyards.

1. Site and development requirements:

Review of Draft Taymouth Township Example Temporary Accessory Housing by Special Land Use Permit 11/26/18		
Issues Discussed	Taymouth Township Provisions	Decision by Planning Commission
Compliance with building codes	Shall meet all applicable codes and standards for a dwelling under this Ordinance	Inspection by building department that there is no evidence of physical damage
Location on lot	Meet setback for residences	Behind buildings if possible
Minimum size	400 sq. ft.	Max 1,000 SF
Connection to water and sewer	Adequate provision for wastewater disposal, either by public sanitary sewer or expanded private on-site facilities, shall be required.	
Aesthetics	No accessory structures shall be established in association with the accessory family housing unit, including an attached or detached garage.	
Ensuring removal	\$3,000 performance guarantee or an amount determined by the Planning Commission	
Parking	?	
Annual review	A permit for an accessory family housing unit shall expire two years after its issuance. The landowner may request of the Zoning Administrator, at the time the permit is to expire, a two-year extension of the permit.	Annual review by ZBA show cause hereby when necessary

Attachment J

Proposed Solar Energy Amendments –Birch Run Township Zoning Ordinance August 1, 2018

ADD to Article 14 Standards and Regulations for Specific Land Uses

Section 14.21 Solar panels.

The solar panels for private use may be permitted by right as an accessory use in all zoning districts provided it complies with the following requirements, however freestanding panels exceeding the requirements outline in subsection D below will require approval of a special land use.

A. Freestanding Panels

1. Freestanding solar panels shall not be located in the front or side yard;
2. All freestanding solar panels shall be regulated as an accessory structure and shall meet all applicable accessory building requirements of the ordinance;
3. No freestanding solar panel shall be permitted to exceed a height of fifteen (15) feet;

B. Roof or Structural Mounted Panels including solar shingles

1. Shall not project more than two (2) feet above the roof line. However, the solar panel when installed shall not exceed the maximum height allowed in the Zoning District. The use of flat mount solar panels or solar shingles are preferred;
2. May be constructed on any roof surface of an existing structure.
3. Shall not be located within three (3) feet of any peak, eave or valley to maintain adequate accessibility.

C. Requirements for All Panels

1. The solar panels, solar shingles and arrays of panels shall be reviewed by the Fire Department.
2. The panel array shall be fitted with an automatic shut off or breaker switch as approved by the Fire Department to isolate the panels in case of fire.
3. The Fire Department shall keep on file the type of system that the solar panel array is a part of, either photovoltaic or thermal.
4. All panels shall have tempered, non-reflective surfaces.
5. It shall be shown that all panels are adequately secured to the surface upon which they are mounted and that the mounting structure has the capability of supporting the panels.
6. Solar energy equipment shall be repaired or replaced within three months of becoming nonfunctional.
7. Each system shall conform to applicable industry standards including those of the American National Standards Institute (ANSI).
8. Solar energy collectors and installation and uses shall comply with construction code, electrical code, and other state requirements.

D. Accessory Use Solar Panels Requiring Special Land Use Approval

1. Free standing solar panels used accessory to a non-agricultural use shall require special land use approval if they do not meet the setback or placement criteria of Section 20.20.B of this ordinance or exceed the square footage for accessory structures outlined in Section 20.20.D of this zoning ordinance.
2. Free standing solar panels used accessory to an agricultural use shall require special land use approval if they do not meet the setback or placement criteria of Section 20.20.B of this ordinance or exceed the square footage for accessory structures outlined in Section 20.20.D of this zoning ordinance, with the exception that on a parcel 4 acres or greater the maximum square footage allowed by right will be lesser of 2.9% of the lot or 6,000 square feet, including any other accessory buildings on the property.

Section 14.22 Solar Farms.

Solar farms shall be permissible in the A-1, and I-1 zoning districts subject to special use permit approval:

A. Solar Farms – Required additional Information

In addition to the information required for site plans outlined in Section 4.04 of this ordinance, applications for Solar Farms shall include the following:

1. Project Description and Rationale. Identify the type, size, rated power output, performance, safety and noise characteristics of the system including the transmission line/grid connection for the project. Identify the project construction time frame, project life, development phases (and potential future expansions) and likely markets for the generated energy.
2. Visual Impacts. Graphically demonstrate the visual impact of the project using photos or renderings of the project with consideration given to setbacks and proposed landscaping.
3. Environmental Analysis. Identify any impacts on water and air quality and supply for the area.
4. Waste. Identify any solid or hazardous waste generated by the project.
5. Lighting. Provide plans showing all lighting within the facility.
6. Transportation Plan. Provide a proposed access plan during construction and operational phases.
7. Show proposed project service road ingress and egress locations onto adjacent roadways and the layout of the facility service road system.
8. Public Safety. Identify emergency and normal shutdown procedures. Identify potential hazards to adjacent properties, public roadways and to the general public that may be created.
9. Sound Limitations. Identify noise levels at the property lines of the project when completed and operational.
10. Telecommunications Interference. Identify any electromagnetic fields and communications interference that may be generated by the project.
11. Decommissioning. Provide a Decommissioning Plan acceptable to the Planning Commission to ensure that structures and appurtenances are properly decommissioned upon the end of their operational life, inoperability or improvement abandonment.

- a. A Decommissioning Plan shall be submitted for review and approval detailing the expected duration of the project, how the improvements will be decommissioned, a Professional Engineer's estimated cost of decommissioning, the financial resources to be used to accomplish decommissioning, and the surety bond holder with which the financial resources shall be deposited.
- b. The decommissioning plan shall also include an agreement between the applicant and the Township that includes, but is not limited to the following conditions:
 - 1) The financial resources for decommissioning shall be in the form of a surety bond with a replenishment obligation and shall be deposited by a bonding agent acceptable to Birch Run Township.
 - 2) The financial resources for decommissioning shall be 125% of the estimated removal and restoration cost. The Planning Commission shall require independent verification of the adequacy of this amount from a Professional Engineer.
 - 3) The Planning Commission shall annually review the amounts deposited for removal, site restoration, and administration costs are adequate for these purposes. If the Planning Commission determines that these amounts are not adequate, the Township shall require the owner/operator to make additional deposits to increase the amount of the surety bond to cure such inadequacy.
 - 4) The Township shall have access to the surety bond funds for the expressed purpose of completing decommissioning. If decommissioning is not completed by the applicant within one (1) year of the end of project life, inoperability of the solar farm or facility abandonment. Surety bond funds may be used for administrative fees and costs associated with decommissioning.
 - 5) The Township is granted the right of entry onto the site, pursuant to reasonable notice, to effect or complete decommissioning.
 - 6) The Township is granted the right to seek injunctive relief to effect or complete decommissioning, as well as the Township's right to seek reimbursement from the applicant or applicant's successor for decommissioning costs in excess of the surety bond amount and to file a lien against any real estate owned by applicant or applicant's successor, or in which they have an interest, for the amount of the excess, and to take all steps allowed by law to enforce said lien.

B. Solar Farms – Design Requirements

The solar farms shall comply with the following requirements

1. Solar Panels. The solar panels used in a solar farm shall comply with the requirements in Section 14.21.C of this ordinance
2. Setbacks. All Photovoltaic (PV) systems and support structures associated with such facilities (excluding perimeter fencing) shall be setback a minimum of two hundred

(200) feet from any habitable structure or one hundred (100) feet from a property line, whichever is greater.

3. Lighting. No light may adversely affect adjacent parcels. All lighting must be shielded from adjoining parcels.

4. Buffering. Solar farms shall install landscaping as required by Section 17.04 of the zoning ordinance, provided the Planning Commission may require modifications to these requirements including the use of fencing or other screening and buffering techniques as determined necessary to adequately screen the solar farm from surrounding land uses.

5. Decommissioning

a. Any solar farm that is not operated or found to be inoperable due to disrepair for a continuous period of six (6) months shall be considered abandoned. If it is found that a solar farm is abandoned, the Planning Commission upon notice by the Zoning Administrator, shall provide written notice to the applicant/owner/operator of a hearing before the Planning Commission to hear evidence that the solar farm should not be decommissioned.

b. If a solar farm is repaired, a Professional Engineer (hired at the expense of the owner or operator) shall certify the solar farm's safety prior to the resumption of operation.

c. Within ninety (90) days of the hearing where the Planning Commission has determined that a solar farm is abandoned or inoperable, the owner/operator shall obtain a demolition permit to remove any solar farm.

d. Failure to obtain a demolition permit within the 90-day period provided in this subsection shall be grounds for the Township to remove the solar farm at the Owner's expense.

e. Decommissioning shall include removal of all equipment associated with the solar farm including all materials above and below ground, up to four (4) feet in depth. The site shall be restored to a condition that reflects the specific character of the site including topography, vegetation, soils, drainage, and any unique environmental features.

1) The restoration shall include: road repair and hazardous waste cleanup, if any, all re-grading, soil stabilization, and re-vegetation necessary to return the subject property to a stable condition consistent with conditions existing prior to establishment of the wind energy system.

2) The restoration process shall comply with all state, county, or local erosion control, soil stabilization and/or runoff requirements or ordinances and shall be completed within one (1) year.

3) Extensions may be granted upon request to the Planning Commission prior to that expiration of the one (1) year requirement for completed decommissioning.

f. The decommissioning plan shall also include an agreement between the applicant and the Township that includes, but is not limited to the following conditions:

1) The financial resources for decommissioning shall be in the form of a surety bond with a replenishment obligation and shall be deposited by a bonding agent acceptable to the Township.

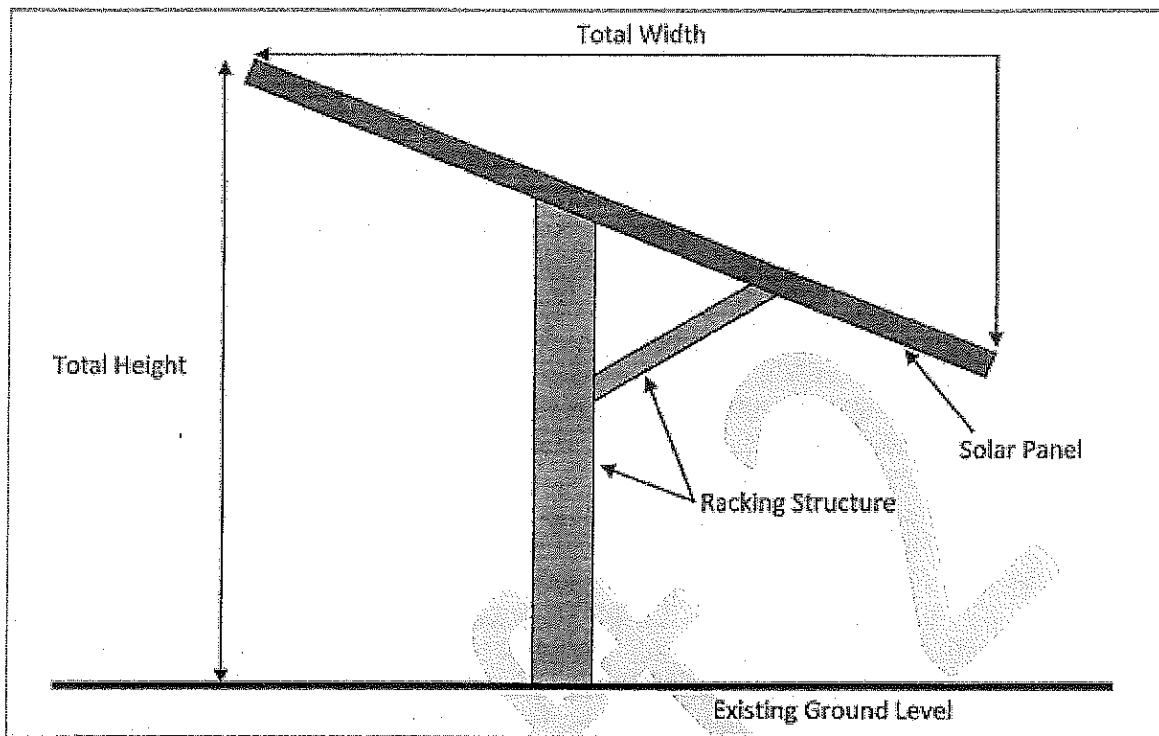
- 2) The financial resources for decommissioning shall be 125% of the estimated removal and restoration cost. The Planning Commission shall require independent verification of the adequacy of this amount from a Professional Engineer.
- 3) The Planning Commission shall annually review the amounts deposited for removal, site restoration, and administration costs are adequate for these purposes. If the Planning Commission determines that these amounts are not adequate, the Township shall require the owner/operator to make additional deposits to increase the amount of the surety bond to cure such inadequacy.
- 4) The Township shall have access to the surety bond funds for the expressed purpose of completing decommissioning. If decommissioning is not completed by the applicant within one (1) year of the end of project life, inoperability of solar farm or facility abandonment. Surety bond funds may be used for administrative fees and costs associated with decommissioning.
- 5) The Township is granted the right of entry onto the site, pursuant to reasonable notice, to effect or complete decommissioning.
- 6) The Township is granted the right to seek injunctive relief to effect or complete decommissioning, as well as the Township's right to seek reimbursement from the applicant or applicant's successor for decommissioning costs in excess of the surety bond amount and to file a lien against any real estate owned by applicant or applicant's successor, or in which they have an interest, for the amount of the excess, and to take all steps allowed by law to enforce said lien..

ADD to Article 21 Definitions

Solar panels – Structures that provide electrical power generation through the utilization of photovoltaic cells, typically building-integrated, non-mechanical semiconductor devices that convert sunlight into direct current electricity.

Solar farms – Facilities that consist of a group of solar panels used to generate electrical power for use off-site

Solar panel height– Distance from the base of the structure



ADD to Article 9 Zoning Districts, Regulations and Map

Table 9.2 PERMITTED PRINCIPAL USES in CONSERVATION and RESIDENTIAL DISTRICTS

<u>Principal Uses</u>		<u>Zoning Districts & Permitted Principal Uses</u>					
		<u>"BR" = Uses Permitted by Right</u> <u>"S" = Special Land Use</u> <u>"--" = Prohibited Use</u> <u>"A" = Specific Accessory Uses Permitted</u>					
		A-1	R-1	R-2	R-3	R-MF	R-MHC
	Other Uses Not Listed Above						
5	Solar Panels	A/S	A/S	A/S	A/S	A/S	A/S
6	Solar Farms	S	--	--	--	--	--

Table 9.3 PERMITTED PRINCIPAL USES in COMMERCIAL and INDUSTRIAL DISTRICTS

		C-1	C-2	I-1
	Other Uses Not Listed Above			
4	Solar Panels	A/S	A/S	A/S
5	Solar Farms	--	--	S

Draft

Attachment K

Add to Article 14 Definitions; Section 21.02

Outdoor Entertainment and Events: The use of property for outdoor activities of a commercial or recreational nature

Examples include: Race tracks, go cart tracks, sporting events, flea markets, auctions, car shows, live entertainment, outdoor movies

Add to Article 14 Standards and Regulations for Specific Land Uses

Section 14.21 Outdoor Entertainment and Events

A. **Additional Materials to be Submitted for Special Use Review:** In addition to the information required by this ordinance for submission of site plans and special uses, each application shall be accompanied by plans, drawings, and/or written information addressing at a minimum:

1. A description of the range of activities proposed, number of events a year, hours of operation and days of the week the activities are proposed to be undertaken
2. Emergency services necessary based on the anticipated number of participants
3. Water supply and facilities;
4. Toilet facilities;
5. Camping and trailer facilities;
6. Noise control and abatement;
7. Facilities for cleanup and waste disposal;
8. Insurance and bonding arrangements.
9. Reviews of the proposed plans by the Township Fire Chief and DDA Police Department

B. **Special Performance Standards:**

1. The Planning Commission may impose limits on the operation necessary to ensure compatibility with the surrounding land uses and to mitigate off-site impacts. Conditions may include the limit on the frequency of a particular activity and the operations hours of operation.
- ~~1. A property granted an Outdoor Entertainment and Events special land use is prohibited from receiving a Temporary Non-Residential Uses and Structures Permit per Section 20.18 of the Zoning Ordinance.~~
2. The Planning Commission's approval shall include limits on the range and frequency of activities. Any increase in the range or frequency of activities or any other condition of approval will require amendment to the Special Use approval.
3. It is the intention of this provision to require approval once, except for changes to the original approval noted in paragraph 2 above. It is not intended to require re-approval every time an activity occurs. However, the Special Use approval may be withdrawn if the applicant fails to comply with the requirements of their approval or of this ordinance.
4. In the case of proposed uses whose potential impact is unclear, the Planning Commission may as an option to amending a Special Use approval to add a use, approve the use as a one-time temporary use, using the conditions and standards in Section 20.18 Temporary Non-Residential Uses and Structures.
5. Permanent or temporary toilet facilities are required at a rate of 1 per 150 persons based on the maximum attendance permitted at any point in time during the event.

Add to Article 9 Zoning District Regulations and Map; Table 9-3 Permitted Principal Uses in Commercial and Industrial Uses

	PRINCIPAL USES	ZONING DISTRICTS & PERMITTED PRINCIPAL USES "BR" = Use Permitted by Right "S" = Special Land Use "- " = Prohibited Use		
		C-1	C-2	C-3
	Uses of a Primarily Commercial Character			
28	Outdoor Entertainment and Events	S		

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Attachment L

Draft 1

Article 9

ZONING DISTRICTS, REGULATIONS, and MAP

Footnotes for Table 9-4

11. The following additional maximum lot coverage requirements shall apply:

- a. A minimum of sixty percent (60%) of a lot used principally for residential purposes shall be maintained as open space. For the purposes of this Footnote #11, "open space" shall be defined as areas dedicated to the growth and maintenance of grasses, shrubs, trees and/or other plant material. For clarification purposes, features that shall not be considered as open space shall include, but not be limited to, wood or other decking; stone, brick, asphalt, concrete, gravel, landscape pavers, and hard surface patios and outdoor areas irrespective of the width of the gap between bricks and stones, and similar component surfaces of such areas. For clarification purposes, features that shall be considered as open space include, but are not limited to, lawns, woodlands, gardens, and planting beds including mulched beds.
- b. In the case of an authorized nonresidential use in the A-1, ~~or~~ R-1, R-2 or R-3 Districts, according to table 9-2 and 9-3 or elsewhere in this Ordinance, such as in the case of a museum or nursing home, the allowable maximum lot coverage shall be 25%.
- c. In the case of an A-1, and R-1, R-2 or R-3 lot that is nonconforming due to noncompliance with the minimum lot area standard for the district in which it is located, the allowable maximum lot coverage on such lot shall be the total of the maximum lot coverage standard specified in table 9-4 and 2,000 sq. ft. Furthermore, accessory buildings and structures shall also comply with all of the site development requirements in Table 9-4 and other regulations found in this Ordinance.