

**DRAFT AMENDMENT TO ESTABLISH REQUIREMENTS  
FOR COUNTY CORE FAIRS AND ACCESSORY USES**

*For Consideration by the  
Lowell Charter Township Planning Commission  
At a Public Hearing on  
July 9, 2018*

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**LOWELL CHARTER TOWNSHIP  
KENT COUNTY, MICHIGAN**

**ORDINANCE NO. \_\_\_\_-2018**

At a regular meeting of the Township Board for Lowell Charter Township held at the Township Offices on \_\_\_\_\_ 2018, Township Board Member \_\_\_\_\_ made a motion, seconded by Township Board Member \_\_\_\_\_ to adopt this Zoning Ordinance amendment:

**AN ORDINANCE TO ADD SECTION 22.09 TO THE LOWELL CHARTER TOWNSHIP  
ZONING ORDINANCE TO ESTABLISH REQUIREMENTS FOR COUNTY CORE  
FAIRS AND ACCESSORY USES.**

**THE CHARTER TOWNSHIP OF LOWELL (“Township”) ORDAINS:**

**Article 1.** Section 22.09 is hereby ADDED to the Lowell Charter Township Zoning Ordinance to read as follows:

**(a) PURPOSE**

The purpose of this section is to set forth the requirements for a multi-use agricultural youth core fair, county core fair and other similar core fairs as permitted by Section 5.03 (y) herein. It is recognized that such use requires a substantial area of land and includes unique activities which are patronized by large portions of the community but which could disrupt the existing character near its location.

The requirements of this section are designed to allow the core fair to serve its purpose but to regulate the activities, arrangement of facilities and operational characteristics so as to minimize the noticeable effects of the core fair and accessory uses on surrounding land uses and residents. It is also recognized that the principal use is the “core fair” but that the buildings, parking, lighting, interior access drives and infrastructure needed to support the core fair are adaptable and compatible for accessory uses outside the period of the core fair operation. These accessory uses, which are specified in Section 5.03(y), are also subject to the requirements listed in this section.

**(b) APPLICATION REQUIREMENTS**

An application for a core fair special land use shall include the following information:

- 1) A completed application form and site plan as required by Section 20.02 (a) and (b)
- 2) A description of all the activities and uses proposed for the core fair as well as accessory uses proposed outside the core fair operating dates.
- 3) Dates and hours of operation of the core fair.
- 4) Information regarding:
  - i. Ability to meet the requirements of the Kent County Health Department for the provision of sanitary facilities and water; location and management of temporary/ portable bathroom facilities;
  - ii. Requirements of the Kent County Road Commission or other road approval agency regarding location of driveways, design, and road improvements such as by-pass lanes;
  - iii. Traffic control measures for traffic entering and leaving the site, parking and interior traffic circulation. Such measures shall insure that traffic entering the site will not stack on adjacent public streets;
  - iv. Provision for police and fire protection, medical emergencies and other emergency measures;
  - v. Facilities for waste disposal;
  - vi. A manure management plan;
  - vii. A separate lighting plan;
  - viii. Expected measurable dbA sound levels produced by core fair and proposed accessory on-site outdoor uses measured at the nearest occupied dwelling unit;
  - ix. An estimate of the number of visitors expected on the busiest date of the core fair;
  - x. Documentation of insurance for the core fair and all proposed accessory activities;
  - xi. Information regarding construction of facilities including days and hours of operation, anticipated noise levels, types of construction equipment and measures to control construction traffic.
  - xii. List of permits required by county, state and federal agencies for the core fair operation and accessory uses.

**(c) SITE DEVELOPMENT AND OPERATION STANDARDS**

The Planning Commission may modify the following requirements in order to better mitigate the effects of core fair activities on adjacent land uses, to improve safety for core fairground users

and traffic, to lessen the imposition of a standard when it is clearly not needed and to otherwise meet the special land use approval standards of Section 20.03.

- 1) A core fair shall have its primary access on a County Primary road.
- 2) Hours and days which the core fair is permitted to be open to the public are:
  - Sunday through Thursday: 8:00 AM – 10:00 PM
  - Friday and Saturday: 7:00 AM – 11:00 PM

The Planning Commission, however, may permit an extension of these hours if sufficient justification for the extension is provided by the applicant and the Commission finds that the extension will not be **significantly** detrimental to nearby residents and uses.

Activities on the core fairgrounds such as maintenance of grounds and buildings, loading, unloading, set up and tear down and normal activities associated with operating the core fairgrounds may take place outside of the public hours provided these activities do not create a **significant** disturbance to nearby residents.

3) The land within 50 feet of the road right of way shall be preserved in its existing condition to the extent reasonable except for driveways and clear vision areas.

#### 4) Setbacks

Buildings and uses proposed to be established on the site shall comply with the following minimum setbacks:

- i. Buildings: 200 feet from all public street rights of way lines and 50 feet from all other lot lines.
- ii. Outdoor activities: 100 feet from all public street rights of way lines and 50 feet from all other lot lines.
- iii. Parking: 100 feet from all public street rights of way lines and 50 feet from all other lot lines.

5) Noise. Uses on the site shall comply with the Township Anti-Noise and Public Nuisance Ordinance as amended.

#### 6) Lighting

Lighting for the core fair and all accessory uses shall comply with the requirements of Section 4.28, Outdoor Lighting Requirements and Restrictions, except as noted below:

- i. Light which falls on adjacent properties and roads shall not exceed 0.5-foot candles.
- ii. Lights shall be reduced to security lighting one hour after close of activities which are open to the public except for lighting necessary to accomplish loading, unloading, set up and tear down and similar activities associated with the core fair.
- iv. Outdoor activities may have unique lighting needs pertaining to the performing or playing area. A design plan for such uses or facility shall provide detailed information on

glare, illumination of the surrounding properties, and nighttime atmospheric light pollution will be minimized. Such lights are subject to specific approval of the Planning Commission.

v. A lighting plan shall be submitted which shall include the following:

- a. Location of all exterior lighting fixtures.
- b. A description of the outdoor lighting fixtures, manufacturers data sheets, photometric report with candela distribution, drawings, and shielding information.
- c. Proposed mounting height of all exterior lighting fixtures.
- d. Analysis and luminance diagrams showing that the proposed installation conforms to the lighting level standards of this Ordinance; and
- e. For all buildings to be illuminated, drawings of all building elevations showing fixtures, the portion of the walls to be illuminated, the luminance levels of the walls, and the aiming points for any remote light fixtures.

7) Fencing. The area utilized for the fairgrounds shall be enclosed by a fence with a maximum height of six feet.

8) Parking.

- i. Parking of vehicles related to core fair activities and accessory uses shall only be located on the fairgrounds site. Sufficient parking shall be provided on site so that vehicles do not park on adjacent or nearby roadways or other property.
- ii. The Planning Commission may waive the requirement that the parking lot surface for parking areas designated for core fair patrons be asphalt or concrete pavement and that all parking and driveways and access aisles be striped. However, all such parking areas shall have a dust-free compact hard surface, which may include grass.
- iii. The applicant shall provide information on measures to reduce on -site dust and the tracking of mud or dirt onto the public roadway. The applicant shall be responsible for clearing any such mud and dirt tracked onto the public road.
- iv. Requirements for barrier free parking space size, surface, ramps, and signs shall be as required by the State of Michigan Barrier Free Design Act as amended.

9) Landscaping

- i. Landscaping shall be provided according to the requirements of Section 4.26 of this Ordinance. For parking areas which are unpaved the landscaping requirements within the parking lot are not applicable.
- ii. Canopy and ornamental trees shall be provided throughout the core fair grounds to provide shade and enhance the aesthetics of the core fairgrounds.

#### 10) Manure Disposal

A manure storage, handling and disposal plan shall be prepared and submitted to the USDA Natural Resources Conservation Service for review and approval. Evidence of this approval shall be provided to the Township.

#### 11) Signs

Signs shall be as permitted and regulated by Chapter 18 of this Zoning Ordinance except as follows:

- i. One electronic reader board sign is permitted in accordance with the requirements of Section 18.07 (g) herein plus the following requirements:
  - a. An electronic reader board sign shall not exceed a maximum illumination of two-tenths foot candles over ambient light levels measured at a distance of 150 feet from the face of the sign.
  - b. An electronic message board shall be equipped with a brightness control sensor that allows for the brightness to be adjusted either manually or automatically.
  - c. An electronic reader board sign shall not have a white background in order to reduce glare.
  - d. Prior to the issuance of a sign permit for an electronic message board the applicant shall provide to the Zoning Administrator certification from the manufacturer of the sign that the illumination settings for the sign comply with the maximum illumination requirements of this Section.
- ii. Signs which are not visible from offsite **and building identification signs** are exempt from the requirements of Chapter 18.

#### 12) Camping

- i. Camping on the fairgrounds site shall be subject to the requirements of Section 22.03(n) except as may be modified by the Planning Commission.
- ii. The applicant shall provide evidence to the Township that the campground has received the necessary permits from the Michigan Department of Environmental Quality.

#### d) **ADDITIONAL REGULATIONS**

1) In its approval of a Special Land Use permit the Planning Commission shall specify the uses which are being permitted and any conditions attached to the uses. Uses or **principal** buildings which the applicant wishes to add following this approval shall require the approval of the Planning Commission. The Commission shall determine if such changes are major or minor changes in accordance with Section 20.08 of this Ordinance.

**Article 2.**     **Severability.** Should any portion of this Ordinance /ordinance amendment be declared by a court of competent jurisdiction to be invalid or unconstitutional, that shall not affect the balance of this Ordinance/ordinance amendment, which shall remain in full force and effect.

**Article 3.**     **Effective Date.** This Ordinance/ordinance amendment shall become effective seven days after its publication or seven days after the publication of a summary of its provisions in a local newspaper of general circulation.

AYES:

NAYS:

ABSENT:

ABSTAIN:

ORDINANCE DECLARED ADOPTED

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Monica Burt, Township Clerk

I hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Township Board of the Charter Township of Lowell at a regular meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.

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Monica Burt, Township Clerk