

# ELK RAPIDS TOWNSHIP

Pursuant to Public Act 267 of 1976, "Open Meeting Act." All meetings of the Planning Commission & Zoning Board of Appeals are open to the public and the public is welcome to address the Commissions on any item under its jurisdiction or on its agenda.

## REGULAR MEETING AGENDA

### ELK RAPIDS TOWNSHIP PLANNING COMMISSION

365 Bridge St., Elk Rapids, Michigan 49629

**Tuesday, September 15, 2015 6:30 PM**

**A. Call to Order**

**B. Attendance Sign-In / Sheet for Quorums**

**C. Agenda Approval for Thursday, September 15th, 2015**

**D. Public Comments**

**E. Review and Approval for PC Minutes of August 13th, 2015**

**F. Zoning Administrator's Report, to also include:**

1. Any follow up on Hayden Development Project.
2. Any notices or correspondence received for the Planning Commission.
3. Any business not brought before the Planning Commission.

**G. PUBLIC HEARING** The Elk Rapids Township Planning Commission is holding a public hearing on Tuesday September 15, 2015 at 6:30 PM at the Government Center, 315 Bridge Street, Elk Rapids, Michigan to consider the following amendments to the **Elk Rapids Township Zoning Ordinance** as follows.

**Open Public Hearing for Amendment # 2015-1**

**Section 1. Amendment of Section 1.03.** Section 1.03 is amended to include the following definitions, in alphabetical order:

**Tasting Room:** A facility where the following activities take place; (1) tasting of fresh and/or processed agricultural produce such as wine, fruit wines, and non-alcoholic fruit juices; (2) retail sales of winery products by the bottle for off-premises consumption; and (3) sales of wine by the glass for on premises consumption.

**Winery:** A state-licensed facility where agricultural fruit production is maintained, juice is processed into wine, stored in bulk, packaged, and sold at retail or wholesale to the public with or without the use of a wine tasting facility. The site and buildings are used principally for the production of wine. A winery may also include a tasting room.

**Section 2. Amendment of Section 3.03, A.** Section 3.03, A is amended to read as follows:

- A. Business Identification Signs – On premise signage that identifies a business or other commercial enterprise. A permanently fixed changeable copy sign may be used in combination as an integral part with a business identification sign.

Number Limitation:	Two (2)
Size Limitation:	Fifty (50) square feet total signage
Time Limitation:	Permanent
Zones Allowed:	C & M Zones

Winery Identification Sign – On premise signage that identifies a winery authorized in Section 6.01(O) is permitted. A permanently fixed changeable copy sign may be used in combination as an integral part of the signage provided the following standards are met.

Number Limitation:	Two (2)
Size Limitation:	Fifty (50) square feet total signage
Time Limitation:	Permanent

**Section 3. Amendment of Section 6.01.** Section 6.01 is amended to include a new subsection O, which reads as follows:

- O. Wineries, with or without a tasting room applying the following standards:
  - 1. An application for a winery shall include a site plan in accordance with this ordinance, Chapter 17, with detail on parking, sanitation, refuse and solid waste management, outdoor lighting, fencing, crowd control, on-site vehicular and pedestrian circulation, details on any public address system and equipment, signage and related existing and proposed facilities, as applicable. In addition, the application shall include a complete written description of the proposed use, the services to be provided, the maximum number of patrons anticipated on site at any time, hours of operation, activities to be conducted and any other information necessary to properly convey the nature of the facility proposed. Such written description shall be considered a part of the site plan application to be relied upon by the Township in granting any approval.

2. The winery shall comprise only a small part of the property, so that the agricultural use of the site is predominant and the winery use is secondary. The Township may approve a proposed departure from this requirement if it finds that the proposed winery and its activities are substantially farm-related or that the establishment and its activities would not have impacts on the vicinity similar to impacts generated by a commercial business, including consideration of traffic, light pollution, noise, blowing trash, signage, odor, and aesthetics.
3. A winery shall be located on a parcel of at least ten (10) acres.
4. All buildings associated with the winery shall be set back at least 100 feet from any lot line.
5. Tasting rooms and food service activities, if provided, shall at all times comply with any and all requirements of the Health Department of Northwest Michigan and the Michigan Liquor Control Commission and evidence of applicable agency review and approval shall be provided to the Township.
6. The Township may require landscaping and other features to screen the use from adjacent properties and the Township may impose limitations on the operation of the facility to protect adjacent properties from its impacts. Such limitations may pertain to hours of operation, outdoor lighting, outdoor activities, noise, and other elements.
7. The applicant shall demonstrate that all vehicular parking will occur on the site. A pervious parking surface is permitted, subject to demonstration by the applicant that dust would be controlled.
8. This section is not intended to regulate farming and associated farming related activities that are subject to the provisions of the Michigan Right to Farm Act, provided that generally accepted agricultural management practices (GAAMPs) are followed.
9. On premise signage that identifies a winery is permitted. A permanently fixed changeable copy sign may be used in combination as an integral part the signage provided the following standards are met.

Number Limitation:	Two (2)
Size Limitation:	Fifty (50) square feet total signage
Time Limitation:	Permanent

**Section 4. Severability and Captions.** This Ordinance and the various parts, sections, subsections, sentences, phrases and clauses thereof are hereby declared severable. If any part, section, subsection, sentence, phrase or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. The captions included at the beginning of each Section are for convenience only and shall not be considered a part of this Ordinance.

**Section 5. Repeal.** Any existing ordinance or resolution that is inconsistent or conflicts with this Ordinance is hereby repealed to the extent of any such conflict or inconsistency.

**Section 6. Effective Date.** This Ordinance is ordered to take effect seven (7) days following publication of adoption in *The Elk Rapids News*, a newspaper having general circulation in the Township, under the provisions of 2006 Public Act 110, except as may be extended under the provisions of such Act.

**Township Planner's Comments**

**Township Legal Staff Comments**

**Public Comments**

**Close Public Hearing**

**Planning Commission Discussion**

**H. PUBLIC HEARING –SPECIAL USE PERMIT FOR OPEN SPACE STORAGE**

**Open Public Hearing – Special Use Permit for Open Space Storage**

The Elk Rapids Township Planning Commission is holding a public hearing to consider approval of a Special Use Permit on Tuesday, September 15, 2015, 6:30 PM at the Government Center, 315 Bridge Street, Elk Rapids, Michigan. A **Special Use Permit for Open Space Storage** per Ordinance Section 11.05A. is being requested by the applicants for property (condo units currently known as #16 & #17), located at **16167 Wanigan Drive (Tax I.D. #05-06-385-016-00 and #05-06-385-017-00)**, Elk Rapids Township, Michigan 49629. Property owners: **Gordon L. & Constance J. Converse, 328 Golf View Lane, Elk Rapids, Mi. 49629.**

The Special Use being considered is for storage of vehicles, and review criteria will be per Ordinance Sections 11.05, 17.05.D, 17.06 and 19.07.F. The subject property is located on the south side Wanigan Drive adjacent to the CC Michigan tower parcel.

**Zoning Administrator's Report**

**Township Planner's Comments**

**Township Legal Staff Comments**

**Public Comments**

**Close Public Hearing**

**Planning Commission Discussion**

I. **Old Business**, to include, and any other brought forward:

a) Follow up report from Larry Nix, Township Planner - **Addendum to the Master Plan (R-3)**

J. **New Business**, any brought forward

K. **Public Comments**

L. **Member Comments**

M. **Adjournment**