



CHEBOYGAN COUNTY PLANNING COMMISSION

870 SOUTH MAIN ST. ■ PO BOX 70 ■ CHEBOYGAN, MI 49721
PHONE: (231)627-8489 ■ FAX: (231)627-3646

**CHEBOYGAN COUNTY PLANNING COMMISSION MEETING & PUBLIC HEARING
WEDNESDAY, MARCH 2, 2016 AT 7:00 PM
ROOM 135 – COMMISSIONERS ROOM
CHEBOYGAN COUNTY BUILDING, 870 S. MAIN ST., CHEBOYGAN, MI 49721**

AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF AGENDA

APPROVAL OF MINUTES

PUBLIC HEARING AND ACTION ON REQUESTS

1. **The Case Group / Awakon Federal Credit Union** - Requests a Site Plan Review for an Office (section 6.2.15). The property is located at 6272 M-68 Hwy, Tuscarora Twp., section 24, parcel #161-024-400-575-0, and is zoned Commercial Development (D-CM).

UNFINISHED BUSINESS

1. Review of Draft PUD and Planned Project zoning ordinance amendments

NEW BUSINESS

STAFF REPORT

PLANNING COMMISSION COMMENTS

PUBLIC COMMENTS

ADJOURN

CHEBOYGAN COUNTY PLANNING COMMISSION

The Case Group / Awakon Federal Credit Union – *Updated on 02/24/16*

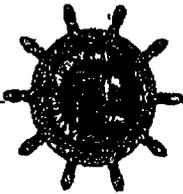
Exhibit List

1. Cheboygan County Zoning Ordinance
2. Cheboygan County Master Plan
3. Site Plan Review Application (6 Pages)
4. Site Plan (1 Page) – *Updated Site Plan On 02/24/16*
5. Topographical Survey (1 Page)
6. Exterior Materials Drawing (1 Page)
7. Site Lighting Layout (1 Page)
8. Proposed Floor Plan (1 Page)

The following items were added to the exhibit list on 02/24/16:

9. E-mail dated 02/19/16 from Dave Carpenter (Tuscarora Township Fire Chief) to Deb Tomlinson (1 Page)
- 10.
- 11.

Note: Planning Commission members have exhibits 1 and 2.



CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

870 S. MAIN ST., RM. 103 • PO BOX 70 • CHEBOYGAN, MI 49721
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PROPERTY LOCATION

Address 6272 M-68 Hwy.	City / Village Indian River	Twp / Sec. 24	Zoning District D-CM
Property Tax I.D. Number 101-024-400-575-03		Plat or Condo Name / Lot or Unit No.	

APPLICANT

Name The Case Group		Telephone 248-994-2235	Fax 866-847-1892
Address 28175 Haggerty Road	City, State & Zip Novi, MI 48377	E-Mail dmc@casegroupus.com	

OWNER (If different from applicant)

Name Awakon Federal Credit Union		Telephone 989-733-8557	Fax 989-733-6252
Address 20855 Washington Ave.	City, State & Zip Onaway, MI 49765	E-Mail spauly@awakonfcu.net	

PROPOSED WORK

<p>Type (check all that apply)</p> <table style="width: 100%;"> <tr> <td><input checked="" type="checkbox"/> New Building</td> <td><input type="checkbox"/> Reconstruction</td> </tr> <tr> <td><input type="checkbox"/> Addition</td> <td><input type="checkbox"/> Relocated Building</td> </tr> <tr> <td><input type="checkbox"/> Change in Use or Additional Use</td> <td><input type="checkbox"/> Sign, Type: _____</td> </tr> <tr> <td></td> <td><input type="checkbox"/> Other: _____</td> </tr> </table>	<input checked="" type="checkbox"/> New Building	<input type="checkbox"/> Reconstruction	<input type="checkbox"/> Addition	<input type="checkbox"/> Relocated Building	<input type="checkbox"/> Change in Use or Additional Use	<input type="checkbox"/> Sign, Type: _____		<input type="checkbox"/> Other: _____	<p>Building/Sign Information</p> <p>Overall Length: 54 feet</p> <p>Overall Width: 64 feet</p> <p>Floor Area: 3,637 sq. feet</p> <p>Overall Building Height: 26'2" feet</p> <p>Sign Area: Per Zoning sq. feet</p> <p>Sign Height Per Zoning feet</p>
<input checked="" type="checkbox"/> New Building	<input type="checkbox"/> Reconstruction								
<input type="checkbox"/> Addition	<input type="checkbox"/> Relocated Building								
<input type="checkbox"/> Change in Use or Additional Use	<input type="checkbox"/> Sign, Type: _____								
	<input type="checkbox"/> Other: _____								

PROPOSED USE (check all that apply)

<input type="checkbox"/> Single-Family Residence	<input type="checkbox"/> Expansion / Addition	<input type="checkbox"/> Office	<input type="checkbox"/> Agricultural
<input type="checkbox"/> Duplex	<input type="checkbox"/> Garage or Accessory	<input checked="" type="checkbox"/> Commercial	<input type="checkbox"/> Institutional
<input type="checkbox"/> Multi-Family, # of units ____	<input type="checkbox"/> Storage	<input type="checkbox"/> Industrial	<input type="checkbox"/> Utility
<input type="checkbox"/> Other: _____			

Has there been a Site Plan or Special Use Permit approved for this parcel before? YES NO

If YES, date of approval: _____ Approved Use: _____

Directions to site: North side of Highway M-68, just West of I-75

SITE PLAN REVIEW APPLICATION



CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

870 S. MAIN ST., RM. 103 - PO BOX 70 - CHEBOYGAN, MI 49721
PHONE: (231)627-8489 - FAX: (231)627-3646

1. Describe all anticipated activities (e.g. type of business, hours of operation, number of employees, etc). Attach additional sheets if needed.
Full functioning retail credit union branch with 3 drive-thru lanes, Mon - Fri and Sat operation, 5-8 employee's

2. Site Plan Standards.

PLEASE EXPLAIN HOW YOUR REQUEST MEETS EACH OF THE FOLLOWING STANDARDS

- a. The site plan shall be designed so that there is a limited amount of change in the overall natural contours of the site and shall minimize reshaping in favor of designing the project to respect existing features of the site in relation to topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
We propose to utilize a rain garden to minimize any adverse impact to the storm sewer system.
- b. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which result in smooth natural appearing slopes as opposed to abrupt changes in grade between the project and adjacent areas.
We propose to maintain the natural drainage course of the site.
- c. Special attention shall be given to proper site drainage so that removal of storm waters will not adversely affect neighboring properties.
A swale is proposed to be constructed between the neighboring parcel.
- d. The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein. Fences, walls, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.
The dumpster shall be screen in accordance with the zoning ordinance.
- e. All buildings or groups of buildings should be so arranged as to permit emergency vehicle access by some practical means.
Egress for emergency vehicle has been provided.
- f. Every structure or dwelling unit shall have access to a public street, walkway or other area dedicated to common use.
A pedestrian path is available in the right of way.
- g. For subdivision plats and subdivision condominiums, there shall be a pedestrian circulation system as approved by the Planning Commission.
A pedestrian path is available in the right of way.
- h. Exterior lighting shall be arranged as follows:
- It is deflected away from adjacent properties. A lighting plan has been provided.
 - It does not impede the vision of traffic along adjacent streets. A lighting plan has been provided.
 - It does not unnecessarily illuminate night skies. A lighting plan has been provided.

SITE PLAN REVIEW APPLICATION



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SITE PLAN REVIEW APPLICATION

- i. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified in the Master Plan.

The site shall be planned in accordance to all applicable zoning ordinances.

- j. Site plans shall conform to all applicable requirements of state and federal statutes and the Cheboygan County Master Plan, and approval may be conditioned on the applicant receiving necessary state and federal permits.

The site shall be planned in accordance to all applicable zoning ordinances.

- 3. Size of property in sq. ft. or acres: 1 acre
- 4. Present use of property:
Awakon FCU Loan Center
- 5. Does the proposed use of the property include or involve either:
 - Junk or salvage yard (Section 3.6) YES NO
 - Mineral extraction (Section 17.17) YES NO
 If YES, this application must include a written plan as described in the Zoning Ordinance.
- 6. Attach a copy of Warranty Deed or other proof of ownership.
- 7. Attach a copy of certified Property Survey or dimensioned property land plat.

AFFIDAVIT

The undersigned affirms that the information and plans submitted in this application are true and correct to the best of the undersigned's knowledge.

Applicant's Signature

Date

2/10/16

Does the property owner give permission for County zoning officials to enter his or her property for inspection purposes?

Yes No

Owner's Signature

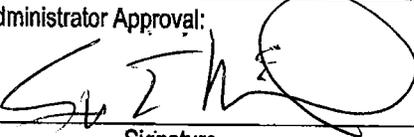
Date

2/10/16



CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

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PHONE: (231)627-8489 • FAX: (231)627-3646

FOR PLANNING/ZONING DEPT. USE ONLY		
Date Received:	2/16/16	Notes:
Fee Amount Received:	\$165.00	
Receipt Number:	#4901	
Public Hearing Date:	3/2/14	
Planning/Zoning Administrator Approval:		
 Signature		<u>2/16/16</u> Date

SITE PLAN REVIEW APPLICATION

SITE PLAN REVIEW APPLICATION

SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

ALL ITEMS LISTED BELOW MUST BE SUBMITTED IN ORDER FOR THIS APPLICATION TO BE DEEMED COMPLETE. INCOMPLETE APPLICATIONS WILL NOT BE REVIEWED OR PROCESSED. EACH SITE PLAN SHALL DEPICT THE ITEMS LISTED BELOW, EXCEPT FOR THOSE ITEMS DETERMINED DURING THE PRE-APPLICATION CONFERENCE TO NOT BE APPLICABLE.

PLACE A CHECK MARK NEXT TO EACH REQUIREMENT TO SHOW THAT THE INFORMATION HAS BEEN SUPPLIED OR THAT A WAIVER IS BEING REQUESTED. IF A WAIVER IS BEING REQUESTED PLEASE NOTE ON THE NEXT PAGE THE REASON FOR THE WAIVER. SIGN AND DATE THIS CHECKLIST WHEN ALL ITEMS HAVE BEEN COMPLETED. PLEASE SUBMIT THIS CHECKLIST WITH YOUR APPLICATION.

INFORMATION SUPPLIED	WAIVER REQUESTED	REQUIREMENT
yes		a. North arrow, scale and date of original submittal and last revision. Site plan is to be drawn at a scale of 1 inch = 100 ft. or less.
yes		b. Seal of the registered engineer; architect, landscape architect, surveyor, planner, or other site plan preparer. Location of proposed and/or existing property lines, dimensions, legal descriptions, setback lines and monument locations.
yes		c. Location of existing and proposed public roads, rights-of-way and private easements of record and abutting streets.
yes		d. Topography at maximum five foot intervals or appropriate topographic elevations to accurately represent existing and proposed grades and drainage flows.
yes		e. Location and elevations of existing water courses and water bodies, including county drains and man-made surface drainage ways, stormwater controls, flood plains, and wetlands.
yes		f. Location of existing and proposed buildings and intended uses thereof.
	yes	g. Details of entryway and sign locations should be separately depicted with an elevation view.
yes		h. Location, design, and dimensions of existing and/or proposed curbing, barrier free access, carports, parking areas (including indication of all spaces and method of surfacing), fire lanes and all lighting thereof.
N/A		i. Location, size, and characteristics of all loading and unloading areas.
yes		j. Location and design of all sidewalks, walkways, bicycle paths and areas for public use as approved by the Planning Commission.
yes		k. Location of all other utilities on the site including but not limited to wells, septic systems, stormwater controls, natural gas, electric, cable TV, telephone and steam and proposed utility easements.
yes		l. Proposed location, dimensions and details of common open spaces and common facilities such as community buildings or swimming pools if applicable.

SITE PLAN REVIEW APPLICATION

SITE PLAN REQUIREMENT CHECKLIST
(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

INFORMATION SUPPLIED	WAIVER REQUESTED	REQUIREMENT
yes		m. Location and specifications for all fences, walls, and other screening features;
yes		n. Location and specifications for all existing and proposed perimeter and internal landscaping and other buffering features.
yes		o. Exterior lighting locations with area of illumination illustrated as well as the type of fixtures and shielding to be used.
yes		p. Location, size and specifications for screening of all trash receptacles and other solid waste disposal facilities.
yes		q. Elevation drawing(s) for proposed commercial and industrial structures.
yes		r. 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
yes		s. Floor plans, when needed to determine the number of parking spaces required.

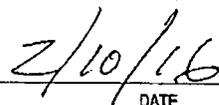
PLEASE LIST THE REQUIREMENT FOR WHICH A WAIVER IS BEING REQUESTED. ALSO PROVIDE AN EXPLANATION/REASON FOR THE WAIVER REQUEST.

<u>SECTION</u>	<u>REASON FOR WAIVER REQUEST</u>
g	Sign elevations to be provided, design will be per zoning ordinance

AFFIDAVIT
 I CERTIFY THAT ALL SITE PLAN REQUIREMENTS (A THROUGH S) ARE DRAWN ON THE SITE PLAN, ATTACHED TO THIS APPLICATION AND/OR I AM REQUESTING A WAIVER. I CERTIFY THAT ALL INFORMATION AND DATA ATTACHED TO AND MADE PART OF THIS SPECIAL LAND USE PERMIT APPLICATION ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

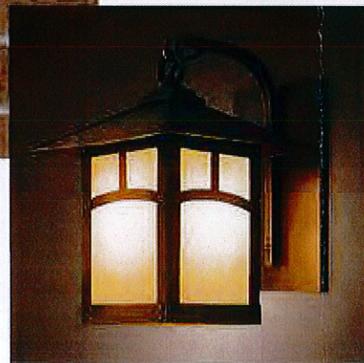
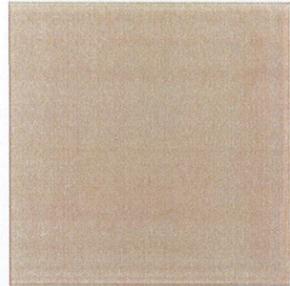
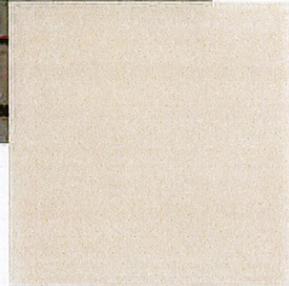


 SIGNATURE



 DATE

EXTERIOR MATERIALS



*** Exterior Materials to Match those used at the Gaylord Branch Materials below to be confirmed.**

Brick: Glen Gery - Medalia Collection, Color: Cedar Lake

Stone: Dutch Quality, Prestige Stackstone

Metal Trim: Duranotic Bronze

Roof Shingles: Landmark AR Series, Color: Georgetown Gray

EIFS - Color: SW 7537 Irish Cream

Wood Accents: Nutty Brown



6

Awakon

Indian River Design Intent

triur

207 N. Mechanic Street, Lebanon, OH 45036

Phone: 513.282.6158

Fax: 513.282.6159

www.triur.com

Notes:

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Drawing Title:

EXTERIOR MATERIALS

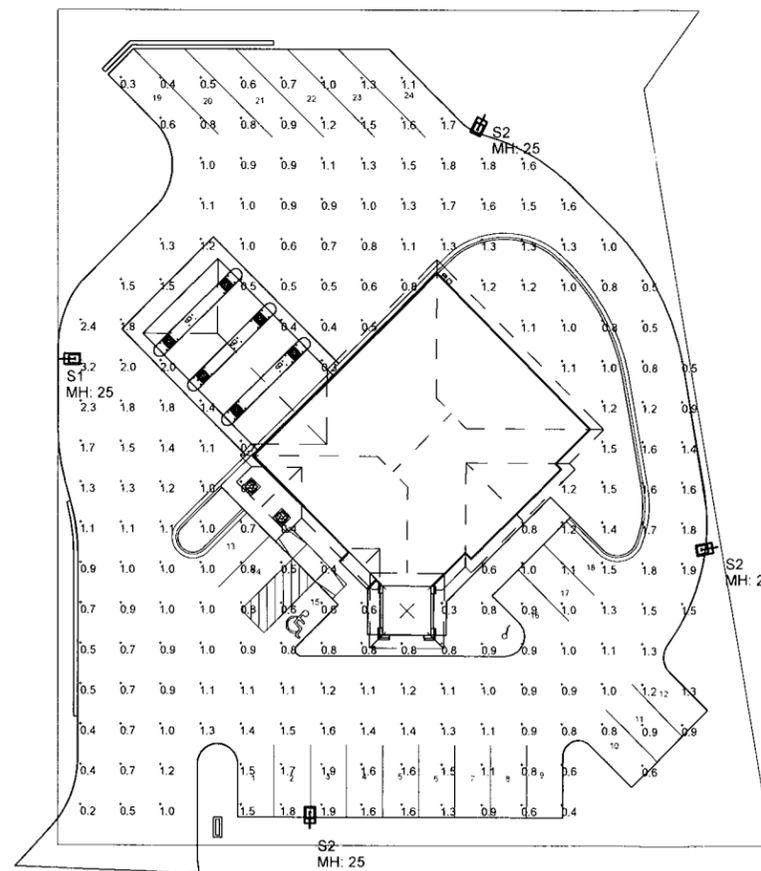
Date: 01.15.16

Scale: NTS

Revision Date	Revision

Drawn By: BFS

Quantity	Item No.
-	-



Symbol	Qty	Label	Arrangement	LLD	LDD	BF	[MANUFAC]	Description
	1	S1	SINGLE	0.960	0.950	1.000	EATON - MCGRAW-EDISON (FORMER COOPER LIGHTING)	GLEON-AE-02-LED-E1-SL3-HSS
	3	S2	SINGLE	0.960	0.950	1.000	EATON - MCGRAW-EDISON (FORMER COOPER LIGHTING)	GLEON-AE-02-LED-E1-SL4-HSS

Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
PARKING LOT_Planar	Illuminance	Fc	1.09	3.2	0.2	5.45	16.00

SITE LIGHTING LAYOUT 1

1"=20'

DISCLAIMER
 Illumination results shown on this lighting design are based on input parameters provided to Crites, Tidey & Assoc. used in conjunction with luminaire test procedures conducted under laboratory conditions. Actual project conditions differing from these design parameters may affect field results. The customer is responsible for verifying compliance with applicable lighting or other regulatory requirements. Values shown on this lighting design are based on assumptions not noted will alter the light levels. Please verify the data listed to assure the accuracy of the report. Values represent an approximation. Footcandle Levels are considered at the end of the life of the lamp and ballast.

AWAKON CREDIT UNION

Issued Date
01.21.16

Revisions

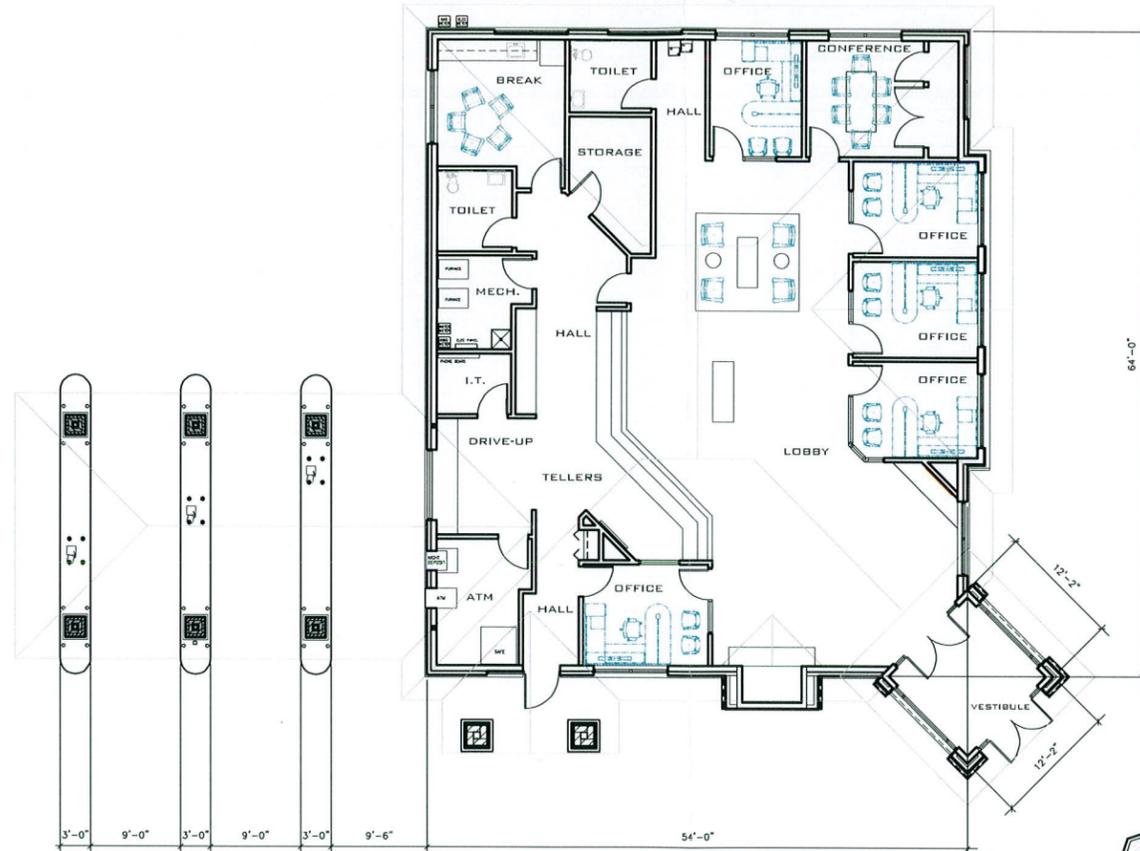
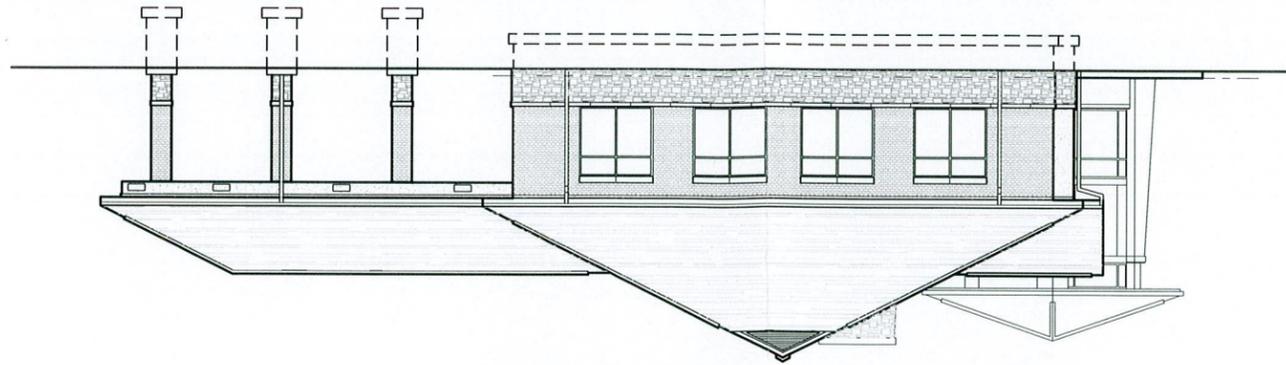
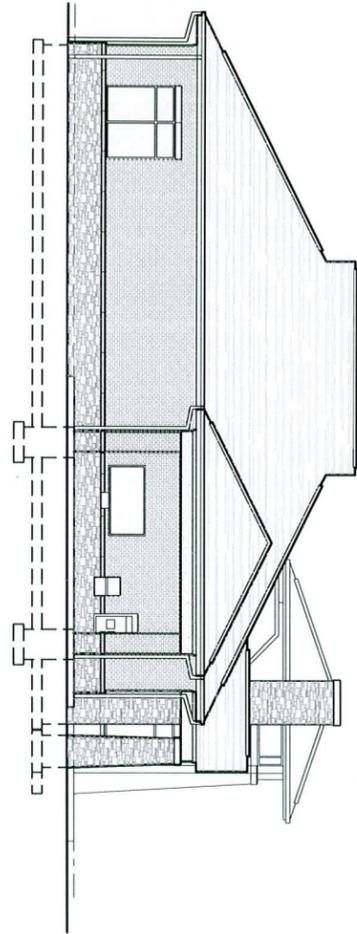
Drawn by
Alan Searcy

Sales

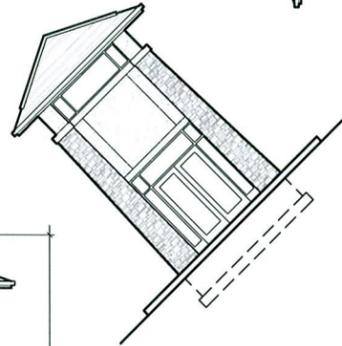
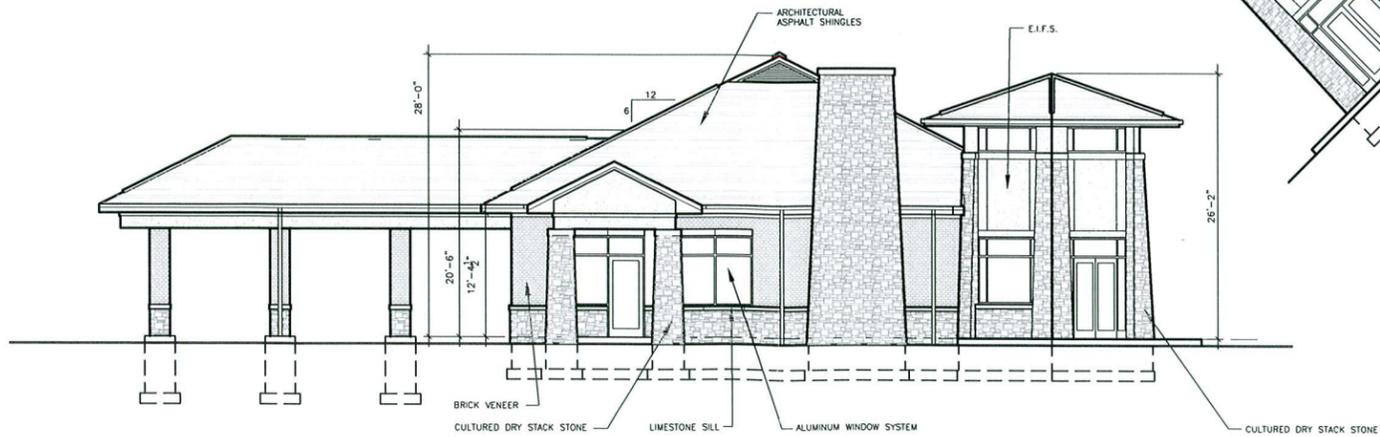
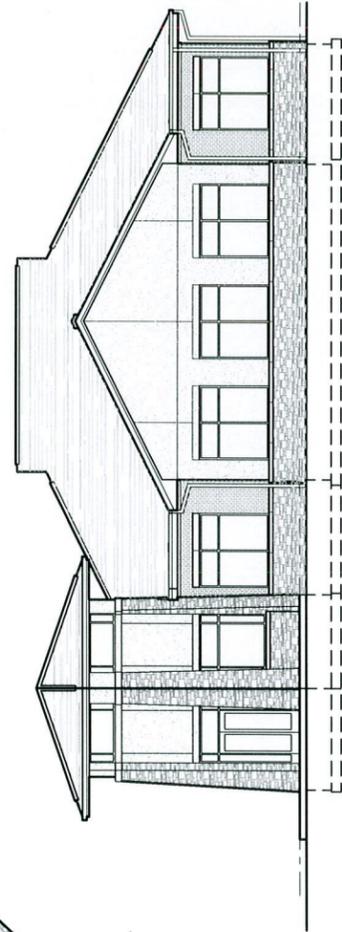
Sheet

EL1

Crites, Tidey & Assoc., Inc.
 908C West River Center Dr
 Comstock Park MI 49321
 PH: 616-647-2400
 www.critesidey.com



PRELIMINARY FLOOR PLAN
 1/8" = 1'-0" 3,637 SQFT. EXTERIOR MEASUREMENTS



ALL REPORTS, PLANS, SPECIFICATIONS, COMPUTER FILES, FIELD DATA, NOTES AND OTHER INFORMATION PREPARED BY OR FOR THE ARCHITECT OR ARCHITECTS IN CONNECTION WITH THIS PROJECT SHALL REMAIN THE PROPERTY OF THE DESIGN PROFESSIONAL. THE DESIGN PROFESSIONAL SHALL BE RESPONSIBLE FOR THE DESIGN AND SHALL BE ENTITLED TO THE PROTECTION OF THE DESIGN UNDER APPLICABLE STATUTE AND COMMON LAW. STATUTORY AND OTHER RESERVED RIGHTS, INCLUDING THE COPYRIGHT THEREIN, ARE HEREBY RESERVED.



PROJECT
AWAKON CREDIT UNION
INDIAN RIVER BRANCH

DATE	REVISIONS	APPYD
1-11-16	ISSUED FOR SITE PLAN REVIEW	J.C.

FILE NUMBER	2138
DRAWN BY	J.C.
DATE ISSUED	

SHEET TITLE
PROPOSED FLOOR PLAN
AND EXTERIOR ELEVATIONS

SHEET NUMBER
P1

8

Deborah Tomlinson

From: Dave Carpenter [<mailto:dpcarpenter@voyager.net>]

Sent: Friday, February 19, 2016 2:09 PM

To: Deborah Tomlinson

Subject: Re: Awakon Federal Credit Union - Cheboygan County Planning Commission

Hi Deb,

I don't see any concerns in regards to the Fire Department, if you have any questions please feel free to contact me anytime.

Thanks,

Dave Carpenter
Fire Chief



CHEBOYGAN COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

CHEBOYGAN COUNTY BUILDING ■ 870 S. MAIN STREET, PO BOX 70 ■ CHEBOYGAN, MI 49721
PHONE: (231)627-8489 ■ FAX: (231)627-3646
www.cheboygancounty.net/planning/

STAFF REPORT

Item: Consideration of site plan review for replacement of a Credit Union office in a Commercial Development zoning district.	Prepared by: Scott McNeil
Date: February 24, 2016	Expected Meeting Date: March 2, 2016

GENERAL INFORMATION

Applicant: The Case Group

Owner: Awakon Federal Credit Union

Contact person: Mr. Douglas Clark, The Case Group

Phone: 248-994-2235

Requested Action: Approval of site plan review for office use pursuant to Section 6.2.15.

BACKGROUND INFORMATION

Introduction:

The applicant is seeking an approval of a site plan for to replace an existing Credit Union office structure and add new parking and teller window facilities.

The subject site is located at 6272 South Straits Hwy. in Tuscarora Township and is zoned Commercial Development (D-CM). Offices are permitted uses per section 6.2.15.

Current Zoning: Commercial Development (D-CM)

Surrounding Land Uses: Commercial uses surround the subject site.

Environmentally Sensitive Areas (steep slopes, wetlands, woodlands, stream corridor, and floodplain): There are no known environmentally sensitive areas on the subject site.

Historic buildings/features:

There are no historic buildings or historic features on this site.

Traffic Implications:

The site is located on South Straits Highway. This application proposes replacement of an existing structure with a larger structure with the same use. This project will have minimal effect on current traffic conditions.

Parking:

Section 17.6 requires 1 parking space for each 250 s.f. of usable floor area, 4 stacking spaces per teller window and 1 parking space for every 2 employees. Based on the floor plan submitted I have calculated 1688 s.f. of usable floor area requiring 7 parking spaces and identified one teller window requiring 4 stacking spaces. The applicant indicates there will be up to 8 employee's requiring 4 parking spaces. Based on my review of section 17.6., 11 parking spaces are required relative to the useable floor area and employee parking requirements. The applicant has identified 24 parking spaces on the site plan. Based on my review there are 7 stacking spaces at the teller window facility where 4 are required.

Access and street design: (secondary access, pedestrian access, sidewalks, residential buffer, ROW width, access to adjacent properties)

Access to the site is facilitated by single driveway from South Straits Hwy.

Signs.

One freestanding sign is indicated on the site plan. No dimensions are indicated. Signage will be approved pursuant to section 17.19.

Fence/Hedge/Buffer

No new fence, hedge or other type of buffer is proposed nor required.

Lighting: A lighting plan has been provided. The applicant indicated via the plan and in the application that the lighting will meet the applicable standards of the site plan review.

Stormwater management;

A stormwater management plan has been submitted and approved pursuant to the Cheboygan County Stormwater Ordinance.

Review or permits from other government entities

Approvals will be required from the Dept. of Building Safety, Health Department and the Michigan Department of Transportation.

Recommendations (proposed conditions)

- Compliance with Building Code Requirements.
- Compliance with Health Department Requirements.
- MDOT

CHEBOYGAN COUNTY PLANNING COMMISSION

SITE PLAN REVIEW

Wednesday, March 2, 2016, 7:00 PM

Applicant

The Case Group
28175 Haggerty Rd.
Novi, Mi. 48377

Owner

Awakon Federal Credit Union
20855 Washington Ave.
Onaway, Mi. 49765

Parcel

6272 South Straits Hwy.
Tuscarora Township
161-024-400-575-03

GENERAL FINDINGS

1. The subject property is zoned Commercial Development District (D-CM).
2. The applicant proposes to replace an existing Credit Union office facility.
3. The applicant is seeking a site plan review approval for an office use
4. Office is a permitted use in a D-CM district per section 6.2.15.
- 5.
- 6.
- 7.

SPECIFIC FINDINGS OF FACT UNDER SECTION 20.10 OF THE ZONING ORDINANCE

The Planning Commission makes the following findings of fact as required by section 20.10 of the Zoning Ordinance for each of the following standards listed in that section:

- a. The site plan shall be designed so that there is a limited amount of change in the overall natural contours of the site and shall minimize reshaping in favor of designing the project to respect existing features of the site in relation to topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
 1. The site plan provides for limited change in the overall natural counters of the site. (see exhibits 4 and 5)
 2. The site is developed to allow use of surrounding property as permitted by the zoning ordinance. (see exhibit 3)
 - 3.
 4. Standard has been met.

Or,

 - 1.
 2. Standard has not been met.

- b. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which result in smooth natural appearing slopes as opposed to abrupt changes in grade between the project and adjacent areas.
 1. The applicant proposes to minimize soil removal, and topographic modifications which result in smooth natural appearing slopes as opposed to abrupt changes in grade between the project and adjacent areas with use of several swales and retention areas to facilitate stormwater (see exhibits 4 and 5)
 2. No trees exist on the site.
 3. Standard has been met.

Or,

- 1.
2. Standard has not been met.

- c. Special attention shall be given to proper site drainage so that removal of storm waters will not adversely affect neighboring properties.
 - 1. The applicant has submitted a stormwater plan. (see exhibit 4)
 - 2. The stormwater plan shall be approved pursuant to the Cheboygan County Stormwater Ordinance.
 - 3. Removal of storm water shall not adversely affect neighboring properties. (see exhibits 3 and 4)
 - 4.
 - 5. Standard has been met.

Or,

- 1.
- 2. Standard has not been met.

- d. The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein. Fences, walls, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.

- 1. Not applicable. No dwelling units are proposed.

- e. All buildings or groups of buildings should be so arranged as to permit emergency vehicle access by some practical means
 - 1. The site plan provides for a practical means of access for emergency vehicles from South Straits Hwy (see exhibit 4)
 - 2.
 - 3. Standard has been met.

Or,

- 1.
- 2. Standard has not been met.

- f. Every structure or dwelling unit shall have access to a public street, walkway or other area dedicated to common use.

- 1. The site is located on, and has access to South Straits Hwy.
- 2.
- 3. Standard has been met.

Or,

- 1.
- 2. Standard has not been met.

- g. For subdivision plats and subdivision condominiums, there shall be a pedestrian circulation system as approved by the Planning Commission.

- 1. This is not applicable. No subdivision plats and subdivision condominiums are proposed.

- h. Exterior lighting shall be arranged as follows: a. It is deflected away from adjacent properties, b. It does not impede the vision of traffic along adjacent streets and c. It does not unnecessarily illuminate night skies.

- 1. The applicant has submitted a lighting plan. (see exhibit 7)
- 2. The light shall be deflected away from adjacent properties, shall not impede the vision of traffic along adjacent streets and shall not unnecessarily illuminate night skies.
- 3.
- 4. Standard has been met.

Or,

- 1.
- 2. Standard has not been met.

- i. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified in the Master Plan.
 - 1. Not applicable. No public common ways are proposed.

- j. Site plans shall conform to all applicable requirements of state and federal statutes and the Cheboygan County Master Plan, and approval may be conditioned on the applicant receiving necessary state and federal permits.
 - 1. This site plan will conform to the Master Plan, zoning ordinance, and any applicable state and federal laws. (see exhibit 1,2, 3, 4, 5, 6, 7and 8)
 - 2.
 - 3. Standard has been met.

Or,

- 1.
- 2. Standard has not been met.

DECISION

TIME PERIOD FOR JUDICIAL REVIEW

State law provides that a person having an interest affected by the zoning ordinance may appeal a decision of the Planning Commission to the Circuit Court. Pursuant to MCR 7.101 any appeal must be filed within twenty-one (21) days after this Decision and Order is adopted by the Planning Commission.

DATE DECISION AND ORDER ADOPTED

Wednesday, March 2, 2016

Patty Croft, Chairperson

Charles Freese, Secretary



CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

870 S. MAIN ST., RM. 103 ■ PO BOX 70 ■ CHEBOYGAN, MI 49721
PHONE: (231)627-8489 ■ FAX: (231)627-3646

To: Cheboygan County Planning Commission

From: Scott McNeil, Planner

Subject: Review of Draft Zoning Ordinance Amendments for Planned Unit Development and Planned Project.

Date: February 25, 2016

Included with this memo please find copies of the draft amendment documents dated 2/5/15 relative to Planned Project and 2/25/16 relative to Planned Unit Development (PUD)

By review of the draft PUD document you will find proposed changes in blue type. I have provided comment in red italic print in each document in order to point out proposed effect in the provisions.

As discussed at the most recent meeting, we will discuss each of the draft in detail at the next meeting.

I will look forward to discussing this matter further with the Planning Commission. Please contact me with questions.

DRAFT 2/25/16

AN ORDINANCE TO AMEND THE CHEBOYGAN COUNTY ZONING
ORDINANCE #200 TO PROVIDE STANDARDS AND APPROVAL
REQUIREMENTS FOR PLANNED UNIT DEVELOPMENT (PUD) ZONING
DISTRICT .

Section 1. Amendment of Section 2.2.

Section 2.2 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add the following definitions in their appropriate alphabetical locations, which new definitions shall read in their entirety as follows:

Industrial use.

Any use provided in the current Cheboygan County Zoning Ordinance which is allowed within the Light Industrial Development District (D-LI) and the General Industrial Development District (D-GI) and is not allowed in any other zoning district.

Non-Residential use.

Any use allowed in the current Cheboygan County Zoning Ordinance which does not provide for a dwelling.

Residential use.

Any use allowed in the current Cheboygan County Zoning Ordinance which provides for a dwelling.

Section 2. Amendment of Article 19.

Article 19 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to read in its entirety as follows:

ARTICLE 19. PLANNED UNIT DEVELOPMENT (PUD)

SECTION 19.1. PURPOSE The purpose of these provisions is to permit and encourage design flexibility, encourage innovation in land development and variety in design, layout, and type of structures constructed, achieve economy and efficiency with uses of land, natural resources, energy, and the provision of public services and utilities, encourage useful open space, and provide better housing, employment and shopping opportunities. This ordinance will enable both developers and Cheboygan County officials to propose, review and agree upon site plans which integrate housing, circulation networks, commercial facilities, open space and recreational areas which are compatible with the surrounding area and natural environment. A Planned Unit Development district (PUD) is a zoning district, and when applied, changes the zoning district to PUD.

SECTION 19.2. ELIGIBILITY

- a. The entire site being considered for a PUD designation must be under single or unified ownership. Such control shall be demonstrated in the application.
- b. The site submitted for a PUD designation shall be developed as a single integrated design entity even though it may be developed in phases and contains a variety of uses.
- c. Adequate public streets, sewer, water, utilities and drainage shall serve the site and shall be provided in accordance with all applicable policies, regulations, specifications and ordinances as required by the agency with applicable jurisdiction.

19.3. GENERAL REQUIREMENTS AND DEVELOPMENT STANDARDS FOR PLANNED UNIT DEVELOPMENT (PUD) In addition to eligibility standards under Section 19.2. the site submitted for PUD designation shall adhere to the following conditions and standards:

a. Permitted uses.

1. A Planned Unit Development District (PUD) may be applied for in any zoning district except Lake and Stream Protection, Resource Protection and Natural Rivers Protection. The establishment of a PUD shall require a rezoning in accordance with Article 24 of this Ordinance.

2. Any use allowed in any zoning district may be applied for within a PUD subject to additional provisions of this article.

b. General Requirements.

1. The establishment of a PUD zoning district includes a zoning map amendment and shall follow the requirements of a rezoning according to Section 24.1. Each PUD that is approved shall become part of the zoning ordinance. Each PUD that is approved shall be assigned a unique identifier.
2. Compatible residential, public, institutional, and commercial uses may coexist in a PUD provided that the proposed location of the non residential uses will not adversely affect adjacent property, and/or the public health, safety and general welfare.
3. Minimum lot size for a PUD shall be one (1) five (5) acres with a minimum of 150 front feet. Any PUD with proposed industrial use shall be a minimum of five (5) ten (10) acres. The Planning Commission may waive the size requirement if they find that there are unusual site conditions or a unique character of the proposed development.
4. Any use which is only allowed in the Light Industrial Development (D-LI) district and/or the General Industrial Development (D-GI) district shall not be allowed in a PUD which is proposed in other zoning districts.

5. The function and design of the PUD shall be consistent with the purpose as set forth in section 19.1.
6. Proposed uses should be designed and located as to promote appropriate interaction between uses and limit or buffer incompatibilities relative to vision and/or noise with proposed uses and existing uses. The PUD shall be designed to create a single integrated and controlled development whether completed in whole or in phases.
7. Motorized and non-motorized traffic within the PUD shall be consistent with existing traffic patterns on public rights of way adjacent to the PUD.

c. Development Standards.

1. The development standards for the proposed uses in the PUD district shall be consistent with the corresponding standards for those uses except as provided in this section. The Planning Commission may approve deviations from those standards if they find that the deviations proposed are necessary to promote the overall design intent of the PUD without negatively impacting existing uses adjacent to or in the general vicinity of the PUD due to noise, traffic, congestion, view or demand on the transportation system.

2. Minimum lot size, Minimum setbacks and Maximum structure height based on use type:

USES	Min. Lot Size		Min. Yard Setbacks (ft.)			Max. Structure Height (ft.)
	Area (sq. ft.)	Width (ft.)	Front (ft.)	Sides (ft.)	Rear (ft.)	
Residential (single or two family)	9,900 per dwelling	70	25	8	10	35
Multi-Family Residential and/or Non-Residential	Submit with plan		25	10	15	35
Industrial	Submit with plan		40 ^A	25 ^A	25 ^A	35

A. Buildings with industrial uses shall be setback from buildings with other uses a minimum of 75 feet.

d. Open Space.

1. A minimum of fifteen (15) percent of the land developed on any PUD shall be reserved for common open space and recreational facilities for the residents or users of the area being developed.

2. The required amount of open space shall be held in common ownership by each owner of property with the development. The responsibility of the maintenance of all open space shall be specified by the developer before approval of the final plan

SECTION 19.4. APPLICATION AND APPROVAL PROCEDURES The following procedures shall be used for the review and approval of a Planned Unit Development (PUD)

19.4.1. Pre-application Conference. Prior to the submittal of a PUD application, a prospective applicant is encouraged to schedule a pre-application conference with the Zoning Administrator to discuss the purpose and effect of this Ordinance and the criteria and standards herein. At this pre-application conference, the applicant is encouraged to provide the staff with a concept plan. This concept plan should include information on the types and placement of structures, utilities and public facilities, and recreational facilities; minimum lot sizes; densities; landscaping and environmental treatment; pedestrian and auto circulation; the compatibility of the proposed development with surrounding uses and such other information local administrative agencies and legislative bodies may require to gain a satisfactory understanding of the proposed development. Following this pre-application conference, the Zoning Administrator shall present the concept plan, if any, with a report to the Cheboygan County Planning Commission at their next regular public meeting for their information, review and comment. The applicant may schedule an informal informational meeting with the Planning Commission, but no official action shall be taken at such meeting.

19.4.2. Submission of Preliminary Plan. Following a pre-application conference, if any, the applicant may submit a preliminary plan along with a complete PUD preliminary plan application and application fee to the Zoning Administrator. The preliminary site plan shall include;

- a. Site plan of existing conditions which shall include;
 1. Existing buildings.
 2. Existing parcel boundaries with tax parcel identification numbers
 3. Layout of parking lots, drives, and streets
 4. Existing woodlands
 5. Topography with minimum 5-foot contours
 6. Bodies of water and other significant natural features.
 7. Surrounding land uses and zoning.
 8. Existing utilities, wells and septic systems
 9. Other information as may be requested by staff or the Planning Commission to adequately review the application.
- b. Site plan for the proposed development which shall include;
 1. Boundary of the proposed PUD with legal description.
 2. Footprint of proposed buildings
 3. Proposed uses and their general locations.
 4. Layout of streets, drives, parking areas and pedestrian paths.
 5. Proposed parcel boundaries.
 6. Minimum setbacks for district perimeters and individual buildings within the development.
 7. Proposed perimeter buffer zones and screening.
 8. Conceptual landscape plan.

9. Development phases and schedule indicating stages in which the project will be built with time frames for beginning and completion of each stage.
10. Type, estimated number and density range for residential uses within the development.
11. Proposed open space and acreage thereof.
12. Table of required and provided parking for all proposed uses.
13. Proposed location of water and sewer/septic system facilities.
14. Other information as may be requested by staff or the Planning Commission.

19.4.3. Preliminary Site Plan Review and Approval by the Planning Commission. The PUD preliminary plan application, application fee and preliminary plan shall be submitted to the Zoning Administrator by the applicant. The Zoning Administrator shall deem the application and preliminary plan complete if all requirements of Section 19.4.2. have been met. The Zoning Administrator shall present all material submitted by the applicant to the Planning Commission and shall process the application and preliminary plan and hold a public hearing according to Section 24.2. The Planning Commission shall provide a copy of the application and preliminary plan to, and solicit recommendations from the, County Soil Conservation District, the Township in which the PUD is proposed, the District Health Department, the County Drain Commissioner, the neighboring municipal corporation if adjacent to the subject parcel(s) and the jurisdictions which control the abutting street or road rights of way. The Planning Commission shall review the application and preliminary plan and shall recommend to approve, deny or approve the preliminary plan subject to specified conditions and/or revisions to the Cheboygan County Board of Commissioners within thirty days of the decision.

19.4.4. Waiver of Preliminary Site Plan Review and Approval The Planning Commission may waive the requirement for review and approval of the Board of Commissioners and allow submission of a Final PUD Plan and Final PUD rezoning application upon request of the applicant if it finds that the preliminary plan proposes uses which are allowed in the existing zoning district in which the preliminary plan is proposed and that the preliminary plan requests minimal exceptions from the existing dimensional requirements of the existing zoning district.

19.4.5. Preliminary Site Plan Review and Approval by the Cheboygan County Board of Commissioners. The PUD preliminary plan and application, supporting information including the preliminary plan and the Planning Commission's recommendation shall be forwarded to the Cheboygan County Board of Commissioners if a waiver is not requested by the applicant and approved by the Planning Commission as provided in section 19.4.4. The Board of Commissioners shall deny or approve the preliminary plan following their review. The approval may be with or without conditions. If conditions are imposed, the Board of Commissioners may require resubmission to the Planning Commission for further review. Review shall be based on the criteria as provided in Section 19.2., Section 19.3. and the factors listed in Section 19.4.3.

19.4.6. Expiration of Preliminary Site Plan. Once approved, the preliminary site plan shall expire one (1) year following approval by the Planning Commission. The Planning Commission may approve two (2) extensions of one (1) year each upon request of the applicant if it finds that requirements and standards as provided in Section 19.4.2. and Section 19.4.3. that are reasonably related to the PUD have not changed.

19.5. Final Plan Approval. Upon approval of the PUD application and preliminary plan, [unless the preliminary plan requirement has been waived pursuant to section 19.4.4.,](#) a final PUD plan must be submitted to the Planning Commission within the required time frame as provided in section 19.4.3.

19.5.1. Final Plan Requirements. The applicant shall submit a Final PUD Plan rezoning application, final PUD plan and final plan filing fee to the Zoning Administrator. The final plan shall include all modifications and elements from the approved preliminary plan, in addition to the following:

- a. All Site Plan requirements as set forth in Section 20.7.
 - b. A schedule for the development of units to be constructed in progression;
 - c. A tabulation of the number of acres in the proposed development for various uses including open space, the number of housing units proposed by type.
 - d. Building elevations, locations and sizes.
 - e. Current zoning and land uses of adjacent parcels including open space.
 - f. Existing and proposed streets within and adjacent to the development including dimensioned right of way and pavement widths.
 - g. Dimensioned existing and proposed drives and parking areas.
 - h. Drainage plan.
 - i. Location of all public utilities, wells, water systems drain fields and septic systems including easements.
 - j. Signage plan
 - k. Other information deemed necessary by the Planning Commission and zoning administrator.

1. The Zoning Administrator shall deem the PUD rezoning application and final PUD plan complete if all requirements of Section 19.5.1. have been met. The Zoning Administrator shall present the final plan to the Planning Commission at the next regular meeting which occurs at least thirty (30) days from the date of submission of a complete final plan. ~~The Plannig Commission shall hold a public hearing following requirements of Section 24.1. All decisions must be based upon those standards presented in section 19.2. and 19.3.~~

2. The Planning Commission shall act on the PUD rezoning application and final PUD plan within 30 days of the ~~regular meeting at which it is first reviewed~~ public hearing and recommend approval or denial of the application with reasons for the approval or denial to the applicant and the Cheboygan County Board of Commissioners. The Planning Commission shall consider the following factors in addition to requirements of Section 19.2., Section 19.3. and Section 19.4.2. in making the recommendation;
 1. Is the proposed rezoning reasonably consistent with surrounding uses?
 2. Will there be an adverse physical impact on surrounding properties?
 3. Will there be an adverse effect on property values in the adjacent area?
 4. Have there been changes in land use or other conditions in the immediate area or in the community in general which justify rezoning?
 5. Will rezoning create a deterrent to the improvement or development of adjacent property in accord with existing regulations?
 6. Will rezoning grant a special privilege to an individual property owner when contrasted with other property owners in the area or the general

public (i.e. will rezoning result in spot zoning)?

7. Is the rezoning in conflict with the planned use for the property as reflected in the master plan?

8. Is the site served by adequate public facilities or is the petitioner able to provide them?

9. Are there sites nearby already properly zoned that can be used for the intended purposes?

3. The Board of Commissioners shall [hold a public hearing following requirements of Section 24.1. and shall](#) approve or deny the rezoning to PUD and the final site plan [based upon standards presented in sections 19.2., 19.3., 19.4. and 19.51.a.2.](#) No PUD rezoning application or final plan which has been disapproved by the Cheboygan County Board of Commissioners shall not be resubmitted for a period of one (1) year from the date of Disapproval except as permitted by the Board of Commissioners after becoming aware of new evidence which may result in approval upon resubmittal. (*The Planning Commission and the Board of Commissioners shall make findings of the record regarding approval under the standards as provided in the stated sections*)

19.5.2. Amendments to Approved Final Plan for PUD.

Amendments to an approved final plan shall be permitted only under the following circumstances:

a. The owner of property for which a PUD final plan has been approved shall notify the zoning administrator of any desired change to the approved final plan. Minor changes may be approved by the zoning administrator upon determining that the proposed revision(s) will not alter the basic design and character of the final plan, nor any specified conditions imposed as part of the original approval. Minor changes shall include the following:

1. Reduction of the size of any building and/or sign.

2. Movement of buildings by no more than twenty (20) feet. Movement of signs shall be reviewed according to the requirements for a zoning permit as per Section 21.3, provided all applicable provisions of this ordinance are met.

3. Landscaping approved in the final plan that is replaced by similar landscaping to an equal or greater extent.

4. Any change in the building footprint of a building that does not exceed ten percent (10%) of the building footprint of that building as originally approved by the Planning Commission, provided that the proposed addition does not alter the character of the use or increase the amount of required parking more than ten (10%) percent. No more than two (2) approvals shall be granted by the zoning administrator under this subsection after approval of the final plan.

5. Internal re-arrangement of a parking lot which does not affect the number of parking spaces or alter access locations or design.

6. Changes related to items (a) through (e) above, required or requested by Cheboygan County, or other state or federal regulatory agencies in order to conform with other laws or regulations; provided the extent of such changes does not alter the basic design and character of the special land use, nor any specified conditions imposed as part of the original approval.

7. All amendments to final plan by the zoning administrator shall be in writing. After approval by the zoning administrator, the Applicant shall prepare a revised site plan

showing the approved amendment. The revised plan shall contain a list of all approved amendments and a place for the zoning administrator to sign and date all approved amendments.

b. An amendment to an approved final plan that cannot be processed by the zoning administrator under subsection (a) above shall be processed in the same manner as the original PUD application under section 19.4.

Section 3. Severability.

If any section, clause, or provision of this Ordinance is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the validity of the remainder of the Ordinance as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 4. Effective Date.

This Ordinance shall become effective eight (8) days after being published in a newspaper of general circulation within the County.

CHEBOYGAN COUNTY

By:

Peter Redmond
Its: Chairperson

By:

Mary Ellen Tryban
Its: Clerk

DRAFT 2/5/16

AN ORDINANCE TO AMEND THE CHEBOYGAN COUNTY ZONING ORDINANCE #200
TO PROVIDE STANDARDS AND APPROVAL REQUIREMENTS FOR PLANNED
PROJECT USE AND ZONING DISTRICTS WHERE PLANNED PROJECT IS ALLOWED.

Section 1. Amendment of Section 4.3.

Section 4.3 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add a new Section 4.3.12. which shall read in its entirety as follows: *Sections 1 to 4 provide that Planned Projects can only be proposed in Residential, Commercial, Ag/Forest and Rural Character zoning districts.*

Planned Project subject to provisions of Section 17.28.

Section 2. Amendment of Section 6.3.

Section 6.3 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add a new Section 6.3.17. which shall read in its entirety as follows:

Planned Project subject to provisions of Section 17.28.

Section 3. Amendment of Section 9.3.

Section 9.3 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add a new Section 9.3.25. which shall read in its entirety as follows:

Planned Project subject to provisions of Section 17.28.

Section 4 Amendment of Section 14.3.

Section 14.3 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add a new Section 14.3.19. which shall read in its entirety as follows:

Planned Project subject to provisions of Section 17.28.

Section 5. Amendment of Article 17. Article 17 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add a new Section 17.28., which shall read in its entirety as follows:

Section 17.28. PLANNED PROJECT

SECTION 17.28.1. PURPOSE The purpose of these provisions is to permit and encourage design flexibility, encourage innovation in land development and variety in design, layout, and type of structures constructed, achieve economy and efficiency with uses of land, natural resources, energy, and the provision of public services and utilities, encourage useful open space, and provide better housing, employment and shopping opportunities. This ordinance will enable both developers and Cheboygan County officials to propose, review and agree upon site plans which include a mix of permitted uses and compatible with the surrounding area and natural environment.

17.28.2. General requirements. All applications and plans submitted for a Planned Project shall adhere to the following conditions and standards:

1. A Planned Project is subject to Special Use Permit procedures and requirements pursuant to Article 18. *This section provides that a Planned Project shall be approved as a special use permit with the same process and standards for review.*
2. Proposed uses shall be designed and located as to promote appropriate interaction between uses and limit or buffer incompatibilities with proposed uses and existing uses. A Planned Project shall be designed to create a single integrated and controlled development at its completion and at the completion of each phase of development, if phased development is approved.
3. All parcels of land within a Planned Project shall be controlled by one owner or the application shall be filed jointly by all property owners.
4. The parcel shall be five (5) contiguous acres or more in area. *Sections 2, 3 and 4 provide additional general requirements. The Planning Commission should make findings on the record with regarding to each.*

17.28.3. Pre-application Conference. Prior to the submittal of a Planned Project application, the applicant is encouraged to schedule a pre-application conference with the Cheboygan County Zoning Administrator to discuss the purpose and effect of this Ordinance and the criteria and standards herein. At this pre-application conference, the applicant is encouraged to provide the Zoning Administrator a concept plan. This concept plan should include information on the types and placement of structures, utilities and public facilities, and recreational facilities; minimum lot sizes; densities; landscaping and environmental treatment; pedestrian and auto circulation; the compatibility of the proposed development with surrounding uses; and such other information local administrative agencies and legislative bodies may require to gain a satisfactory understanding of the proposed development. Following this pre-application conference, the Zoning Administrator shall present the concept plan, if any, with a report to the Cheboygan County Planning Commission at their next regular public meeting for their information, review and comment. The applicant may schedule an informal informational meeting with the Planning Commission at a regular meeting of the Planning Commission, but no official action shall be taken at such meeting. A special meeting of the Planning Commission may also be scheduled at the request of the Planning Commission with applicable fees paid by the applicant.

17.28.4. Use and Area Regulations.

1. **Permitted uses.** Uses in a Planned Project shall be permitted according to the following;
 - a. No use will be permitted for a Planned Project that is not permitted in the zoning district in which the same is proposed. *Note, this provides that only uses which are allowed in the zoning district where the Planned Project is proposed will be allowed in such Planned Project*
 - b. In the Residential Development, Agriculture and Forestry Management and Rural Character/Country Living zoning districts non-residential uses may not exceed twenty (20) percent of the developable land area of the Planned Project. Non-residential uses may be allowed up to thirty five (35) percent of the developable land area of the Planned Project if the Planning Commission finds that the proposed non-residential uses are compatible with the surrounding land uses.
 - c. In the Commercial Development zoning district residential uses may not exceed thirty five (35) percent of the developable land area of the Planned Project. Residential uses may be allowed up to fifty (50) percent of the developable land area of the Planned Project if the Planning Commission finds that the proposed residential uses are compatible with the surrounding land uses. *Sections b and c provide for a range a percentage of developable of land area from standard max of 35% up to 50% if the Planning Commission makes a finding that the proposed uses are compatible with the surrounding land uses. The Planning Commission should have additional findings on the recorded which support the compatibility finding.*

- 2. Planned Project Exceptions to Parking space, Area, Width, Lot Size, and Setback Requirements.** Except to the extent that a Planned Project or a portion of a Planned Project is subject to area regulations mandated by a state agency, a Planned Project may be granted exceptions by the Planning Commission to the required parking spaces, minimum lot size, minimum lot width, minimum front, side or rear setback, minimum building height of the underlying zoning district and minimum number of off-street parking spaces required under Section 17.4 when the following standards are met:
- a. The Planning Commission finds that the proposed dimensional regulations will not be detrimental to the public health, safety, or welfare of the future occupants of the Planned Project, the surrounding neighborhood or the county as a whole.
 - b. Open Space. Exceptions as permitted in this section must be accompanied by the provision of open space, as defined for the purposes of these Planned Project design requirements. Open space are those areas established specifically for common use by all residents or homeowners of the Planned Project. In an effort to preserve and enhance open space and to provide adequate recreational areas for residential developments, the designated common open space shall comprise at least 15% of the total developable area of the Planned Project to be used for recreational, park, or environmental amenities for collective enjoyment by occupants of the development but shall not include public or private streets, driveways, or utility easements, provided, however, that up to 10% of the required open space may be composed of open space on privately owned properties dedicated by easement to assure that the open space will be permanent. *(note min. space requirements of 15% of developable area.)*
 - c. Exceptions to the above requirements are limited to the following extents: *(the following provides for the max amount of exceptions the PC may grant relative to Parking, Area, Width, Lot Size, Dwelling floor area and Setback requirements if the PC make a finding as above.*
 - i. Minimum lot size for a dwelling in a Planned Project proposed in the Commercial Development zoning district shall be the same as required in the Residential Development zoning district.
 - ii. The minimum lot size for a dwelling shall not be reduced by more than thirty (30) percent of that required in the underlying zoning district.
 - iii. Setbacks shall not be reduced by more than fifty (50) percent of that required in the underlying zoning district.
 - iv. Required parking spaces shall not be reduced by more than sixty (60) percent of the parking space requirement required for each proposed use. In no case shall a dwelling have less than two (2) parking spaces. In reducing required parking spaces, the Planning Commission may require the reservation of a portion of the Planned Project developable land area for future parking.
 - v. Minimum dwelling floor area and width requirements may be reduced by no more than thirty five (35) percent of that required in underlying zoning district requirement.
 - vi. Any non-residential use shall maintain a perimeter setback of not less than 50 feet from any adjoining or abutting property within a Residential Development zoning district.

Section 6. Severability.

If any section, clause, or provision of this Ordinance is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the validity of the remainder of the Ordinance as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 7. Effective Date.

This Ordinance shall become effective eight (8) days after being published in a newspaper of general circulation within the County.

CHEBOYGAN COUNTY

By:

Peter Redmond

Its: Chairperson

By:

Mary Ellen Tryban

Its: Clerk