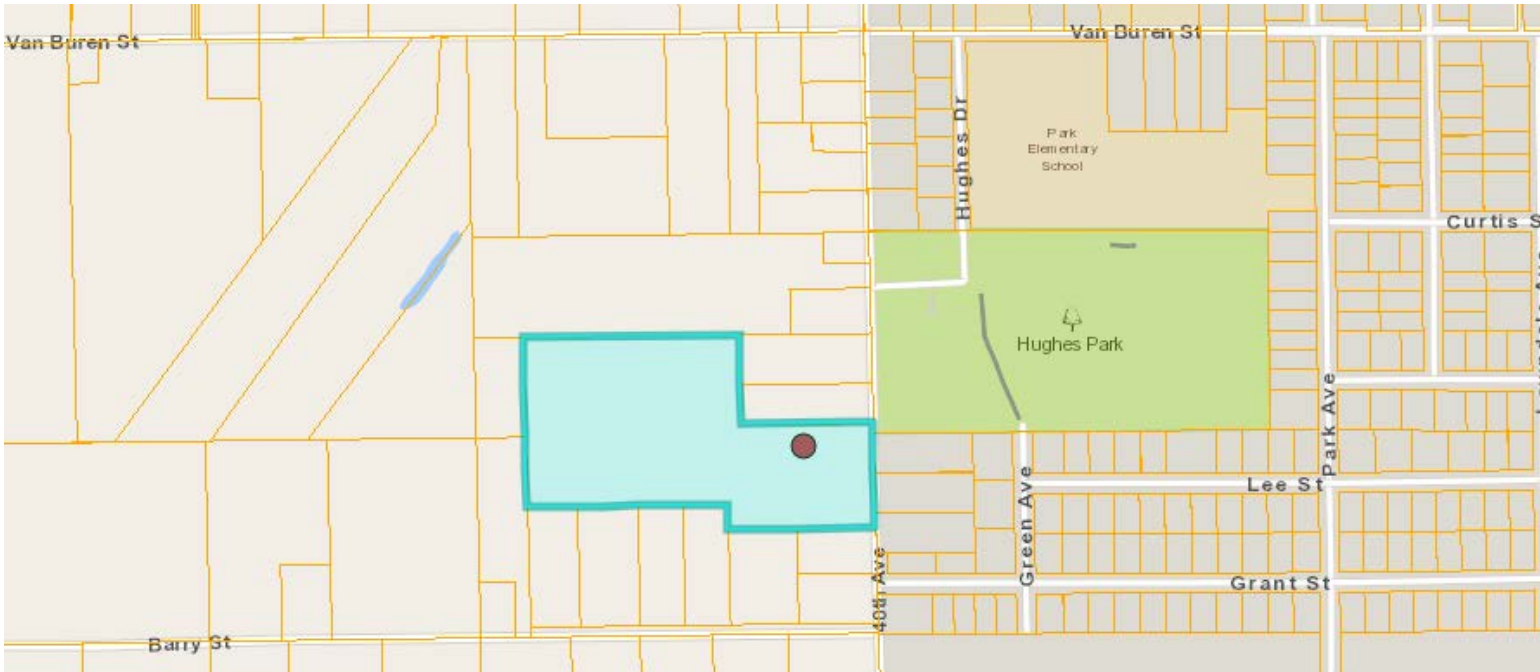


REQUEST

Public Hearing - (SUP1903) Hudsonville Community Fair Association (Lonnie Vis), 1164 104th St., Byron Center, is requesting to have a Community Fair, under Sec. 6.3(Z) and Sec. 7.3(A), on a parcel of land described as P.P. # 70-14-31-200-052, located at 5391 40th Ave., in a (RR) Rural Residential district, Georgetown Township, Ottawa County.

The proposal is for the parcel to be used as a parking lot for the Hudsonville Community Fair for a maximum of 10 days of the year.

MAPS



HISTORY

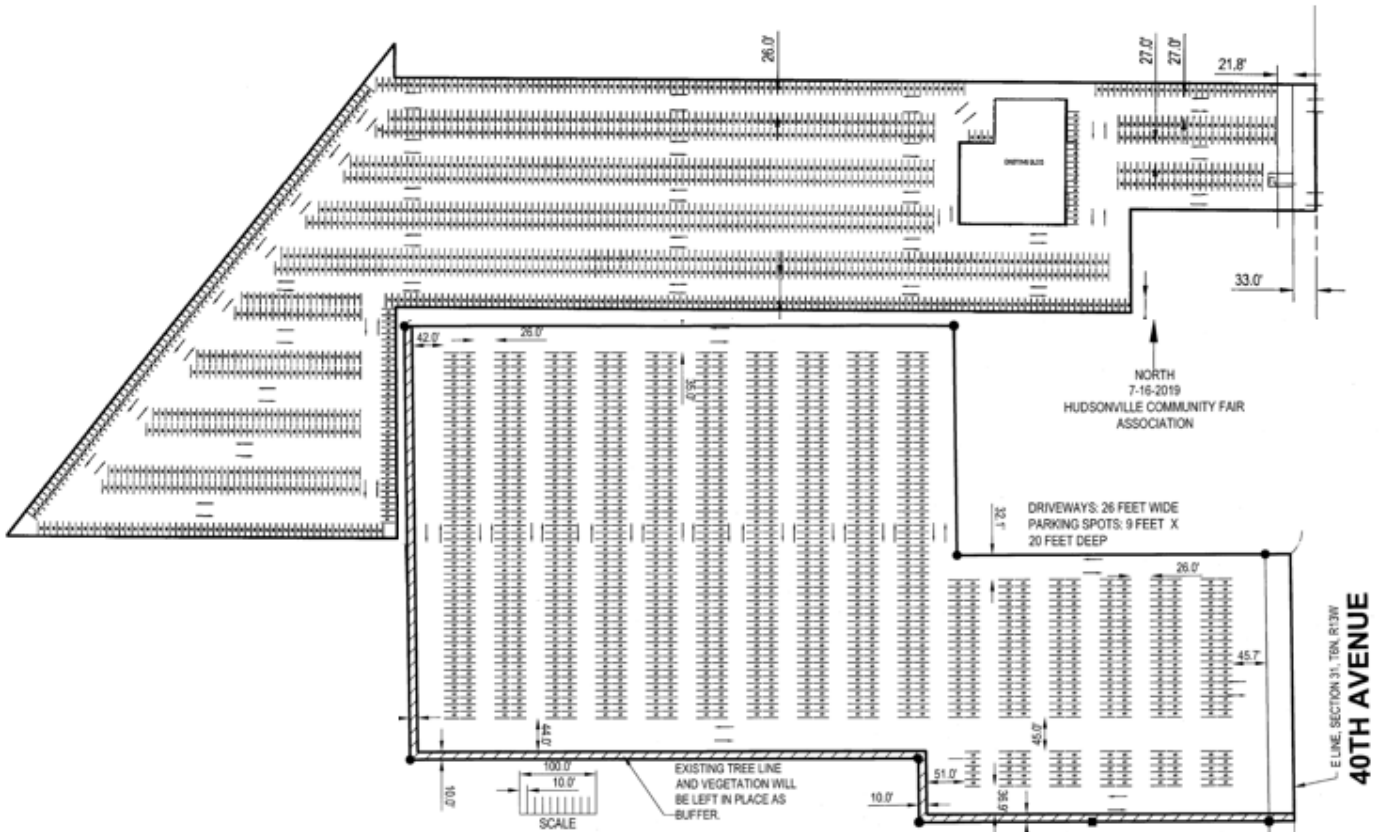
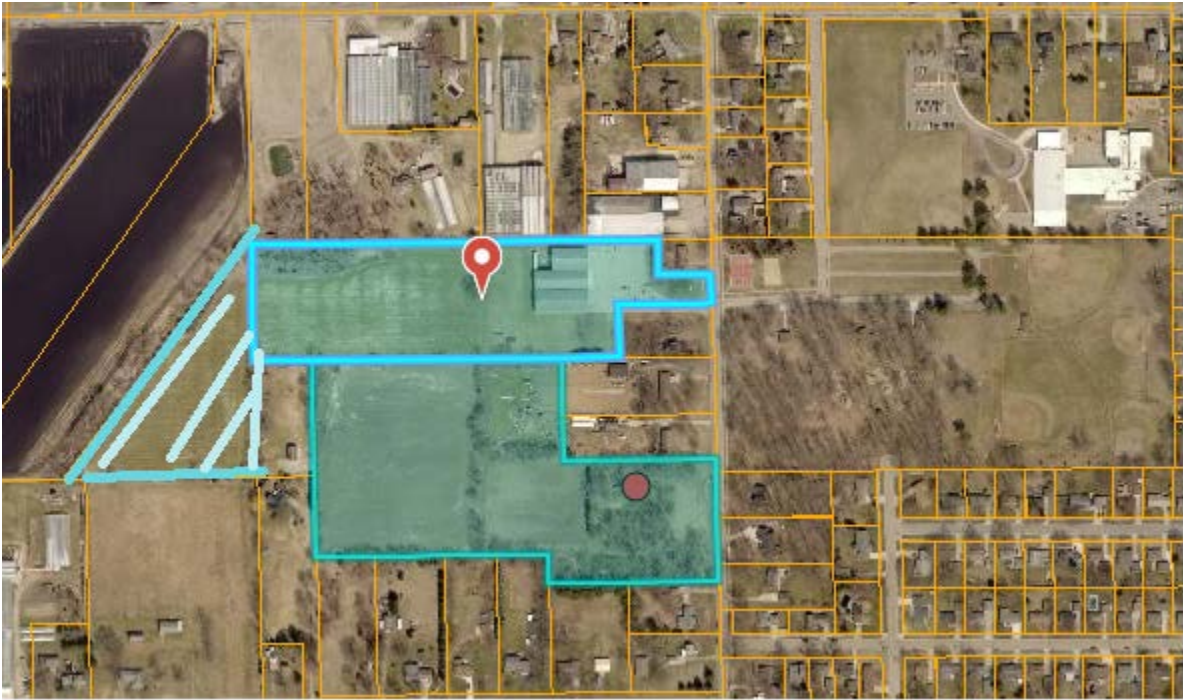
At the February 22, 2017 meeting, the Zoning Board of Appeals denied the request for variances for the use to location on the parcels without paving and within the required setbacks. The determination was to refer the use to the Planning Commission to draft an ordinance allowing the use with a special use permit with specific standards. The reason was because a variance stays with the land in perpetuity and a special use permit could be revoked if no longer needed or if the specific standards were not met.

At the March 15, 2017 meeting, the Planning Commission recommended approval of the ordinance. At the March 27, 2017 meeting, the Township Board approved the ordinance which has subsequently become effective.

At the June 7, 2017 meeting, the Planning Commission approved the special use permit for the parcel adjacent to the subject parcel and approved the site plan to have parking for the fair.

PROPOSAL

See the map below and note the parcel is adjacent to the site that was approved for the use of a parking lot June 7, 2017. If approved, the combined sites would be laid out as shown in the second map below.



INPUT FROM CODE ENFORCEMENT OFFICER

From: [Rich Nawrocki](#)
To: [Mannette Minier](#)
Subject: Hudsonville Fair Grounds Parking
Date: Wednesday, July 31, 2019 8:51:11 AM

Mannette,

In regards to the Special Use approval for Fairgrounds parking at 5471 40th I have inspected this site when it is in use. The site is well designed, properly coordinated and safely run. They have parking well defined, the area lit for darkness and the parking area well-staffed. The establishment of this parking has eliminated some of the issues within the side streets and neighborhood parking. In addition it appears by having the designated parking areas such as this requires persons to enter and exit at specific spots which allows the Public Safety officials to better control the crowds crossing the roadways and walking along the sidewalks. For the limited use of these parking areas I have observed them to be beneficial.

Richard Nawrocki
Code Enforcement Officer
Georgetown Township

SUMMARY

Point to consider: the Hudsonville Fair operates annually with or without this additional parking areas. If these additional parking areas were not available, the fairgoers would simply find other places to park, likely in less desirable areas such as along the streets. The additional parking areas allow for fair operators to organize parking, traffic and pedestrian walkways.

Due to the unique circumstances of the use, the request is being reviewed using different criteria than usual. Rather than to present an engineered site plan as normally required for a special use application, the applicant has presented a drawing that depicts the plan to use the site as a parking lot for the duration of the fair which runs for one week.

Sec. 19.4 of the Zoning Ordinance gives the approving authority (in this case, the Planning Commission) the authority to waive any information listed to be shown on a site plan.

Therefore, the applicant is requesting the Planning Commission to waive all the information to be listed on a site plan that is not shown on the following plan.

The proposal will be reviewed as per the specific special use standards contained in Sec. 20.4(AL) and the general special use standards contained in Sec. 20.3(A).

REVIEW

Sec. 20.4 SITE DESIGN STANDARDS.

(AL) Community Fair.

- (1) The applicant shall provide to the Township evidence of being a corporation, organization, fair, agency or other person actually and directly engaged in promoting and conducting fairs, agricultural exhibits or shows, and as described in “Act 80” of the Public Acts of 1855, as amended, “Act 11” of the Public Acts of 1929, or comparable legislation. **Provided previously and met.**
- (2) The special land use shall occur for a minimum of five (5) days and a maximum of ten (10) days in one calendar year for the fair use. **Shall be a condition of approval.**
- (3) All trash and debris shall be cleared from the site immediately following the end of the fair for the year. The site shall be kept in compliance with all property maintenance codes at all times. **Shall be a condition of approval.**
- (4) There shall be no outdoor storage on the site except for up to the ten (10) days per calendar year during the time that the fair is operating (unless in compliance with another legal and approved use). **Shall be a condition of approval.**
- (5) The minimum lot size shall be ten (10) acres. **Provided, 12 acres, and met.**
- (6) The lot shall be located so that at least one (1) side abuts an arterial street and all access shall be from such arterial street. **Provided and met.**
- (7) The hours of operation for the public shall be limited to the hours between 7:00 a.m. and 11:00 p.m. No additional vehicle parking is allowed after 10:30 p.m. and all members of the public shall be required to leave commencing at 11:00 p.m. **Shall be a condition of approval.**
- (8) The Planning Commission may waive the requirement for pavement and striping on all the parking and drive areas; however, all parking areas shall have a dust-free hard surface, which could include grass. Evidence shall be provided to the Township that any mud or dirt tracked onto the public roadway will be cleared and cleaned at the applicant’s expense. **Shall be a condition of approval.**
- (9) The Planning Commission may waive any setback and buffer requirement or any other ordinance requirement deemed appropriate, though is under no obligation to do so. If it is determined necessary to protect or screen adjacent areas, the Planning Commission may require a six (6) foot high fence, berm or other barrier. **Planning Commission shall make the determination.**
- (10) There shall be safe and efficient vehicular and pedestrian movements within, into and off the site. The Planning Commission shall indicate techniques for compliance with this standard. Ottawa County Road Commission approval shall also be obtained and provided to the Township. **Note the applicant’s proposal to comply with this standard. The Planning Commission shall determine if this is acceptable. Since the City of Hudsonville, rather than the Ottawa County Road Commission, has the authority over this road, approval from the City of Hudsonville shall be provided prior to the commencement of the use.**
- (11) Lighting shall be provided in a manner and amount as required by the Planning Commission. Lighting shall be shielded to reduce glare and shall be so arranged and maintained as to direct the light away from adjacent property. **Note the applicant’s proposal to comply with this standard. The Planning Commission shall determine if this is acceptable.**
- (12) All signs require permits and shall comply with all ordinance standards. **Shall be a condition of approval.**
- (13) The Planning Commission may impose any conditions of approval or safeguards deemed necessary to protect the general welfare, to protect individual property rights, to ensure compliance with the special use standards and all ordinance requirements, and to ensure the health, safety and welfare of the residents. Any means used for compliance with any special use standards, conditions of approval, or any ordinance requirements shall not be funded at public cost or expense.

- (14) The Planning Commission may require a performance bond, letter of credit or other guarantee to ensure that the requirement of any zoning approval, this ordinance and all ordinances are fulfilled.

General Special Use Standards

- (1) Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance, with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed. **Appears to be met.**
- (2) Be served adequately by essential public facilities and services such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, or schools. **Appears to be met.**
- (3) Not create excessive additional requirements at public cost for public facilities and services. **Appears to be met.**
- (4) Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors. **Appears to be met.**

PLANNING COMMISSION DISCUSSION and DETERMINATION

1. **Does the Planning Commission accept the drawing as presented showing only the items on the plan?**
2. The Planning Commission may waive any setback and buffer requirement or any other ordinance requirement deemed appropriate, though is under no obligation to do so. If it is determined necessary to protect or screen adjacent areas, the Planning Commission may require a six (6) foot high fence, berm or other barrier. **Does the Planning Commission waive all elements in the Zoning Ordinance that the proposal does not meet?** This includes setbacks, paving, greenbelts and landscaping.

Setbacks and greenbelts and other requirements are as follows for the new parcel:

- a. Front on 40th Ave. is 45.7 feet from a point 33 feet from the centerline for a total of 78.7 feet from the centerline. As per footnote (r), the first 30 feet shall be landscaped. As per Sec. 3.11, there shall be one tree for each 25 feet of frontage. Frontage is 315 feet; therefore, 13 trees are required (deciduous a minimum of 2 inch caliper). Sidewalk is required does not exist.
- b. Sides are 20 feet; however, as per Sec. 23.3(D), a 25 foot greenbelt shall be provided as per Sec. 3.11 with one evergreen for each 20 lineal feet to surround the entire parcel (sides and rear) since the entire parcel is surrounded by a residential district. Sides are proposed to be 26 feet to the north and 36 feet to the south.
- c. Rear is 75 feet and must contain the greenbelt. It is shown at 52 feet.
- d. To allow parking within the front yard setback, a variance of 11.3 feet from 90 feet required in Chapter 24; and a variance from Chapter 24 footnote r, which requires the first 30 feet to be landscaped and not used for parking; and to have no streetscape, a variance from Sec. 3.11 which requires one tree for each 25 feet or fraction of width. To have no sidewalk.
- e. To allow an unpaved parking lot and access drives and drive aisles, a variance from Sec. 26.3 which requires all parking facilities and access drives to be paved.
- f. To allow no striping to identify the 9 by 20 foot parking spaces and no striping to identify the 24 foot drive aisles, a variance from Sec. 26.3 which requires the striping of the 9 by 20 parking spaces and the 24 foot drive aisle to be identified.

3. There shall be safe and efficient vehicular and pedestrian movements within, into and off the site. The Planning Commission shall indicate techniques for compliance with this standard. Ottawa County Road Commission approval shall also be obtained and provided to the Township. **Does the Planning Commission accept the applicant's proposal to meet this standard? Does the Planning Commission want to require approval from the City of Hudsonville since that municipality has jurisdiction over 40th Ave. (rather than the Ottawa County Road Commission)?**
4. Lighting shall be provided in a manner and amount as required by the Planning Commission. Lighting shall be shielded to reduce glare and shall be so arranged and maintained as to direct the light away from adjacent property. **Does the Planning Commission accept the applicant's proposal to meet this standard?**

OPTION FOR MOTIONS - *If the Planning Commission accepts the plan and determines the proposal meetings the special use standards, the following motion is offered.*

Special Use Permit

Motion: To adopt the staff report as finding of fact and to approve Special Use Permit (SUP1903 Hudsonville Community Fair Association (Lonnie Vis), 1164 104th St., Byron Center, to have a Community Fair, under Sec. 6.3(Z) and Sec. 7.3(A), on a parcel of land described as P.P. # 70-14-31-200-052, located at 5391 40th Ave., in a (RR) Rural Residential district, Georgetown Township, Ottawa County, in a (RR) Rural Residential district, Georgetown Township, Ottawa County, **based on the findings that all applicable standards of the ordinance have been met including the general special use standards in Sec. 20.3, with the additional findings:**

1. The Planning Commission accepts the drawing as presented showing only the items on the plan.
2. The Planning Commission waives all elements in the Zoning Ordinance that the proposal does not meet.
3. The Planning Commission accepts the applicant's proposal to meet this standard for pedestrian and vehicle traffic.
4. The Planning Commission accepts the applicant's proposal for lighting.

And with the following conditions of approval:

1. The special land use shall occur for a minimum of five (5) days and a maximum of ten (10) days in one calendar year for the fair use.
2. All signs require permits and shall comply with all ordinance standards.
3. All trash and debris shall be cleared from the site immediately following the end of the fair for the year. The site shall be kept in compliance with all property maintenance codes at all times.
4. There shall be no outdoor storage on the site except for up to the ten (10) days per calendar year during the time that the fair is operating (unless in compliance with another legal and approved use).
5. The hours of operation for the public shall be limited to the hours between 7:00 a.m. and 11:00 p.m. No additional vehicle parking is allowed after 10:30 p.m. and all members of the public shall be required to leave commencing at 11:00 p.m.

6. The Planning Commission waives the requirement for pavement and striping on all the parking and drive areas; however, all parking areas shall have a dust-free hard surface, which could include grass. Evidence shall be provided to the Township that any mud or dirt tracked onto the public roadway will be cleared and cleaned at the applicant's expense.
7. Provide approval from the City of Hudsonville for the access from 40th Ave. rather than the Road Commission.

Site plan

If the Planning Commission determines to accept the plan as submitted.

Motion: To adopt the staff report as finding of fact and to approve the drawing, as presented.