

CHARTER TOWNSHIP OF ELMWOOD
Leelanau County, Michigan

Ordinance No. 2024-_____
ZO 2017-04-17

AN ORDINANCE TO AMEND THE TOWNSHIP ZONING ORDINANCE, IN ACCORDANCE WITH THE PROVISIONS OF THE MICHIGAN ZONING ENABLING ACT, ACT 110 OF THE PUBLIC ACTS OF 2006, AS AMENDED [MCL 125.3101 ET SEQ.], TO AMEND SECTION 2.2 DEFINITIONS TO ADD DEFINITIONS FOR ‘ACTIVE FARM OPERATION,’ ‘FESTIVAL,’ AND ‘SPECIAL EVENT FACILITIES;’ AMEND SECTION 5.4 TO ALLOW FOR SPECIAL EVENT FACILITIES WITHIN THE AGRICULTURAL-RURAL ZONING DISTRICT, WITH A SPECIAL USE PERMIT AND TO RENUMBER THE SUBSEQUENT USES WITHIN THE LAND USE AND ZONING DISTRICT TABLE; AMEND SECTION 9.8.H TO INCLUDE STANDARDS AND REGULATIONS SPECIFIC TO SPECIAL EVENT FACILITIES.

The Charter Township of Elmwood Ordains:

Section 1: Amendment.

Amend Article 2:

Active farm operation: Any of the following uses are occurring: (1) for crops such as fruits, vegetables, hay, corn, soybeans, wheat, etc. where the crops are grown, harvested, and historically commercially marketed; (2) for dairy farms, the cows are raised, regularly milked, and the milk has historically been commercially sold; (3) for beef cattle farms, the cows are raised, and historically either commercially sold or slaughtered, and (4) for other types of specialty farms, such as deer, elk, or pheasant farms, the animals are raised and historically been commercially harvested by private hunting or other means.

Festival: A recreational, social, educational, or cultural activity, generally open to the public or a designated part of the public.

Special event facilities: An establishment which is rented by individuals or groups to accommodate private functions, typically involving family and close friends, including, but not limited to, banquets, weddings, anniversaries, and other similar celebrations involving more than 50 people.

Add a new number 74 to Section 5.4 and renumber subsequent uses

Commercial Related Uses	A-R	R-1	R-2	R-3	MHP	MC	NC	GC	LI	SC	RR
74. Special Event Facility	SUP										
P=Zoning Administrator approval, Psp=Site Plan Review with Planning Commission approval, SUP=Special Use Permit											

Add to SECTION 9.8 ADDITIONAL REQUIREMENTS FOR CERTAIN SPECIAL LAND USES
H. **Special Event Facilities**

1. This section is intended to allow special event facilities as a part of active farm operations in the Township in order to promote the following:
 - a. Preservation of agricultural uses and the agricultural sector in the Township and in the region.
 - b. Retention of large tracts of land for land preservation and to sustain current-day and future farming opportunities.
 - c. Allow for business opportunities to make agricultural pursuits economically viable.
 - d. Protecting adjacent property owners from any potential nuisance factors related to these events.

2. All special event facilities are subject to the following requirements as applicable:
 - a. The property shall be in active farm operation as defined by this ordinance during the use of the property for special events.
 - b. The minimum lot size shall be 40 acres.
 - c. All structures and activities related to the special events, including parking, shall be located 200 feet from all property lines.
 - d. The special event facility, including structures used for the event, parking, access, and area designated for guests or space to be used for the event facility, shall not exceed 2.5% of the area used for the active farm operation of the parcel.
 - e. No guest lodging shall be permitted on site.
 - f. Parking and lighting shall meet the requirements of this ordinance. Parking, maneuvering lanes, and driveways may be gravel and shall be maintained to control dust. Parking and maneuvering lanes may be grass so long as the grass is maintained from wear.
 - g. All parking areas, dumpsters, and loading areas shall be screened from view of an abutting parcel containing a residential use by either a greenbelt, obscuring fence, or masonry wall.
 - h. Sounds shall not be heard or objectively measurable at any decibel level greater than a normal conversation on any property that is not described in the zoning permit at any time during the event.
 - i. Music or entertainment shall not be the primary purpose for the event.
 - j. The duration of the event shall not last longer than 12 hours and occur on one day. The Planning Commission may reduce the duration of the event base on the location of the property, adjoining land uses, terrain features, noise dissemination, and the avoidance of adverse impact on other lands. Hours of operation shall not exceed the following:
 - i. Sunday through Thursday: 9:00 am to 10:00 pm
 - ii. Friday, Saturday, and federal holidays: 9:00 am to 11:00 pm
 - iii. Tear down shall not occur after 8:00 pm
 - iv. All guest shall be off the site within 1 hour following the above hours of operation
 - k. The Planning Commission shall determine the maximum number of events after consideration of its location, whether this is a reasonable likelihood of an adverse impact on neighbors, traffic, access, and nearby land uses as well as the standards in Section 9.3. At no time shall the Planning Commission allow more than the following events:
 - i. Maximum of 52 events in a calendar year
 - ii. Maximum of 2 events in a week unless there is a federal holiday in the week, then up to 3 events may be held in that week. For this section of the Ordinance, a week shall be a calendar week, Sunday to Saturday.

1. A management plan meeting the following shall be provided:
 - i. General description of the facility including operational calendar.
 - ii. Specific details on where the events will be conducted (building, tent, outdoors, etc.) and number of guests permitted. Occupancy for outdoor area shall be calculated in the same manner as indoor (building or tent) space is calculated.
 - iii. Information pertaining to provisions for catering facilities, restrooms, and utilities.
 - iv. A traffic management plan approved by the Fire Department to ensure adequate ingress and egress for guests and emergency vehicles.
 - v. Contact information for onsite event manager, if different from owner.

Section 2: Severability.

If any sections, clause, or provision of this Ordinance is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the remainder of the Ordinance. The Township Board hereby declares that it would have passed this Ordinance and each part, section, subsection, phrase, sentence and clause irrespective of the fact that any one or more parts, sections, subsections, phrases, sentences or clauses be declared invalid.

Section 3: Effective Date.

This Ordinance shall become effective eight (8) days after publication.

Public Hearing: December 19, 2023

Adopted: _____

Effective: _____

