

OSHTEMO CHARTER TOWNSHIP ORDINANCE NO. ____

Adopted: _____, 2020

Effective: _____, 2020

OSHTEMO CHARTER TOWNSHIP ORDINANCE

An Ordinance to amend Oshtemo Charter Township Zoning Ordinance Article 2 Construction of Language and Definitions, Section 2.20 Definitions to add a definition of Assembly and Convention Hall; to amend Article 18 C: Local Business District, Section 18.40 Special Uses, by the addition of Paragraph A. Assembly and Convention Halls as a special use and the re-lettering of subsequent paragraphs; to amend Article 21, C-R Local Commercial District, Restricted, Section 21.40 Special Uses, by the addition of Paragraph B Assembly and Convention Halls as a special use and the re-lettering of subsequent paragraphs; to amend Article 35 9th Street and West Main Overlay Zone, Section 35.40 Special Uses, by the addition of Paragraph B.1. Assembly and Convention Halls as a special use in Commercial and the re-numbering of subsequent paragraphs; and to amend Article 49 Requirements for Special Uses by the addition of a new Section 49.40 Assembly and Convention Halls and the re-numbering of subsequent paragraphs. This Ordinance repeals all Ordinances or parts of Ordinances in conflict.

THE CHARTER TOWNSHIP OF OSHTEMO
KALAMAZOO COUNTY, MICHIGAN
ORDAINS:

SECTION I. AMENDMENT OF ZONING ORDINANCE COMPILED ARTICLE 2 CONSTRUCTION OF LANGUAGE AND DEFINITIONS, SECTION 2.20 DEFINITIONS. Article 2 Construction of Language and Definitions, Section 2.20 Definitions, is hereby amended by the addition of a definition of Assembly and Convention Hall to read as follows:

ARTICLE 2 CONSTRUCTION OF LANGUAGE AND DEFINITIONS

Section 2.20 DEFINITIONS

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Assembly and Convention Hall – A room or building for the purpose of hosting a party, banquet, wedding, or any other social or business event. Assembly and Convention Halls can also be called meeting rooms, function halls, reception halls, or banquet halls.

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SECTION II. AMENDMENT OF ZONING ORDINANCE COMPILED ARTICLE 18 C: LOCAL BUSINESS DISTRICT, SECTION 18.40 SPECIAL USES. Article 18 C: Local Business District, Section 18.40 Special Uses, is hereby amended by the addition of Paragraph A. Assembly and Convention Halls and re-lettering of subsequent paragraphs to read as follows:

ARTICLE 18 C: LOCAL BUSINESS DISTRICT

Section 18.40 SPECIAL USES

- A. **Assembly and Convention Halls**
- B. Child care centers.
- C. Funeral homes.
- D. Private clubs.
- E. Parks of ten acres or less in size, subject to the conditions and limitations set forth at Section 49.90 of this Ordinance.

- F. Nursing, convalescent, handicapped, or senior citizens' homes.
- G. Drive-in service window or drive-through services for businesses.
- H. Retail lumber yards.
- I. New and/or used car sales lots; recreational vehicle sales lots; mobile home sales lots outside of mobile home parks; farm machinery and other equipment sales lots; boat sales lots; and other businesses involving substantial outdoor sales or activities connected with retail sales.
- J. Crematories.
- K. Skating rinks, bowling alleys, indoor recreational facilities and health clubs.
- L. Filling stations, carwashes, public garages or service stations, excluding auto body and auto paint shops.
- M. Drive-in theatres.
- N. Buildings and regulator stations for essential services.
- O. Temporary outdoor events (lasting more than one day).
- P. Brewpub.
- Q. Microbrewery.
- R. Wine Tasting Room.
- S. Craft food and beverage production facility, limited to 8,000 square feet gross floor area.
- T. Communication towers.
- U. Earth removal, quarrying, gravel processing, mining, related mineral extraction businesses, and landfill gas recovery processing facilities.
- V. Private streets.
- W. Wind energy conversion systems.

SECTION III. AMENDMENT OF ZONING ORDINANCE COMPILED ARTICLE 21 C-R: LOCAL COMMERCIAL DISTRICT, RESTRICTED, SECTION 21.40 SPECIAL USES. Article 21 C-R: Local Commercial District, Restricted, Section 21.40 Special Uses, is hereby amended by the addition of Paragraph B. Assembly and Convention Halls and re-lettering of subsequent paragraphs to read as follows:

ARTICLE 21 C-R: LOCAL COMMERCIAL DISTRICT, RESTRICTED

Section 21.40 SPECIAL USES

- A. Hotels, Motels.
- B. **Assembly and Convention Halls**
- C. Conference center facilities.
- D. Universities, colleges, and/or their activities and facilities.
- E. Restaurants.
- F. Banks, credit unions, and similar financial institutions with drive-through service windows.
- G. Private Clubs.
- H. Essential services.
- I. Commercial planned unit developments.
- J. Temporary outdoor events (lasting more than one day).
- K. Brewpub.
- L. Microbrewery.
- M. Wine Tasting Room.
- N. Craft food and beverage production facility, limited to 8,000 square feet gross floor area.
- O. Communication towers.
- P. Earth removal, quarrying, gravel processing, mining, related mineral extraction businesses, and landfill gas recovery processing facilities.
- Q. Private streets.
- R. Wind energy conversion systems.

SECTION IV. AMENDMENT OF ZONING ORDINANCE COMPILED ARTICLE 35 9TH STREET AND WEST MAIN OVERLAY ZONE, SECTION 35.40 SPECIAL USES. Article 35 9th Street and West Main Overlay Zone, Section 35.40 Special Uses is hereby amended by the addition of Paragraph B. 1 and the re-numbering of subsequent paragraphs to read as follows:

ARTICLE 35 9TH STREET AND WEST MAIN OVERLAY ZONE

Section 35.40 SPECIAL USES

A. Residential

The following uses may be located within the 9th Street Residential and the West Main Street Residential section of the Overlay District subject to Special Use approval:

1. Group day care home.
2. Residential planned unit development subject to Article 41.
3. Golf courses, parks, and outdoor recreational areas.
4. Buildings and regulator stations for essential services.
5. Public and private schools.

B. Commercial

The following uses may be located within the 9th Street Commercial and the West Main Street Commercial section of the Overlay District subject to Special Use approval:

1. **Assembly and Convention Halls.**
2. Brewpub.
3. Buildings and regulator stations for essential services.
4. Child care centers.
5. Commercial planned unit developments subject to Article 41.

6. Craft food and beverage production facility.
7. Crematories.
8. Drive-in service window or drive-through service for businesses, not to include restaurants.
9. Funeral homes.
10. Golf courses, parks, and outdoor recreational areas.
11. Group day care home.
12. Hotels, motels.
13. Indoor theaters.
14. Microbrewery.
15. Nursing, convalescent, handicapped, assisted living, or senior citizens' homes.
16. Private clubs.
17. Public and private schools.
18. Skating rinks, bowling alleys, indoor recreational facilities and health clubs.
19. Temporary outdoor events.
20. Veterinary clinics.
21. Wine Tasting Room.
22. Temporary outdoor event (lasting more than one day)

SECTION V. AMENDMENT OF ZONING ORDINANCE COMPILED ARTICLE 49 REQUIREMENTS FOR SPECIAL USES – ADDITION OF SECTION 49.40 ASSEMBLY AND CONVENTION HALLS.

Article 49 Requirements for Special Uses, Section 49.40 Assembly and Convention Halls is hereby added to read as follows and the re-numbering of subsequent sections:

ARTICLE 49 REQUIREMENTS FOR SPECIAL USES

Section 49.40 ASSEMBLY AND CONVENTION HALLS

Assembly and Convention Halls

- A. Assembly and Convention Halls shall have the following maximum capacities as established by the Township building code if located in one of the following zoning districts:
 - i. 9th Street and West Main Overlay Zone: 200 people
 - ii. C, Local Business District: 750 people
- B. Assembly and Convention Halls shall allow for both indoor and outdoor event spaces. Permitted maximum capacity of the site, per item A above, shall be considered the sum of the capacities of all indoor and outdoor event spaces. Outdoor event spaces must be approved by the Planning Commission at the time of Special Use and Site Plan approval. The following additional details shall be provided with the submitted site plan for all requests for outdoor event spaces:
 - a. A letter of intent, including information on how the outdoor event space will be used, the hours of operation, description on what attempts were made to visually shield the proposed outdoor event space from the road and neighboring properties, and a breakdown of the site's maximum occupancy capacity for the indoor and outdoor event spaces.
 - b. The outdoor event space clearly delineated on the site plan.
 - c. Placement of vehicles, trailers, and all other equipment for outdoor events is shown on the plan and placed away from adjoining residentially used properties and complies with all applicable setbacks.
 - d. Restrooms provided (in building or portable facilities).

- e. Traffic lanes and additional on-site parking to service outdoor event space to be provided at the rate of 1 space for each 3 persons allowed within the maximum occupancy.
 - f. Fire lanes and emergency vehicle turning areas.
 - g. All activity takes place on subject property.
- C. The Planning Commission may impose additional conditions when found reasonable and appropriate to avoid or mitigate adverse impacts on surrounding properties.

SECTION VI. EFFECTIVE DATE AND REPEAL. All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed. This Ordinance shall take effect upon publication after adoption in accordance with State law.

DUSTY FARMER, CLERK
CHARTER TOWNSHIP