

Charter Township of Oscoda

Planning Commission **AGENDA**

July 5, 2022 6PM
Robert J. Parks Public Library
6010 Skeel Ave
Oscoda, MI 48750

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- 1) **Call to Order**
 - 2) **Pledge of Allegiance**
 - 3) **Welcome Guests**
 - 4) **Member Roll Call**
 - 5) **Approval of Work Session and Planning Commission Minutes –**
 - i. Planning Commission Regular Meeting Minutes June 6, 2022
 - 6) **Agenda – Additions, Corrections, & Approval**
 - 7) **Public Comment – (Non-Scheduled and Scheduled Agenda Items)**
 - 8) **Old Business- N/A**
 - 9) **New Business – N/A**
 - 10) **Public Hearings –**
 - i. Case #205-2022, SLUP, AuSable Developments
 - ii. Amendments to Chapter 20, Parks and Recreation
 - iii. New Planned Development Ordinance
 - iv. New Micro Housing Ordinance
 - v. New Accessory Dwelling Unit (ADU) Ordinance
 - 11) **Report of the Zoning Board of Appeals Representative**
 - 12) **Report of the Township Board Representative**
 - 13) **Report of the Planning Commission Sub-Committees**
 - 14) **Report of the Economic Improvement Committee**
 - 15) **Comments of Planning Commission members**
 - 16) **Report of the Zoning Administrator**
 - 17) **Adjournment**

Charter Township of Oscoda

Planning Commission

Meeting Minutes

June 6, 2022 6PM

Robert J. Parks Public Library
6010 Skeel Ave
Oscoda, MI 48750

1) CALL TO ORDER

Vicki Hopcroft, Vice- Chair, called the meeting to order at 6:00 PM.

2) Pledge of Allegiance

3) WELCOME GUEST – Ms. Hopcroft welcomed guests to the meeting.

4) ROLL CALL

Present – Mr. Schenk, Mr. Palmer, Mr. Schulz, Mr. Tasior, Mr. Linderman, Ms. Mackenzie, Ms. Hopcroft

Absent – Mr. Davis

Quorum –Ms. Hopcroft determined a quorum present.

5) APPROVAL of Meeting Minutes-

- i. Regular Planning Commission Meeting May 2, 2022 Minutes- Mr. Tasior made a motion to approve the minutes as presented. Supported by Mr. Schulz. Roll call vote. All in favor.

6) AGENDA – Mr. Tasior made a motion to approve the agenda as written for the June 6, 2022 meeting. Supported by Mr. Linderman. Roll call vote. All in favor.

7) PUBLIC COMMENT – N/A

8) OLD BUSINESS –

- i. Case 106-2021 Final Site Plan Review Holiday Inn Express
 - a) Ms. Vallette put the Site Plan out on a table for viewing.
 - b) Mr. Linderman made a motion to approve Case 106-2021 Final Site Plan Review for Holiday Inn Express as presented. Supported by Mr. Tasior. Roll call vote. All in favor.

9) NEW BUSINESS –

- i. First Read- New Planned Development (PD) Ordinance
 - a) Mr. Tasior wondered about the Escrow Fees and how they will be established. Is the fee determined at the Preliminary Review, is it a percentage or flat fee? What establishes the Professional Fees that are included in a PD? How many reviews would be considered normal Engineering Fees and what would be extras? Should there be enough in Escrow to cover Professional Fees? Ms. Vallette stated

that the Zoning Fees are going to be presented to the Township Board for increase. PD would go from \$500 to \$750 to help cover Township costs better. Many other fees are being presented for increase as well.

- b) Ms. Hopcroft agreed with Mr. Tasior's Escrow/Fee concerns. Mr. Tasior wondered if we would charge a percent of the project total or if it should be a flat fee. Escrow is not currently being enforced. Mr. Linderman agrees that there should be a percentage listed. Mr. Palmer asked if Escrow would be in lieu of the application fee? They would be two separate fees with any remaining Escrow Funds being refunded to the Applicant at completion of the project.
- c) Ms. Hopcroft suggested looking at other Communities and their fees. Mr. Tasior wondered if the Escrow Fee should just go on the Application, that way it is mentioned in the Ordinance but being on the Permit would make it simpler to change if the Planning Commission deems it necessary to adjust Escrow Fees.
- d) Mr. Schulz was trying to understand how, if a project was large and the Escrow Fee was large, how that is encouraging to developers to come to the area?
- e) Ms. Hopcroft stated that if we do insert an Escrow Fee, she would like it to say the fee amount followed by minimum, giving the staff opportunity to bump up the Escrow amount if they felt necessary.
- f) Mr. Schulz stated that in Section 5.11 it requires Final As-Built Drawings on the most recent release of Auto-CAD. It was determined that it should say "an acceptable Auto-CAD Format" instead.
- g) Ms. Hopcroft sent out edits on the PD before the meeting. Ms. Vallette will make all corrections and send it on to Public Hearing at the next Planning Commission meeting.

ii. Michigan Association of Planning Community Planning Principals Discussion

- a) Ms. Vallette stated that at the last meeting, these Principals were discussed. She stated that we were doing most of the Planning Principals anyway and that Mr. Tasior brought these to my attention. Since we follow most of the principals. It made sense to move forward with the resolution. Ms. Vallette will get it to the Township Board when she is able to.
- b) Mr. Tasior brought this forward because MAP has had this process (planning principals) for many years. Progressive communities have agreed to those Principals. Mr. Tasior thought it would be a good thing to have on our resume. Ms. Hopcroft thought the principals are great and that we should adopt them through Resolution.
- c) Mr. Tasior made a motion to approve the Michigan Association of Planning Community Planning Principals and to send it to the Board of Trustees as a Resolution for final approval. Supported by Mr. Schenk. Roll call vote. All in favor.

iii. Yearly selection of Officers- Chairperson, Vice-Chairperson and Secretary

- a) Ms. Hopcroft wondered if since Mr. Davis wasn't at the meeting if it would be better to start the process of considering re-instating the same officers and table it until July.
- b) Mr. Tasior stated Mr. Davis was appointed, not elected and now was the time for an election.
- c) Mr. Tasior nominated Jeff Linderman as Chairperson. Supported by Mr. Palmer. Roll call vote. 6 yes votes, 1 no vote (by Ms. Hopcroft)

- d) Mr. Linderman nominated Robert Tasior as Vice-Chairperson. Supported by Mr. Palmer. Roll call vote. All in favor.
- e) Mr. Tasior nominated Greg Schulz as Secretary. Supported by Mr. Palmer. Roll call vote. All in favor.
- f) Ms. Hopcroft nominated Robert Tasior to serve on the EIC as the Planning Commission Representative. Supported by Mr. Palmer. Roll call vote. All in favor.
- g) Ms. Hopcroft nominated Greg Schulz to serve on the ZBA as the Planning Commission Representative. Supported by Mr. Palmer. Roll call vote. All in favor.

10) PUBLIC HEARING – N/A

11) REPORT OF THE ZONING BOARD OF APPEALS REPRESENTATIVE – Mr. Schulz stated that there was not a meeting since the last Planning Commission meeting.

12) REPORT OF THE TOWNSHIP BOARD REPRESENTATIVE-

- i. The board approved the Planning Commissions By-Law Amendments.
- ii. The spatial needs assessment will be underway soon, starting Wednesday 6/8/2022.
- iii. Aune Medical Center was sold for \$540,000.
- iv. Refuse Drop Off is June 11th and there is another one in September.
- v. The Board approved purchasing the Premium MTA Pass Training.
- vi. The Board passed Ordinance 2011-246 Amendments and Resolution 2022-15.
- vii. A LOI was accepted for Perimeter Rd. One of the two LOI's did not meet Zoning Regs.
- viii. Ms. Kline stated that the Township is looking into Recycling options.

13) REPORT OF THE ECONOMIC IMPROVEMENT COMMITTEE –

- i. Mr. Tasior stated that they met June 2nd. Todd and Tammy met with the MEDC and RRC staff. Training opportunities were discussed. RRC ribbon cutting July 15th. A motion was made at EIC to move forward with a Corridor Improvement Authority. The Stakeholders Summit and Annual Developers meeting is being scheduled for September.
- ii. Ms. Hopcroft stated that there will be an Artist Reception at the Artisan Hall on June 24th from 6-8pm. 21 artists will have art displayed there.

14) REPORT OF THE PLANNING COMMISSION SUB-COMMITTEES –

- i. Mr. Tasior stated that the Ordinance Revision Sub-Committee hasn't met since the 6 Ordinance Revisions were done. They will be meeting again soon.
- ii. Ms. Hopcroft stated that there have not been any Master Plan Meetings recently.

15) COMMENTS OF PLANNING COMMISSION MEMBERS –

- i. Mr. Palmer asked about the water main size going down River Rd. The size will be visually verified.
- ii. Mr. Schenk talked about Shoreline Players as the Townships meeting place and the audio problems.
- iii. Mr. Schulz spoke with Mark from F&V regarding Sewer on Cedar Lake Rd.
- iv. Mr. Tasior spoke about the May 18th Housing Summit. He wrote a summary for all the members.
- v. Mr. Schulz attended a MSU training on Solar Energy and found it beneficial. He suggested that the Township may want to start thinking about Solar Ordinances.

16) REPORT OF THE ZONING DIRECTOR – Ms. Vallette stated that she has issued two land permits for new residences over the last month and has issued permits for smaller projects. Ms. Vallette reminded everyone of the Planning & Zoning Essentials Workshop on June 22nd.

Declaring no further business, Mr. Davis adjourned the meeting at 7:40 PM.

Vicki Hopcroft – Vice Chair

Date

Nichole Vallette – Planning & Zoning Director

**CHARTER TOWNSHIP OF
OSCODA**

Zoning Department

Memo

To: Planning Commission Members

From: Nichole Vallette, Planning & Zoning Director

Date: July 5, 2022

Re: Case 205-2022

Nature of Case #205-2022:

Case #205-2022, AuSable Developments, has submitted a Special Land Use Permit Application for a proposed use of 200 Unit Apartment Complex with Amenities.

Existing Property Conditions:

There are multiple parcel #'s, totaling 8.30 Acres and is located on Skeel Ave/Pine/Oak, Oscoda. This property is zoned WB-3, Wurtsmith Business District. Apartments are allowed under Special Permit Uses: Q. Apartments.

Communications Received:

The Planning & Zoning Director will announce at the meeting any communications received.

Planning & Zoning Director Recommendations/Comments:

A special permitted use of WB-3 is Apartments. This is in the Preliminary Site Plan approval for the Special Land Use. Once all Engineered drawings are done, they will come back to the Planning Commission for further approval. AuSable Developments need to know if they can proceed with this project before obtaining the rest of their Engineered drawings. Review Section 4.15 WB-3 Wurtsmith Business District and Article IX Special Land Use Permits for approval standards.

Section 4.15 WB-3 Wurtsmith Business District (Outside Wurtsmith Airport Authority District):

1. **Intent and Purpose:** To provide for the adaptive reuse of existing structures and properties within the former Wurtsmith Air Force Base.
2. **Principal Uses:**
 - A. Governmental, Non-Profit or Institutional Offices;
 - B. Non-Profit Recreational Facilities;
 - C. Nursing Homes;
 - D. Convalescent Centers;
 - E. Day Care Centers;
 - F. Medical and Dental⁶ (Offices Located Within the Former Wurtsmith Air Force Base Hospital);
 - G. Non-Profit Community Theaters;
 - H. Public Facilities;
 - I. Youth or Adult Education and Training Centers, Including Schools (Public, Private and Parochial);
 - J. Convention and Conference Centers;
 - K. Reserved;⁶
 - L. Research and Development;
 - M. Reserved;⁶
 - N. Reserved;⁶
 - O. Places of Worship;
 - P. Community Events;
 - Q. Museums;
 - R. Professional Services (greater than four thousand (4,000) square feet of interior floor space for each use);⁶
 - S. Advertising Firms;⁷
 - T. Catering Services;⁷
 - U. Elderly Housing;⁷
 - V. Mail Order Companies;⁷
 - W. Pool and Spa Sales;⁷
 - X. Printing Companies;⁷
 - Y. Radio/TV Stations (No Towers);⁷
 - Z. Recording Studios;⁷
 - AA. Saddlery and Harness Sales;⁷
 - BB. Technical Services;⁷
 - CC. Wrecker/Towing Services.
3. **Special Permit Uses:**
 - A. Alternative energy generation, private;
 - B. Hospitals;
 - C. Publicly-owned and operated Parks, Parkways, and other Publicly-owned Outdoor Recreational Facilities;
 - D. Community Use Facility, Private;

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ARTICLE IX SPECIAL LAND USE PERMITS

- E. Retail Sales that are accessory or incidental to one of the other principal or special permitted uses;⁶
 - F. Warehouse and Distribution Centers;¹⁴
 - G. Medical Marihuana Provisioning Center;
 - H. Medical Marihuana Safety Compliance Facility;
 - I. Marihuana Recreational Retailer
 - J. Marihuana Safety Compliance Facility
 - K. Aircraft Component Repair;
 - L. Light Manufacturing;
 - M. Vehicle repair and maintenance;
 - N. Tow Lot/Impound Yard;
 - O. Columbariums;
 - P. Multi-Family Dwellings;
 - Q. Apartments;
 - R. Condominiums;
 - S. Townhouses;
 - T. Site Condos;
 - U. Planned Unit Development;
 - V. Marihuana Provisioning Center.
4. **Accessory Uses and Temporary Structures:** Within the WB-3 District, wholesale and retail sales of products that have been manufactured, produced, or reconditioned on site is permitted when such sales activity is clearly incidental and accessory to the principal use of the property.⁶ See Section 2.2, "Use, Accessory" and "Structure, Temporary," for definitions and permitted uses.
5. **Lot, Building, Yard Requirements:** As currently configured for existing structures and for their future additions. All new construction on property that is vacant, or had an existing structure that is greater than fifty (50) percent destroyed, and construction is permitted, after the effective date of this ordinance amendment shall comply with the following requirements:
- A. **Lot:** Area, five thousand (5,000) SF minimum; width, fifty (50) feet minimum; coverage, eighty-five (85) percent maximum.
 - B. **Principal Building:** Height, fifty (50) feet² maximum; stories, four (4) maximum; area six hundred (600) SF minimum.
6. **Performance Standards:** All activities conducted within the WB-3 zoning district shall be subject to the performance standards set forth in Section 4.15A, Paragraph 7, Special District Requirements.⁹
7. **Special Notes:**
- A. Businesses abutting residences shall provide opaque fencing or screening in accordance with Section 6.13.
 - B. Off-street parking and loading/unloading areas must be provided in accordance with Section 6.7.
 - C. Setbacks subject to site plan approval.

(Amd. of 7-26-2018; Amd of 8-7-2019; Amd. of 12-12-2019; Ord. No. 2021-270, 8-12-2021; Amd. of 10-18-2021)

ARTICLE IX SPECIAL LAND USE PERMITS

Section 9.1 Intent and Purpose:

It is the intent and purpose of these provisions for the granting of special land use permits to provide for flexibility in each zoning district for uses which when properly treated will be compatible with the permitted uses in the district.

Section 9.2 Approving Body:

In the administering of reviews and the decisions required thereon, including the granting of an approval for the issuance of a special land use permit, the Planning Commission is hereby designated, authorized and responsible for the provisions of this Article of the Zoning Ordinance.

Section 9.3 Uses and Districts:

The uses subject to and permitted in a district are listed in Article IV. Only those special land uses specifically identified on the District sheet may be considered by the Planning Commission for inclusion in the District in which the lot, plot or parcel is located.

Section 9.4 Reserved³

Section 9.5 Application Requirements:

1. Application for a Special Land Use Permit shall be made to the Zoning Administrator. The Zoning Administrator shall schedule a Special Land Use Permit public hearing, consistent with the notification requirements of Section 7.9 of this Ordinance, when the applicant has: filed a completed application form; submitted all required data, exhibits and information; and submitted the required fee. The Zoning Administrator shall forward copies of the application and accompanying information to members of the Planning Commission prior to the scheduled hearing.^{3, 13}
2. An application for a special land use permit shall contain the following:
 - A. Applicant's name, address, and telephone number.
 - B. Address and tax identification number of the subject parcel.
 - C. A signed statement that the applicant is the owner of the subject parcel, or is acting as the owner's representative.
 - D. A complete site plan containing all of the applicable data outlined in Article X, Site Plan Review Procedures.
 - E. Supporting statements, evidence, data, information and exhibits which address those standards and requirements for assessing special land use permit applications outlined above.
3. Two (2) copies of the completed application materials shall be provided by the applicant.
4. Special Land Use Permit review and Site Plan review shall be concurrent.²

Section 9.6 Public Hearing Requirements:¹⁰

Upon receipt of a completed Special Land Use Application and Site Plan, the Planning Commission shall hold a public hearing and give notice as provided in Section 7.9 of this Ordinance.

Section 9.7 Approval of Special Use Permits:

1. The Planning Commission shall review the particular circumstances and facts applicable to each proposed special condition use in terms of the following standards and requirements and shall make a determination as to whether the use proposed to be developed on the subject parcel meets the following standards and requirements:
 - A. Shall be incumbent upon the Planning Commission when considering Special Land Use Permits that the proposed use be in accordance with the general objectives of the current master plan, to the maximum extent possible.²
 - B. Will be designed, constructed, operated, maintained, in harmony with existing and intended character of the general vicinity and so that such use will not change the essential character of that area.
 - C. Will not be hazardous or disturbing to existing or future neighboring uses.
 - D. Will represent a substantial improvement to property in the immediate vicinity and to the community as a whole.
 - E. Will be served adequately by necessary public services and utilities, such as highways, streets, drainage structures, sanitary sewers, water, police, and fire protection and refuse disposal, or persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately for such services.
 - F. Will not create excessive additional requirements at public cost for public facilities and services, and will not be detrimental to the economic welfare of the community.
 - G. Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive smoke, fumes, glare, noise, vibration, or odors.
 - H. Will be consistent with the intent and purposes of this Ordinance in general, and Article X, basis for approval (for site plans) in particular.
2. If the facts regarding the special use permit being reviewed do not establish by a preponderance of the evidence that the standards and requirements set forth in this Zoning Ordinance will be met by the proposed use, the Planning Commission shall not grant special condition use approval.

In approving a special use permit, the Planning Commission may impose such reasonable conditions of use as it deems necessary to protect the best interests of the Township and the general vicinity, to achieve the objectives of this Ordinance and to assure that the general public health, safety, and welfare still not be infringed upon.

The Planning Commission may deny, approve, or approve with conditions, a request for special use permit approval. The action on a special use permit shall be incorporated in a statement containing the conclusions relative to the special use permit under consideration which specifies the basis for the decision and any conditions imposed.

3. Any conditions imposed shall remain unchanged except upon the mutual consent of a majority of the Township Planning Commission and the landowner. The Township shall maintain a record of all conditions that are changed. All records of proceedings hereunder shall be kept and made available to the public.
4. The Special Land Use Application review and the Site Plan review shall be concurrent.
5. The word "temporary" will be defined during Site Plan Review, either administratively, or by the Planning Commission.

(Amd. of 7-12-2018; Amd. of 11-29-2018; Amd. of 12-12-2019)

Section 9.8 Expiration of Special Land Use Permit:

A special land use permit shall become null and void and all fees forfeited unless construction and/or use is commenced within twelve (12) months of the date of issuance of the special land use permit, except that the Planning Commission may at its discretion, upon application by the owner and for cause shown, provide for up to two (2) successive twelve-month extensions.

A violation of any requirement, condition, or safeguard imposed hereunder shall be considered a violation of this Ordinance and constitute grounds for termination of a previously granted special land use permit.

Section 9.9 Reapplication:

No application for a special land use permit which has been denied, wholly or in part, by the Planning Commission shall be resubmitted until the expiration of one (1) year or more from the date of such denial, except on the grounds of newly discovered evidence or changed conditions.

Section 9.10 Required Fees:

Fees for the review of special land use applications shall be established by resolution of the Township Board.

Section 9.11 Modification of Approved Special Land Uses:¹³

An application to modify an existing approved special land use shall be processed in one of the following ways:

1. If the proposed modification would increase the scale or intensity of the existing use, or change the use of the property to another type of permitted Special Land Use, or change one or more of the original conditions of approval, the modification application shall be reviewed and acted upon by the Planning Commission in the same manner as an application for a new Special Land Use Permit in accordance with Sections 9.5, 9.6 and 9.7 above.
2. If the proposed modification would not increase the scale or intensity of the existing use, or change the use of the property to another type of permitted Special Land Use, or change one or more of the original conditions of approval, but would structurally alter a building or change part of the approved site plan, the modification application shall be reviewed and acted upon by the Planning Commission as a Site Plan application in accordance with Article X of this Ordinance.
3. Minor modifications that would not increase the scale or intensity of the existing use, change the use of the property, change one or more of the original conditions of approval, structurally alter a building or change part of the approved site plan may be approved by the Zoning Administrator in accordance with Section 7.4 of this Ordinance.

Section 9.12 Standards for Special Permit Uses:

Those uses permitted by special permit enumerated in any zoning district shall be subject to all conditions and requirements of this Section. The regulations contained in this Section shall be applied in addition to any other applicable standard or regulation contained elsewhere in this Ordinance unless specifically noted.

B. Application for Special Land Use Permit:

- (1) Application for a Special Land Use Permit hereunder shall be made in accordance with Article IX. Applications shall contain the name and address of the applicant, a legal description of the property upon which the proposed operation is to be carried out, a topographic map drawn at a scale of 1" to 100' with a two (2) foot contour interval, showing both existing and proposed grades, a description of the extent and nature of the proposed operation (including in the case of filling, the amount of fill to be deposited and the exact nature thereof), the name of the owner of the land described therein, and if the applicant is not the owner, shall contain or have attached thereto the written consent of the owner to the proposed operation on said land, and authorizing the Township to enter upon the land for the purpose of inspecting the premises and considering said application. It shall also contain an agreement that the applicant, and the owner if the applicant is not the owner, will comply with all of the provisions of this Ordinance, and any and all rules and conditions regarding and excavation and/or filling operations established by the Township pursuant to this Ordinance and filed in the office of the Township Clerk.
- (2) The original of each application shall be signed by the applicant and sworn to before a notary public. Two (2) conformed copies shall be filed with said original.

C. Reference of Application to Zoning Administrator, Investigation and Report, Standards: One (1) copy of the application shall be referred to the Zoning Administrator, or his duly authorized agent, who shall investigate the premises described in the application, including the surrounding area, and within a reasonable time make recommendations to the Planning Commission as to whether the Special Land Use Permit should be granted subject to this Ordinance, or whether the application should be denied. Recommendations shall include a report on the following matters which shall serve as the standards to be used by the Zoning Administrator in making his recommendation to the Planning Commission and by the Planning Commission in making its findings and rendering its recommendation to the Township Board regarding the Special Land Use Application:

- (1) The qualifications of the applicant to comply satisfactorily with the terms and conditions applicable to any permit to be granted as necessary to protect the public health, safety, and general welfare.

NOTE: No Special Land Use Permit shall be granted to an applicant deemed unfit by the Township Board on the basis of the clear and substantial weight of the facts presented.
- (2) The full and complete affect on the public health, safety, and general welfare of granting the Special Land Use Permit without special terms and conditions. For an application to be granted on this basis, the Township Board, exercising its discretion, must be able to find the application consistent with the public health, safety, and general welfare by the clear and substantial weight of the facts presented.
- (3) The necessity of special terms and conditions, with an enumeration thereof, and specific reasons therefore. Even subject to special terms and conditions, an application shall not be granted unless the Township Board, exercising its discretion, is able to find the application consistent with the public health, safety, and general welfare by the clear and substantial weight of the facts presented.
- (4) In connection with items (2) and (3) above, any geographical, soil, or other physical conditions pertaining to the land or general area involved, or arising out of any of the proposals of the application that would affect the present and future value or condition of the land involved, the general area, or otherwise affect the public health, safety, and general welfare of the residents of the Township shall be considered. No

application shall be granted on any basis whatever if the Township Board, exercising its discretion, finds that the granting of the application, because of such condition or conditions, would tend to injuriously affect the public health, safety, or general welfare, or make worse an already unsatisfactory situation.

The Zoning Administrator, or his duly authorized agent, shall include on his report to the Planning Commission and the Planning Commission shall consider in its recommendation to the Township Board, whether the granting of the permit, because of the nature of the fill proposed to be deposited on the site, would tend to leave the land in an unstable, wasted, or unfit condition for the growing of turf or other land uses permitted herein, or tend to impair the surrounding lands as to their respective permitted uses, or tend to create a stagnant or standing water condition, create a drowning hazard, other attractive nuisance, disease problem, or other unhealthful condition.

If the facts regarding the special land use being reviewed do not establish by a preponderance of the evidence that the standards and requirements set forth in this Zoning Ordinance will be met by the proposed use, the Planning Commission shall not recommend special land use approval to the Township Board.

In recommending approval of a Special Land Use Permit to the Township Board, the Planning Commission shall recommend imposition of such reasonable conditions of use as it deems necessary to protect the best interests of the Township and the general vicinity, to achieve the objectives of this Ordinance and to assure that the general public health, safety, and welfare will not be infringed upon.

The Planning Commission may recommend denial, approval or approval with conditions, a request for special land use approval. The recommendation on a special condition use shall be incorporated in a statement containing the conclusions relative to the special condition use under consideration which specifies the basis for the decision and any conditions recommended.

Upon holding a public hearing and completing the review of the Special Land Use Permit request, the Planning Commission shall within thirty (30) days forward to the Township Board its finding and recommendation. The finding shall include a record of those conditions which are recommended to be imposed. The Township Board, upon receipt of the finding and recommendation, may deny, approve, or approve with conditions, any request for a special land use approval. Any decision on such a request shall state the findings of fact and specify the conclusions drawn therefrom and any conditions imposed thereon. Any conditions imposed shall remain unchanged except upon the mutual consent of a majority of the Township Board and the landowner, and the Township Board shall maintain a record of all conditions that are changed. All records of proceedings hereunder shall be kept and made available to the public.

A Special Land Use Permit shall be issued by the Township Board upon approval. The Township Board shall forward a copy of the permit to the owner/applicant, Clerk, and Zoning Administrator. The Zoning Administrator shall not issue a building permit until he has received a copy of the Special Land Use Permit approved by the Township Board.

D. **Rules and Conditions:** Each party granted a Special Land Use Permit is required to faithfully adhere to and abide by any special condition or conditions which may be attached to the Special Land Use Permit, to honor any and all applicable provisions of law, and to comply with the following regulations:

- (1) No top soil, earth or sand shall be removed and no excavation shall be conducted on a parcel of less than five (5) acres in area, or within two hundred (200) feet of any public thoroughfare, or within a distance of one hundred (100) feet, plus the measurement of the depth of the cut, of any adjoining private property line.
- (2) Water, ice, or other unsatisfactory matter shall not be permitted to stand or accumulate in any excavation during or following the completion of the excavation operations, unless an impoundment of water has been previously approved by the Township Board as a part of restoration operations as described in item (d), below.
- (3) Each permitted excavation in excess of four (4) feet in depth shall be barricaded with a fence six (6) feet in height, constructed of wire mesh, or other suitable material, to afford protection to persons and property,

with warning signs, lights and watchman provided where found by the Township Board to be reasonably necessary based on the conditions involved.

In any event, the slopes of the excavation shall not exceed a ratio of four (4) feet horizontal to one (1) foot vertical, except where an impoundment of water has been previously approved by the Township Board as a part of restoration operations (as described in item (d) immediately below). Slopes at a ratio of four (4) feet horizontal to one (1) foot vertical shall be maintained for all areas lying below the proposed water surface, to a depth of six (6) feet.

- (4) Where a permit for soil removal or excavation specifies grading, or filling and grading, as a special condition of the permit, said applicant, within ninety (90) days after completion of the removal or excavation operation, shall commence and complete with all due dispatch the grading, or filling and grading, as required. Only proper fill deposited in the proper manner shall be permissible. Grading shall be on the basis of an average grade at least twelve (12) inches above the crown of the lowest road or highway adjacent to or abutting said land, and the land shall be leveled so as to provide drainage suitable for growing of turf or for other land uses permitted under this Ordinance, except that filling the land to an average grade higher than that which existed prior to the removal of the top soil, earth, or sand from said land shall not be required. In the case of a permit for filling:
- (a) Evidence of compliance with PA 641 of 1978, as may be amended (the Solid Waste Management Act) must be provided by the applicant. No rubbish or garbage shall be burned, permitted to burn or smolder as a result of voluntary igniting of said material or as a result of involuntary internal combustion of said rubbish or fill material deposited at the site of the permitted operation;
 - (b) A temporary fence to prevent the scattering of rubbish, garbage, and other waste matter, if required by the Township Board, shall be erected around the place of the fill so as to enclose the matter to be deposited; provided that any rubbish, garbage, or other matter that nevertheless collects shall be picked up and removed from the area daily, it being the duty of the Special Land Use Permit holder to keep the area in a reasonably clean and neat condition;
 - (c) All rubbish and garbage fill when deposited must be thoroughly compacted;
 - (d) All rubbish and garbage fill, within twenty-four (24) hours of depositing in the place or places authorized in the Special Land Use Permit, shall be covered with a compacted layer of soil matter twelve (12) inches thick and of a kind and texture that will be suitable for growing of turf or for other land uses permitted within the district. A final compacted layer of soil matter twenty-four (24) inches thick of a kind and texture that will be suitable for the growing of turf, or for other suitable land uses permitted within the district, shall be placed within one (1) week following the completion of the deposit of refuse in that area. In applying the standards of public health, safety and welfare provided for in this Ordinance, the Township Board may extend the above twenty-four (24) hour period to such longer period as is deemed satisfactory under the circumstances.
 - (e) Conveyance vehicles for rubbish or garbage shall not be open lid and while in transit shall be closed and covered so as to reduce odor and the scattering of the matter being carried. Any rubbish or garbage that is nevertheless dropped in transit shall be recovered by the conveyor of such rubbish or garbage and the affected area restored to its prior condition. Further, any undue collection of soil matter deposited on the public highways by the tracking of the vehicles shall be removed and the affected area restored to its prior condition.
- (5) The Township, through its duly authorized agents, shall have the right to enter upon any land designated in any Special Land Use Permit, for the purposes of making inspections, and for causing compliance with the terms of this Ordinance in the event the permit holder shall fail to do so. It shall be the duty of the Zoning Administrator or his duly authorized agents to make periodic inspections of all land for which permits have been issued, and to report any violation of the terms hereof to the Township Board.

-
- E. **Permits, Suspensions, Revocation:** In the event a Special Land Use Permit holder violates the terms of this Ordinance or conditions previously imposed by the Township Board, the Zoning Administrator shall have the power to suspend said permit issued pursuant to this Ordinance, provided that written notice of such suspension, stating the reasons therefore, shall be served upon the permit holder, either personally or by registered mail, and provided further that the permit holder shall have the right to appeal such suspension to the Township Board within ten (10) days after receipt of such notice. If it shall appear to the Township Board from the facts presented that the Special Land Use Permit holder has been committing the violation as charged, then the Township Board shall revoke said permit. In the event of the revocation of a Special Land Use Permit for cause, any performance guarantee shall not be canceled until said premises are restored to a condition deemed satisfactory to the Township Board, based on the standards of this Ordinance and conditions previously imposed by the Township Board.
- F. **Dangerous Excavations or Holes Prohibited:** The construction, maintenance, or existence within the Township of any unprotected, unbarricaded, open or dangerous excavations, holes, pits, or wells, or of any excavations, holes or pits which constitute, or are reasonably likely to constitute, a menace to the public health, safety or welfare, is hereby prohibited. This section shall not apply to excavations operated under a Special Land Use Permit issued pursuant to this Ordinance, or the local Building Code, where such excavations are barricaded and warning signs posted in such manner as may be approved by the Zoning Administrator, nor does this section apply to lakes, streams, or other natural bodies of water, or to ditches, streams, reservoirs, or other major bodies of water created or existing by authority of the state of Michigan, Iosco County, Charter Township of Oscoda, or other governmental agencies.
- G. **Restoration:** All areas within any landfill or excavation site operating under a single permit shall be restored progressively. Restoration shall be in accordance with a plan approved by the Township Board prior to the issuance of a Special Land Use Permit. Restoration shall be to a condition as to leave the surface of the land at a grade which blends with the general surrounding terrain so as to appear reasonably natural and to permit the establishment of other land uses allowed in the district in which said excavation or filling occurs.

The Township Zoning Administrator shall conduct inspections hereunder, and shall notify the owner and/or operator in writing of any portions of the site that is deemed abandoned or ready for restoration. Upon receipt of such written notification, the owner and/or operator shall have said areas restored within ninety (90) days, or within thirty (30) days supply the Township Board with a written reply indicating the date restoration is anticipated. The Township Board may accept or reject said dates. If said date is accepted, it shall be binding on both parties. If said date is rejected, the Township Board shall set a new date which shall be final.

17. **Reserved⁹**

**APPLICATION FOR: (circle one)
SPECIAL LAND USE PERMIT
SITE PLAN REVIEW
ADMINISTRATIVE REVIEW**

Property owner Information:

Name: AuSable Developments
Address: 360 E. Spruce Rd
Phone: 989 657-0206

Applicant Information:

Name: AuSable Developments
Address: 360 E. Spruce
Phone: 989 657-0206

Property Information:

Address: Skell Rd Property
Zoning District: WB3
Parcel#: Multiple
Phone: _____
Parcel Size: 8.30

**Engineer - Architect- Surveyor -
other consultant**

Name: Peacock Architects
Address: 1512 E Broward Blvd
Ft Lauderdale FL 33301
Phone: 954-728-8000
E-Mail: tamara@peacockarchitects.com

Site Plan/Operational Information Submitted (2 complete copies; max. scale 1"=50', 1"=100' over 3 acres)

Project Title and Brief Description:

200 Unit Apartment Complex w/ Amenities

Project Completion Schedule/Phasing:

Q1 2023 to Q1 2025

Please Note: The applicant or their official representative should be present at the Planning Commission's Public Hearing/Meeting to present the application and answer any questions Commission Members may have.

Applicant's Signature: I am the owner of the property included in this application or am officially acting on the owner's behalf. I hereby attest that the information on this application form, the site plan and other attachment(s) is, to the best of my knowledge, true and accurate. I hereby grant permission to the Township Staff and/or any appropriate Township Official to access this property to review the accuracy of the information submitted.

Ech R. Balanowski
Applicant Signature

6/8/22
Date

Oscoda Township
Site Plan - Special Land Use Application
OFFICIAL USE ONLY

Application Submitted: 6/8/2022 Complete Application Accepted: 6/8/2022 By: ML

Zoning information reviewed and verified as: (circle one) Complying Non-Complying with basic standards of the _____ District.

Non-Compliance(s): _____

Approval Required: (circle one) Zoning Director (see Sect. 10.1 B & C) or Planning Commission

Water - Sewer Dept. review and approval is also required:

Water-Sewer Dept. Approval: _____ **Date:** _____

Administrative Review: In accordance with (circle one) Section 10.1(8) or 10.1(C) of the Zoning Ordinance, I find this application meets/does not meet applicable requirements.
Therefore I hereby (circle one) **APPROVE** **DENY** this application.

Planning & Zoning Director Signature _____
Date

Planning Commission Review:

Public Notice Mailing Date: _____

Publication Date: 6/15/2022

Public Hearing/Meeting Date: 7/5/2022

Materials to Commission: _____

Planning Commission Action: (circle one) **Approved** **Denied** **Approved with Conditions**

Conditions of Approval:

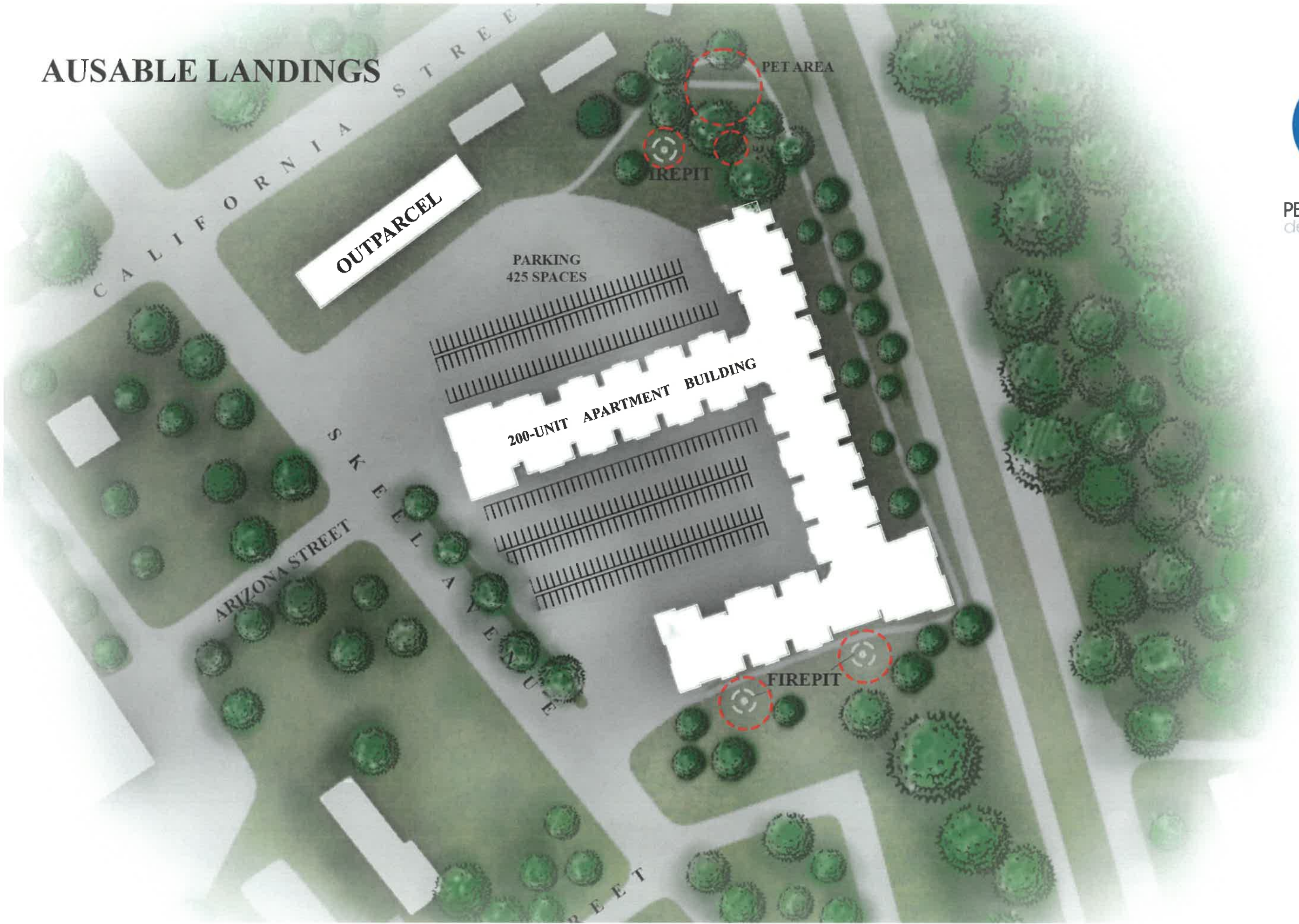
If the Special Land Use/Site Plan is approved with conditions:

I understand that I will forward documentation to the Planning Commission within 6 months attesting to the progress relative to compliance with conditions 1 through _____

Applicant

Date

AUSABLE LANDINGS



PEACOCK ARCHITECTS
design beyond dreams

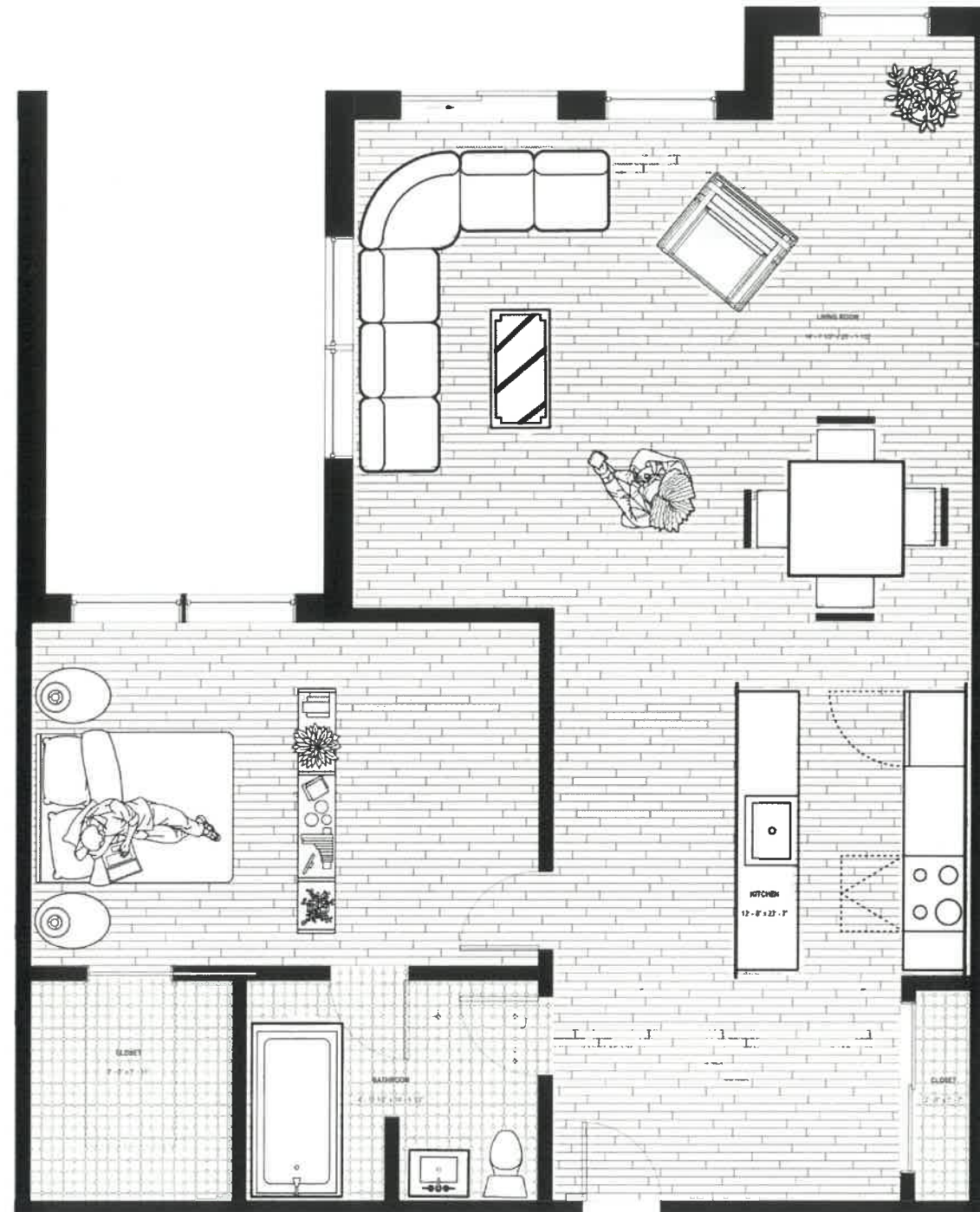


AUSABLE LANDINGS

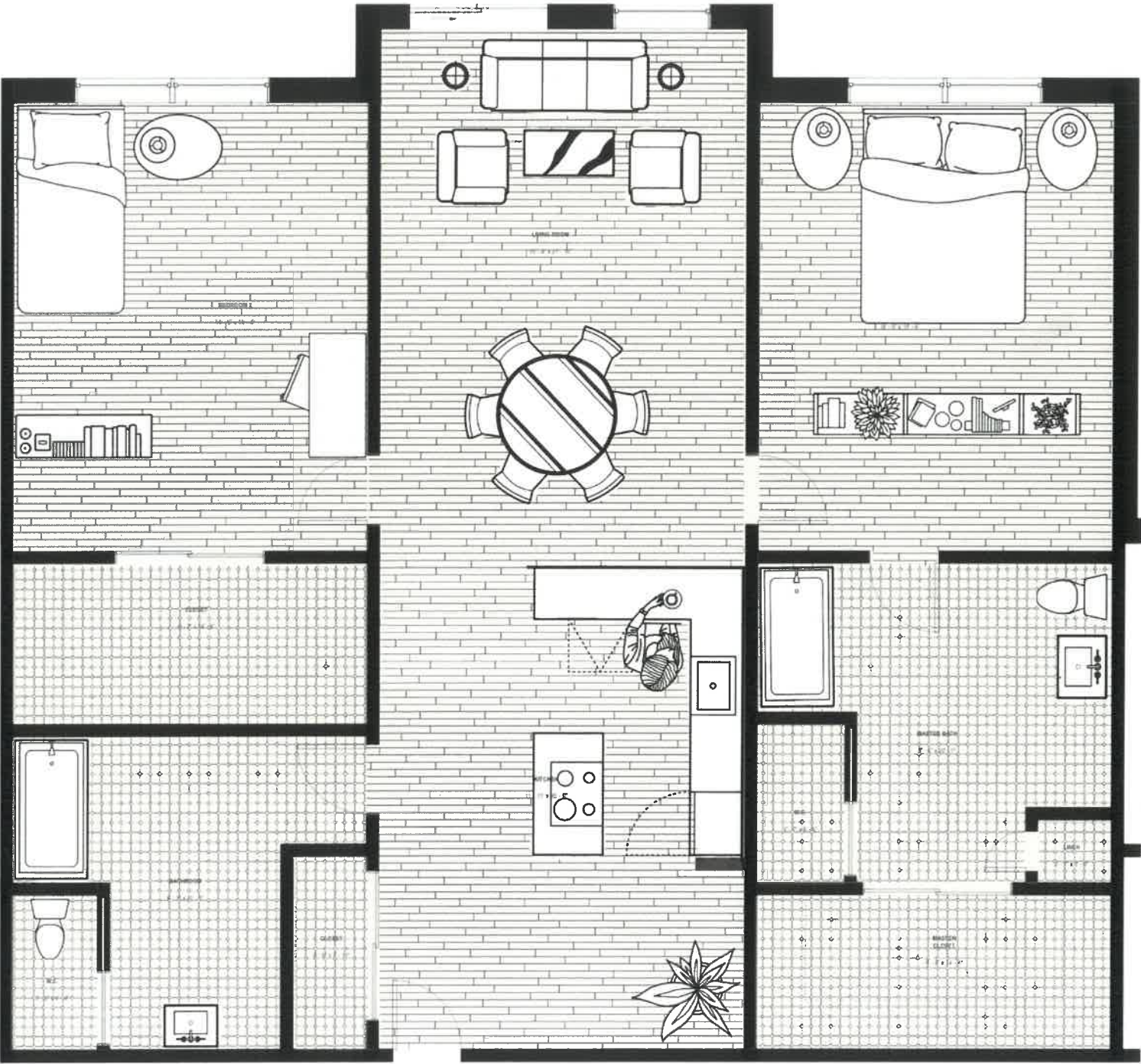
TYPICAL ONE BEDROOM FLOOR PLAN



PEACOCK ARCHITECTS
design beyond dreams



AUSABLE LANDINGS
TYPICAL TWO BEDROOM FLOOR PLAN



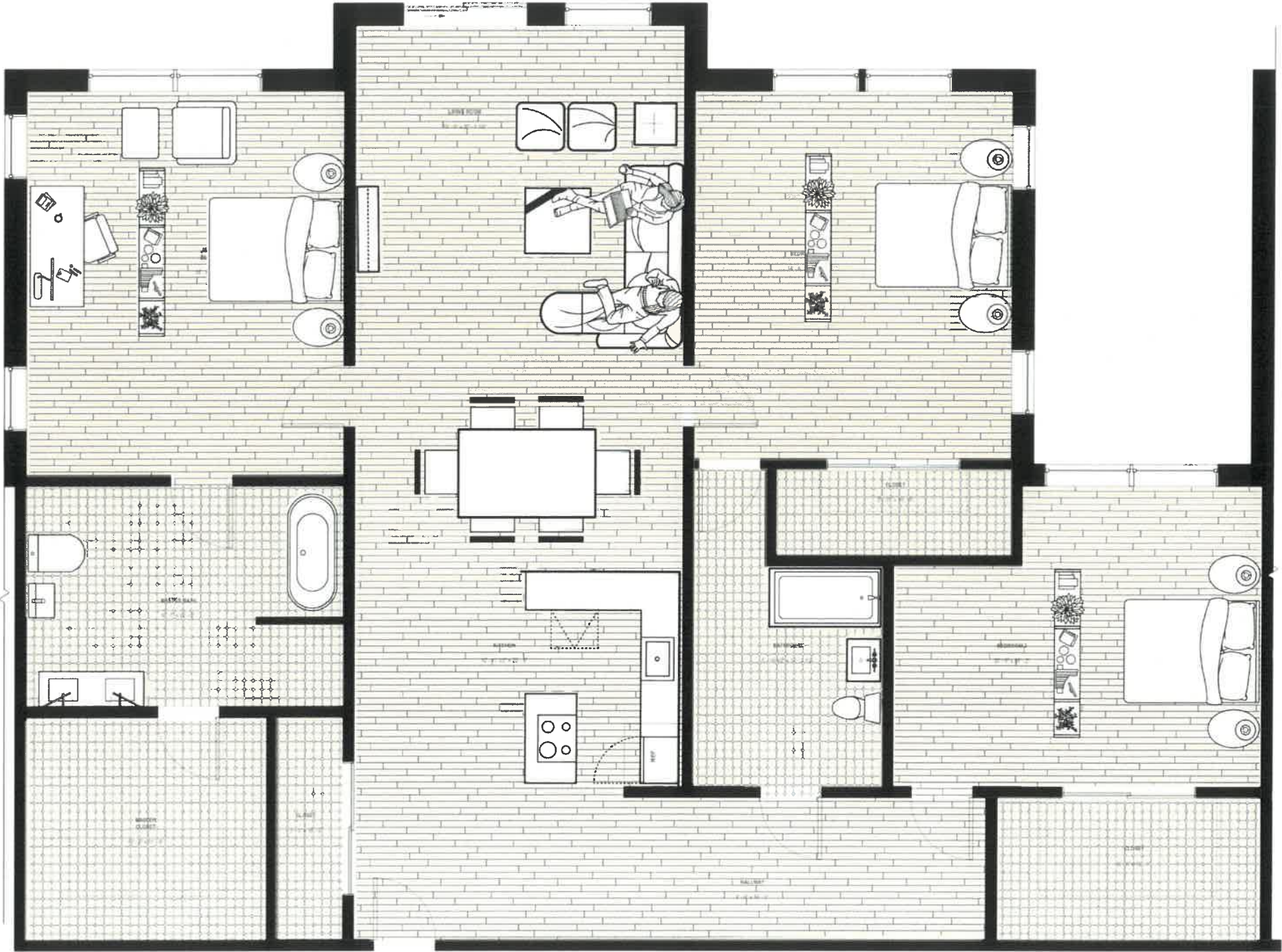
PEACOCK ARCHITECTS
design beyond dreams



AUSABLE LANDINGS
TYPICAL THREE BEDROOM FLOOR PLAN



PEACOCK ARCHITECTS
design beyond dreams



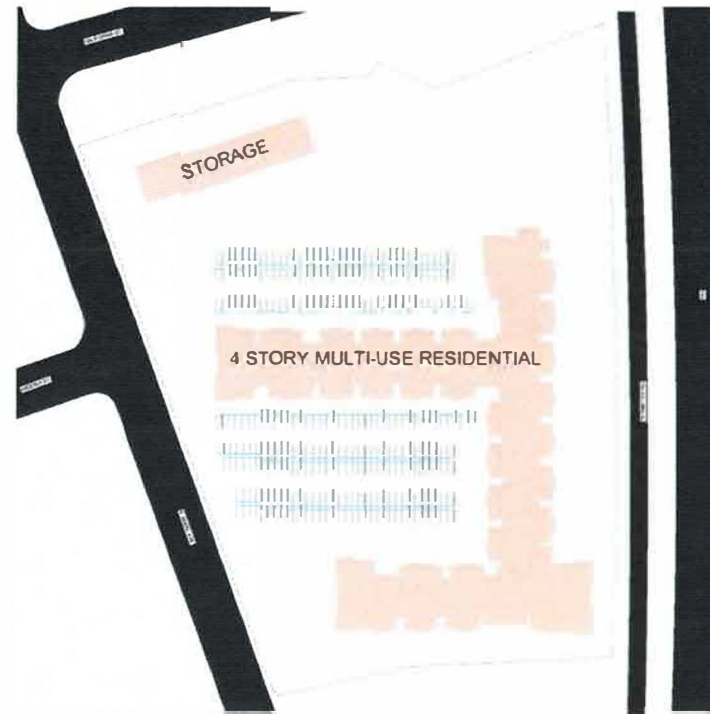
AuSable Landings



Oscoda, Michigan



SITE PLAN



AUSABLE LANDINGS
N SKEEL AVE
OSCODA, MI 48750



**PEACOCK
COMPANY**
Architects



TYPICAL ONE BEDROOM UNIT



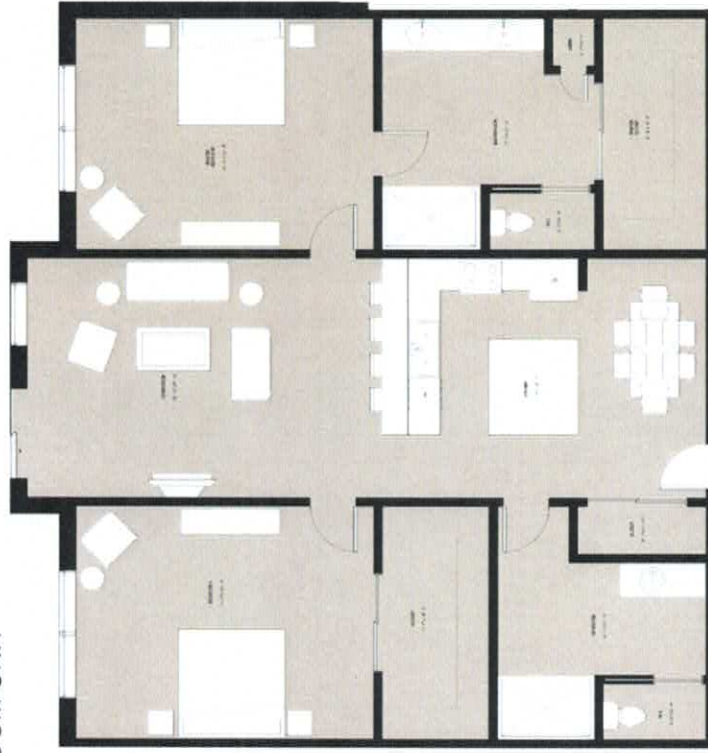
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N STEEL AVE.
OSCODA, MI 48750



PEACOCK
COMPANY
Architects



TYPICAL TWO BEDROOM UNIT



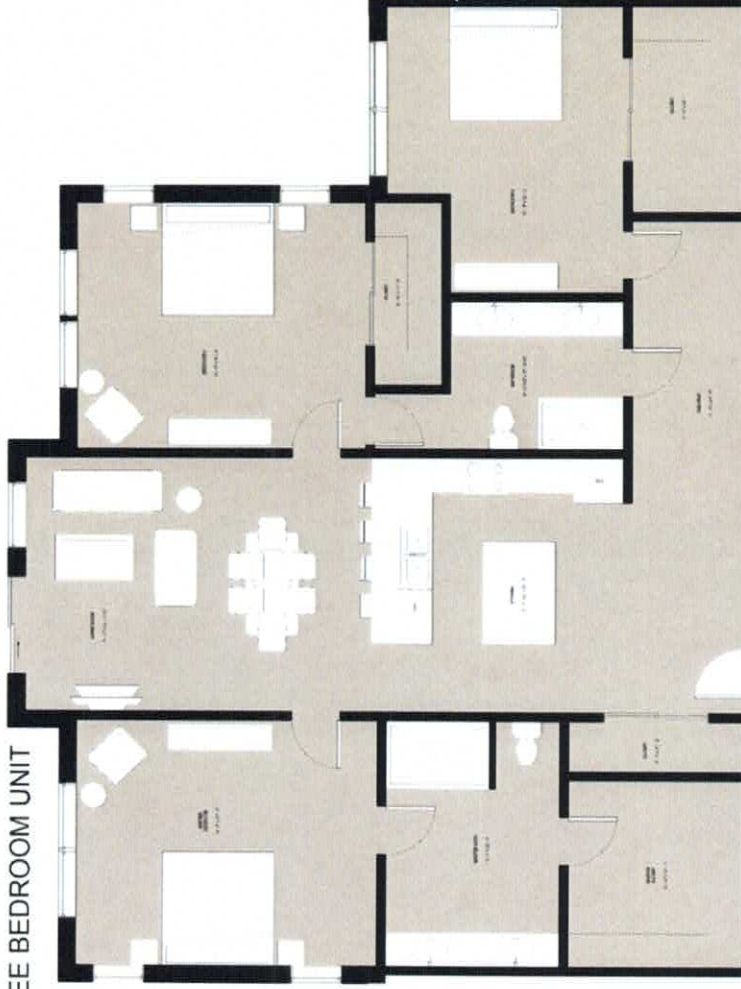
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OSCODA, MI 48750



PEACOCK
COMPANY
Architects



TYPICAL THREE BEDROOM UNIT



AUSABLE LANDINGS
N SKEEL AVE.
OSCODA, MI 48750



PEACOCK
COMPANY
Architects



INTERIORS VISION BOARD



AU SABLE LANDINGS
N SKEEL AVE
OSCODA, MI 48750







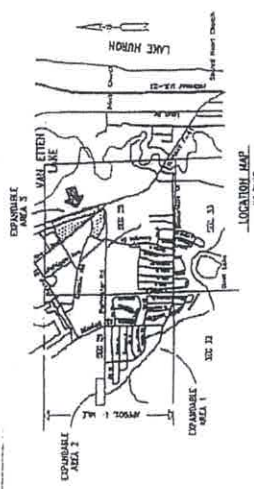
2020 AERIAL PHOTOGRAPH

Sagasser & Associates, Inc.
Environmental Assessment & Consulting Services

18 LOTS – VACANT PARCEL
PINE DRIVE, OAK DRIVE &
CALIFORNIA STREET
WURTSMITH DISTRICT,
OSCODA, MICHIGAN

PROJECT: 112104

DATE: DEC 2021



PARCEL	LENGTH	WIDTH	AREA	PERCENT	AREA	PERCENT
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4	11.25	10.13	114.07	0.01	114.07	0.01
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6	11.25	10.13	114.07	0.01	114.07	0.01
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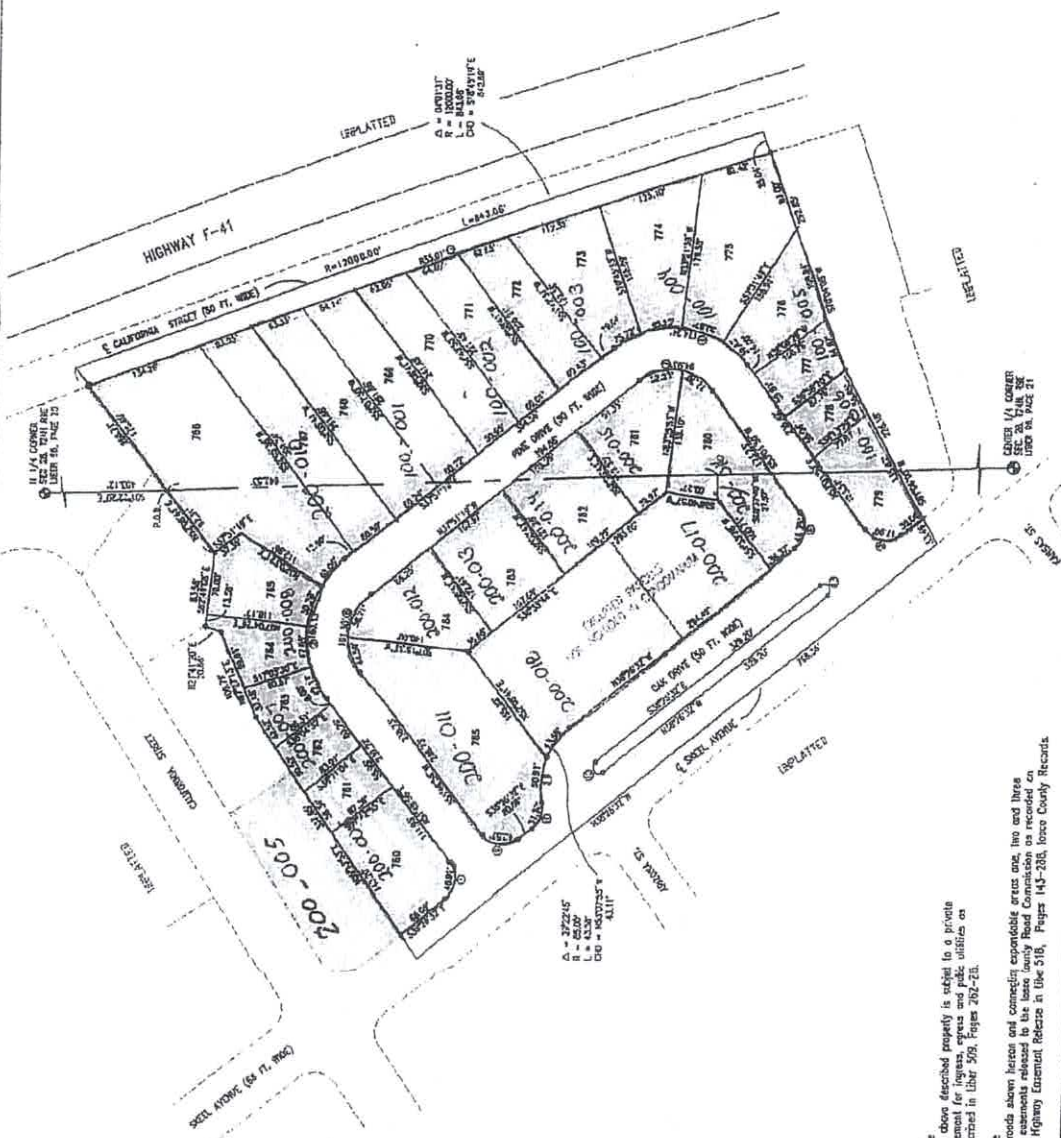


THIS PLAN PREPARED BY:
RIGG LAND SURVEYING, INC.



WILLIAM J. RIGG
PROFESSIONAL SURVEYOR
No. 41103
JUNE 11, 2004

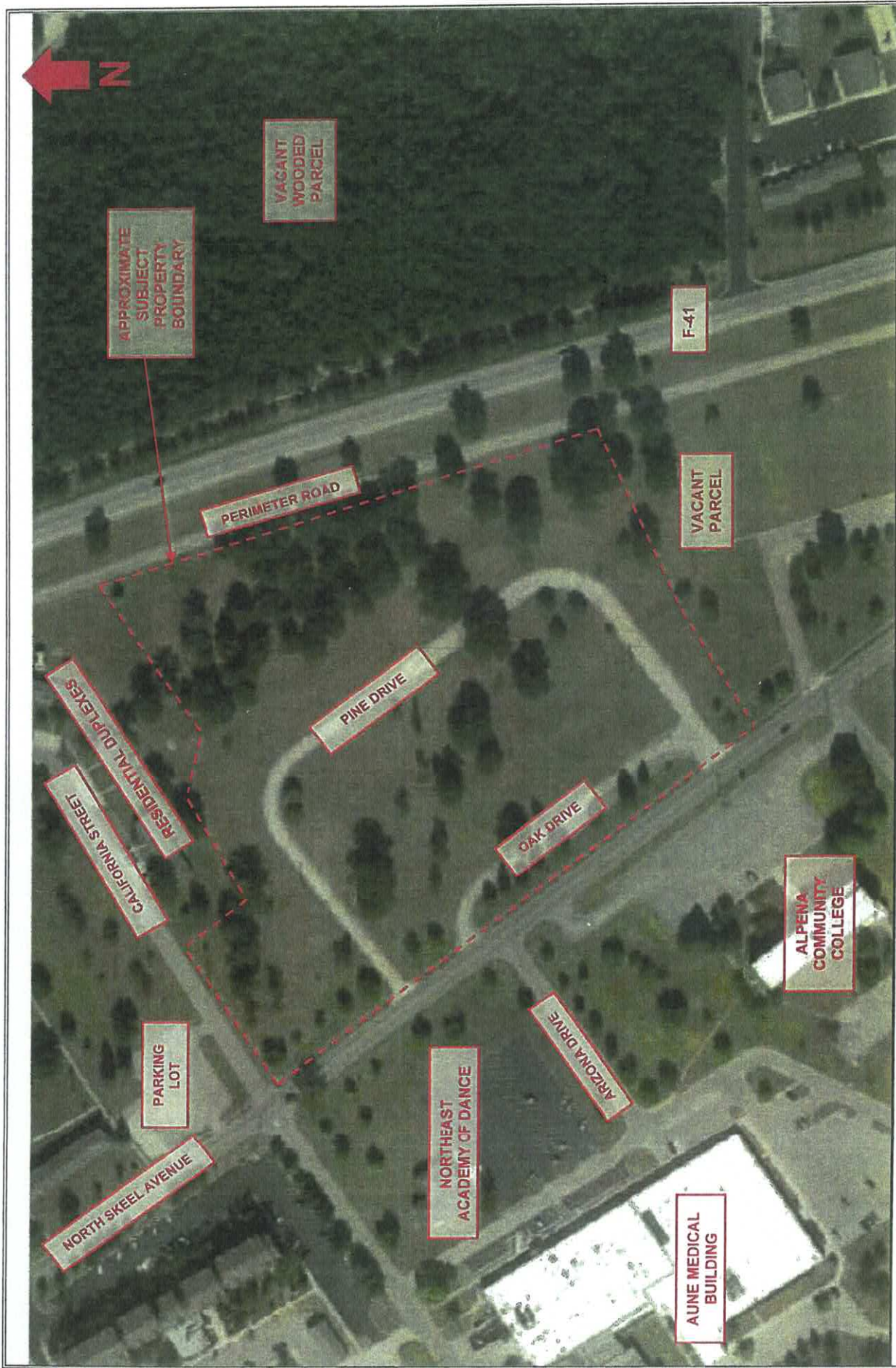
SURVEY PLAN



RIGG LAND SURVEYING, INC.
430 M-55, TAWAS CITY, MI 49763
PH. (989) 362-1372 FAX (989) 362-1374

MICHIGAN OSCODA UNITED PARTNERSHIP
380 UNION STREET
WEST SPRINGFIELD, MA 01089

NO.	DATE	DESCRIPTION
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2018 AERIAL PHOTOGRAPH WITH SITE PLAN OVERLAY

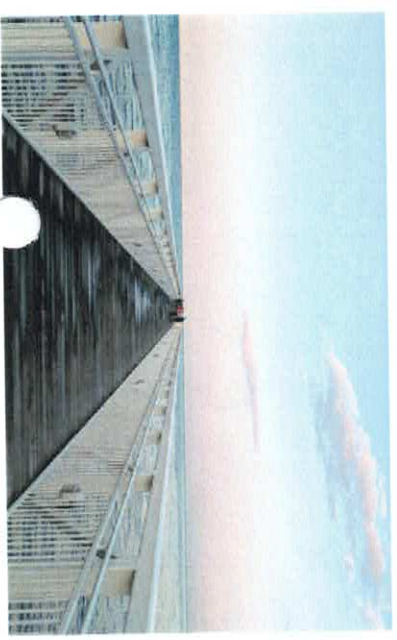
FIGURE 2

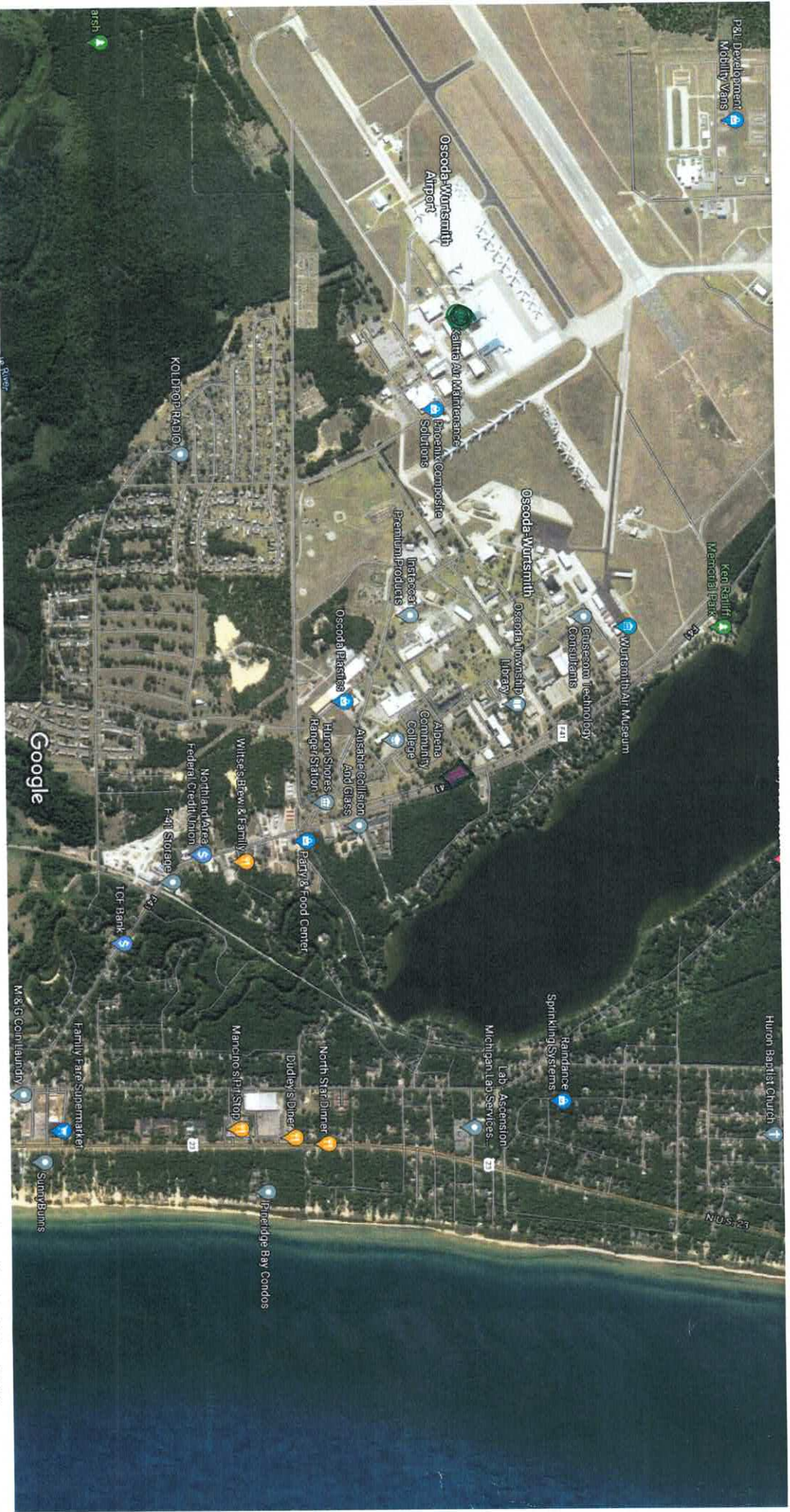
Sagasser & Associates, Inc.
 Environmental Assessment & Consulting Services

18 LOTS – VACANT PARCEL
 PINE DRIVE, OAK DRIVE & CALIFORNIA STREET
 WURTSMITH DISTRICT, OSCODA, MICHIGAN

PROJECT: 112104

DATE: JAN 2022





Chapter 20

PARKS AND RECREATION*

Article I, In General

Sec. 20-1. Penalty for violation of chapter.
Secs. 20-2-20-30. Reserved.

Article II, Use of Parks and Contiguous Parking Lots

Division 1. Generally

Sec. 20-31. Power boats.
Sec. 20-32. Tents and house trailers.
Sec. 20-33. General use regulations.
Sec. 20-34. Prohibited acts.
Secs. 20-35-20-55. Reserved.

Division 2. Alcoholic Beverage Permits

Sec. 20-56. Required.
Sec. 20-57. Application contents.
Sec. 20-58. Issuance denied to certain persons.
Sec. 20-59. Duration.
Sec. 20-60. Investigation; grant or denial.
Sec. 20-61. Appeals to the township board.
Secs. 20-62-20-90. Reserved.

Article III, Camping

Sec. 20-91. Definitions.
Sec. 20-92. Prohibited generally; exceptions.
Sec. 20-93. Reserved.
Sec. 20-94. Camping on personal property exempted from article provisions.
Sec. 20-95. Warnings to leave camp; refusal constitutes violation of article.
Secs. 20-96-20-125. Reserved.
Sec. 20-126.
Sec. 20-127.
Sec. 20-128.
Sec. 20-129.
Sec. 20-130.

Article IV, Ski Trails

Purpose of article.
Definitions.
Application of article provisions.
Prohibited acts.
Exemptions.

***Cross References-Environment**, Ch. 12; streets, sidewalks and other public places, Ch. 26; waterways, Ch. 34.

State law references-Township parks, MCL 41.421 et seq., MSA 5.2441 et seq.; recreation and playgrounds, MCL 123.51 et seq., MSA 5.2421 et seq.

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CD20:1
OSCODA CHARTER TOWNSHIP CODE
Secs. 20-131-20-160. Reserved.

Article V. User Fees and Permits

Division 1. Generally
Sec. 20-161. Posting of article provisions.
Sec. 20-162. Penalties for violation of article.
Sec. 20-163. Launch fee required.
Sec. 20-164. Recreational vehicle site rental fee required.
Sec. 20-165. User fee schedule.
Secs. 20-166-20-185. Reserved.
Sec. 20-186.
Sec. 20-187.
Sec. 20-188.

Division 2. Permits
Seasonal launch permits; availability; period of validity.
Display-Recreational vehicle site permit.
Same-Launch ramp permit; term defined.
CD20:2
PARKS AND RECREATION § 20-33

ARTICLE I. IN GENERAL

Sec. 20-1. Penalty for violation of chapter.
Any person which violates any of the provisions of this chapter shall be deemed guilty of a ~~Ceivil~~ Civil Infraction and shall be punished in accordance with section 1-10. In addition, any person violating the provisions of this chapter may be required to leave the T~~h~~ownship P~~p~~ark or place of recreation by the supervisor in charge of such park or place of recreation.
(Ord. No. 113, § 5, 8-22-1965; Ord. No. 142, § 9, 5-16-1977; Ord. No. 184, § 6, 8-22-1991)
Secs. 20-2-20-30. Reserved.

ARTICLE II. USE OF PARKS AND CONTIGUOUS PARKING LOTS*
DIVISION 1. GENERALLY

Sec. 20-31. Power boats.
Boat trailers shall not be parked within township parks or places of recreation except during the hours of operation of the park. All local, state, and federal boating regulations will shall be adhered to.
(Ord. No. 113, § 2, 8-22-1965)

Sec. 20-32. Tents and house trailers.
No tents or house trailers shall be allowed within township parks or places of recreation except as allowed in the township campground.
(Ord. No. 113, § 3, 8-22-1965)

Sec. 20-33. General use regulations.

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(a) *Fires*. Any fires for cooking must be made within the grills provided for the purpose or within privately owned grills which are designed to retain the ashes and prevent their deposits upon the ground. Except for camp fires that are established and maintained in the township's campground, no fires shall be built directly upon the ground in ~~the other~~ daily use parks.

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(b) *Rubbish*. All trash, bottles, cans and other debris must not be allowed to remain upon the ground, nor ~~deposited upon~~ ~~on~~ any beaches, nor in any lakes, streams, rivers or other waters situated within or adjoining park areas.

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(c) *Picnic tables*. Picnic tables ~~must not be used by one family or one group for longer than one hour at a time and must be allowed to be circulated among the occupants of the park or place of recreation.~~ ~~Are are~~ for the use of the patrons of the park on a ~~first-come first-served~~ basis.

***State law** reference-Authority to adopt rules and regulations for the use of places of recreation, MCL 41.422, ~~MSA 5.2442~~.
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§ 20-33 OSCODA CHARTER TOWNSHIP CODE

(d) *Property of township*. Township property shall not be damaged or destroyed and shall be treated with respect for the next user.

(e) *Hours*. Daily use ~~of~~ township parks and places of recreation shall be open from 7:00 a.m. until 10:00 p.m., unless otherwise posted, or with prior approval, and shall be closed to the public during the remainder of the day and night.

~~however, the township board, by resolution, may permit the use of certain areas within township parks or places of recreation as being specifically designated for snowmobile use, including trail areas and designated parking lots, between the hours of 7:00 a.m. and 1:00 a.m. of the following day from November 1 until April 1.~~

(f) *Dogs or other animals*. No dogs or other animals shall be allowed within township parks and places of recreation unless the same are on a leash or kept within a secure container which prohibits their release. ~~It is understood that~~ ~~T~~ the immediate removal of any fecal matter ~~shall be the~~ responsibility

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~~promptly removed by~~ ~~of~~ the animal's ~~owner,~~ ~~owner or Caregiver~~ ~~caregiver~~. ~~No dogs or other animals will be allowed on the designated~~ ~~Public-public Beach-beach~~ ~~area at Footesite Park and Ken Ratliff Park.~~

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(g) *Firearms and other weapons*. ~~No firearms, BB guns, air guns, compressed air guns, bow and arrows, slingshots or any other weapons shall be used upon and within park grounds. Must adhere to State and Federal law. No BB guns, air guns, compressed air guns, bow and arrows, slingshots shall be used within park grounds. Firearms shall comply with all State and Federal laws.~~

(h) *Servicing of automobiles and other vehicles*. No automobiles, trailers or any other vehicle shall be washed, polished or repaired in or upon any park grounds.

(i) *Speed limit*. No vehicle shall travel within the park grounds at a speed in excess of ten miles per hour.

(Ord. No. 113, § 4, 8-22-1965; Ord. No. 142, § 2, 5-16-1977; Ord. No. 211, § 4, 2-9-1998)

Sec. 20-34. Prohibited acts.

No person in any park or parking lot owned or operated by the ~~T~~ township shall:

(1) *Pollution of waters*. Throw, discharge or otherwise place or cause to be placed in the waters of any pond, bay, lakeshore, river or other body of water in or adjacent to any park, any substance or matter of thing, liquid or solid, which will or may result in the pollution of said waters.

(2) *Trash; use of receptacles.* Have brought in or shall dump, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage or refuse, or other trash. No such refuse or trash shall be placed on any waters in or contiguous to any park, or parking lot contiguous with any park, or left anywhere on the grounds thereof, but shall be placed in the proper receptacles where these are provided. ~~Trash shall be collected and deposited in available waste receptacles.~~

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(3) The operation of vehicles on beaches, picnic areas or other areas ~~other than parking lots which are contiguous to or in conjunction with parks,~~ is prohibited. Operate a motorized vehicle on any beach, picnic area, or areas other than parking lots which are contiguous to or in conjunction with parks, except that operation of snowmobiles may be permitted by resolution of the township board, from November 1 to April 1, in designated locations within the park area, subject to appropriate conditions and regulations which shall be set forth in the resolution.

(4) *Washing motor vehicles.* Washing cars, motorcycles, vans or other vehicles is prohibited.
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~~(5) Alcohol. Use of Alcohol is prohibited in Township Parks unless a permit is obtained by the Michigan Liquor Control Commission.~~

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PARKS AND RECREATION § 20-57—Delete Section

(5) *Operating sound systems.* Operate a stereo or high-fidelity music player, record player, radio, public address system, with external speakers, or speakers which can be detached from the radio, or record player, or where the speaker system is connected to the receiver or radio or record player by extension wires.

(6) *Fires.* Except for those fires started or used in fire boxes, commercially produced cooking grills, grills that are furnished by the township or in the campfire pits at the township's campground, it shall be unlawful for any person to start, use, or participate in the starting or using of a fire in any park owned or operated by the Charter Township of Oseoda.

(7) *Public intoxication.* Be found to be intoxicated by the effects of consuming alcoholic beverages.

(8) *Disorderly conduct.* Act in a disorderly manner so as to be offensive or threatening to other persons in the park.
(Ord. No. 142, § 8, 5-16-1977; Ord. No. 210, § 1, 2-9-1998)

Secs. 20-35-20-55. Reserved.

~~DMSION 2. ALCOHOLIC BEVERAGE PERMITS~~

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~~Sec. 20-56. Required.~~

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It shall be unlawful for any ~~person, group, business or organization~~ to serve alcoholic beverages, including beer and wine, as part of a ~~group gathering, civic event or other party~~ function of any kind whatsoever in any park or parking lot connected with or part of a park located within the township, without first having obtained a permit therefor.
(Ord. No. 142, § 3, 5-16-1977)

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~~Sec. 20-57. Application contents.~~

~~An approved~~ All applications for a permit to serve alcoholic beverages shall be made to the township clerk and shall contain the following information: ~~obtained prior to the event.~~ ~~An application for a permit to serve alcoholic beverages shall be submitted to and approved by the Township.~~ ~~The application and approval shall be consistent with the rules and regulations promulgated by the Michigan Liquor Control Commission.~~

(1) The name, age and address of the applicant/person or party that is assuming responsibility for the event in which alcohol will be consumed. In the case of a co-partnership, the persons who are the co-partners; in case of a corporation, the objects for which it was organized, and the names and addresses of the officers and directors.

(2) The purpose and/or function at which alcoholic beverages will be consumed.

(3) An estimate of the amount of alcoholic beverages to be consumed as well as the types of alcoholic beverages.

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§ 20-57 OSCODA CHARTER TOWNSHIP CODE

(4) A written statement that swears and attests that the applicant and or responsible party has not been convicted of a felony or any of the liquor control laws of the state. Such written statement shall be witnessed by a notary public.
(Ord. No. 142, § 3(a), 5-16-1977)

Sec. 20-58. Issuance denied to certain persons.

No permit to consume or possess or control alcoholic beverages pursuant to this article shall be issued to, ~~unless proof of State licensing and insurance is provided.~~

(1) A person who has been convicted of a felony.

(2) A person who has been convicted of a violation of the liquor laws of the state.

(3) A person who proposes to make a personal profit from the consumption or use of alcoholic beverages on township property.
(Ord. No. 142, § 4, 5-16-1977)

Sec. 20-59. Duration.

Each permit issued under this article shall be for a period of 24 hours, subject, however, to the regulations of this article as to the opening and closing of township parks. ~~Approved by the Township Board, approved via in the application.~~
(Ord. No. 142, § 5, 5-16-1977)

Sec. 20-60. Investigation; grant or denial. DELETE

Upon receipt of the application for a permit to serve alcoholic beverages in a park or parking lot connected with or a part of a park located within the township, the township clerk shall forward the application to the township superintendent, who shall make such investigation as he/she deems necessary and shall, within five days, either grant or deny the permit.
(Ord. No. 142, § 6, 5-16-1977)

Sec. 20-61. Appeals to the township board, Zoning Board of Appeals

Any person aggrieved of a decision of the township superintendent, Board of Trustees with respect to a permit to serve alcoholic beverages in a park or parking lot connected with or part of a park located within the township, may appeal such decision to the township board Zoning Board of Appeals at its next regular meeting, or at a requested special meeting. The township board Zoning Board of Appeals may review the decision of the superintendent Township Board and either grant or deny a permit, in accordance with this article.
(Ord. No. 142, § 7, 5-16-1977)

Secs. 20-62-20-90. Reserved.
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ARTICLE III. CAMPING

Sec. 20-91. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning: *Campsite* means any place where any bedding, sleeping bag or other sleeping matter is placed, established or maintained, whether or not such place incorporates the use of any tent, lean-to, shack or other structure, or any vehicle or part thereof. *To camp* means to set up or to remain in or at a campsite.
(Ord. No. 184, § 1, 8-22-1991)
Cross reference-Definitions generally, § 1-2.

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Sec. 20-92. Prohibited generally; exceptions.

It is unlawful for any person to camp in or upon any Township sidewalk, street, alley, lane, park, public right-of-way or any other property public or private located in the Township, unless the person is camping in a licensed campground or on state or United States Forest Service property designated for camping by either the state or the United States Forest Service or the campsite is established on property that has a valid building permit issued for the purpose of constructing an authorized permanent principle structure and the campsite is being utilized in accordance with the temporary building provisions of the Township zoning ordinance (Ordinance No. 165) as amended.
(Ord. No. 184, § 2, 8-22-1991; Ord. No. 184-1, § 2, 5-10-1999)

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Sec. 20-93. Reserved.

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Sec. 20-94. Camping on personal property exempted from article provisions.

Persons who are camping on property with the approval of the owner(s), and such camping is incidental to the property's use as a single-family residence, shall be exempt from the provisions of this article. At any one time, campsites on personal property will be limited to two of any combination of the following: tents, pick-up campers, travel trailers, motor homes, or any other such similar items.
(Ord. No. 184, § 4, 8-22-1991)

Sec. 20-95. Warnings to leave camp; refusal constitutes violation of article.

No person shall be convicted of violating this article unless such person shall continue to camp for more than 30 minutes after receiving a warning to leave. Such warning shall be given by a police officer.
(Ord. No. 184, § 5, 8-22-1991)

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Secs. 20-96-20-125. Reserved.

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ARTICLE IV. SKI TRAILS

Sec. 20-126. Purpose of article.

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The purpose of this article is to provide rules and regulations for the use of public cross country ski trails and downhill ski trails within the Township.
(Ord. No. 168, § 1, 1-13-1986)

Sec. 20-127. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning: *Vehicle* means any conveyance including motor vehicles, trailers, campers, tricycles, bicycles

(motorized or not), motorcycles, motorized all-terrain vehicles, snow vehicles or any vehicle propelled by other than muscular power.
(Ord. No. 168, § 3, 1-13-1986)

Cross reference-Definitions generally, § 1-2.

Sec. 20-128. Application of article provisions.

This article shall apply to all ski trails owned, leased and/or operated or acquired by permit by the **T**ownship.
(Ord. No. 168, § 2, 1-13-1986)

Sec. 20-129. Prohibited acts.

It shall be unlawful for any person to:

- (1) Operate a vehicle on any ski trail in the **T**ownship.
 - (2) Hold any ski race, or other organized ski event, unless prior written notice is given to the clerk of the **T**ownship at least 20 days before the scheduled event.
- (Ord. No. 168, § 4, 1-13-1986)

Sec. 20-130. Exemptions.

No provision of this article shall make unlawful any act necessarily performed by any officer or employee of the **T**ownship in the line of duty or work as such, or by any person or employees in the proper and necessary execution of the terms of any agreement with the **T**ownship, including authorized trail-grooming equipment and other vehicles used for maintenance.
(Ord. No. 168, § 5, 1-13-1986)

Secs. 20-131-20-160. Reserved.

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PARKS AND RECREATION § 20-185

ARTICLE V. USER FEES AND PERMITS*

DIVISION 1. GENERALLY

Sec. 20-161. Posting of article provisions.

The Township **superintendent** shall cause signs to be posted at each park entrance giving notice of this article.
(Ord. No. 199, § 7, 4-25-1994)

Sec. 20-162. Penalties for violation of article.

(a) *Launching of watercraft.* All persons who violate the provisions of this article with regard to launching of watercraft, **shall may** have their launch vehicle and/or trailer towed and impounded to be released upon payment of launch fees and towing fees, and subject to punishment in accordance with section 1-10.

(b) *Recreational vehicle campsites.* All persons that violate the provisions of this article with regard to recreational vehicle campsites **shall may** have their vehicle towed and impounded to be released upon payment of campsite rental fees and towing fees, and further subject to punishment in accordance with section 1-10.
(Ord. No. 199, §§ 8, 9, 4-25-1994)

Sec. 20-163. Launch fee required.

Any person launching a watercraft at a launch ramp located in a park operated, owned or operated by the **T**ownship shall first pay a launch fee as provided in section 20-165.
(Ord. No. 199, § 1, 4-25-1994)

Sec. 20-164. Recreational vehicle site rental fee required.

Any person who occupies a recreational vehicle campsite in a park owned or operated by the **T**ownship shall first pay a site rental fee as provided in section 20-165.

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(Ord. No. 199, § 2, 4-25-1994)

Sec. 20-165. User fee schedule.

The user fee schedule for **T**ownship **P**ark facilities is as established from time to time by resolution of the **T**ownship **B**oard and a copy of such schedule is on file and available in the **T**ownship **O**ffices.

(Ord. No. 199, § 3, 4-25-1994)

Secs. 20-166-20-185. Reserved.

***Cross reference-Finance, § 2-151 et seq.**
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DIVISION 2. PERMITS

Sec. 20-186. Seasonal launch permits; availability; period of validity.

Seasonal launch permits shall be available at the **T**ownship **C**lerk's office. The seasonal permit shall be valid from April 15 to November 15 of the year it is issued.

(Ord. No. 199, § 4, 4-25-1994)

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Sec. 20-187. Display-Recreational vehicle site permit.

Recreational vehicles sited in campsites shall display the permit in a window of the recreational vehicle clearly visible to the outside or affixed to the front of the recreational vehicle clearly visible to the street in front of the campsite.

(Ord. No. 199, § 5, 4-25-1994)

Sec. 20-188. Same-Launch ramp permit; term defined.

Launch ramp permits shall be displayed in the windshield of the launch vehicle clearly visible showing the permit number. For the purposes of this article the term "launch vehicle" shall be defined as a vehicle which is connected to a boat and/or watercraft trailer. It shall be unlawful for any boat and/or watercraft trailer to be left at a park site without being connected to a launch vehicle.

(Ord. No. 199, § 6, 4-25-1994)

Cross reference-Definitions generally, § 1-2.

OSCODA TOWNSHIP – ZONING ORDINANCE
ORDINANCE XX OF 2022

AN ORDINANCE TO AMEND ARTICLE V OF THE CHARTER TOWNSHIP OF OSCODA ZONING ORDINANCE.

The Charter Township of Oscoda Ordains:

Section 1: Amendment.

Article V shall be amended to change the phrase “Planned Unit Development” to “Planned Development,” and the acronym “PUD” to “PD.”

Article V shall be amended as follows:

**Article V
Planned Developments (PD)**

Section 5.1- INTENT AND PURPOSE

- A. The provisions of this Article establish the authority and standards for the submission, review, and approval of applications for Planned Development (PD). It is the intent of this Article to authorize the creation of PDs as a Special Land Use in all Zoning Districts, ~~except R-1 (Low Density Residential)~~, P (Parking District), NR (Natural River District), WA (Wurtsmith Airport Overlay District), and A-1 (Airport Protection Zone 1 & 2), for the purposes of:
1. Encouraging the use of land in accordance with its character and adaptability.
 2. Conserving natural resources, natural features, ~~and~~ energy, and improving water quality.
 3. Encouraging innovation in land use planning by providing walkable neighborhoods and Zoning Districts and increasing vehicular and pedestrian connectivity between properties and land uses.
 4. Encouraging enhanced housing, employment, shopping, and recreational/open space opportunities for the people of Oscoda Township.
 5. Bringing about a greater compatibility of design and use between neighboring properties.
 6. Encouraging quality design and construction of building and site amenities.
 7. Permitting mixed uses within the same building, or on the same parcel.
 8. Facilitating the implementation of the Oscoda Township Master Plan and adopted subarea plans.
- B. The provisions of the PD are designed to permit a degree of flexibility not available through conventional underlying Zoning Districts that results in a development that fully utilizes the assets of the subject property, meets and exceeds the objectives of the Oscoda Township Master Plan

and adopted subarea plans, and integrates successfully and harmoniously with surrounding properties and neighborhoods.



Mixed Use PD



Residential PD

Section 5.2- APPLICATION AND REVIEW PROCEDURES

- A. **Special Land Use – Planning Commission Review.** A Planned Development (PD) shall constitute a Special Land Use and a PD application shall be reviewed by the Planning Commission. The Planning Commission shall make the final determination regarding the PD application.
- B. The PD process is divided into three components:
1. Pre-Application Conference.
 2. Planned Development.
 3. Site Plan Review.
- C. **Pre-application Conference.** Prior to submitting an application for a PD, the Applicant shall meet with the Township ~~Planner~~ **Planning** and Zoning ~~Administrator~~ **Director** and any staff and/or consultants that the Township deems appropriate. The purpose of a pre-application conference is to discuss the eligibility of a project for consideration as a PD, to discuss application procedures, and for Township representatives to obtain such information as is needed for their recommendation regarding the amount of funds to be placed in escrow.
- D. **Escrow Fund Requirements.** The Applicant shall deposit funds in an escrow fund with the Township which will be used to process and review the application. **The Escrow Fund amount will be determined during the pre-application conference based on Township Fee Structures and will have a minimum requirement of \$2,000.** An Applicant's failure to make escrow payments shall render the PD application incomplete and ineligible for further consideration by the Planning Commission. The Township shall approve or deny expenditures from the escrow fund. **Funds remaining after project completion will be returned to the applicant.**
- E. **Planned Development (PD) Plan.** Following the pre-application conference, the Applicant shall submit a completed PD application form, an application fee, and printed copies (with the number and format of copies to be determined by the ~~Zoning Administrator~~ **Planning and Zoning Director**), and one (1) digital Adobe® PDF of the materials and information described under this heading. These materials and information are also collectively called the PD Plan. It is the responsibility of the Applicant to provide pertinent and useful information to the Planning Commission upon which to base their decision. If the PD Plan is to be developed in phases, the PD Plan shall show all phases. The PD Plan shall contain, or include with it:

1. A narrative statement, together with supporting charts, maps, and documents describing the project. Information shall include, but is not limited, to the following:
 - a. The total number of acres in the project.
 - b. The number of acres to be occupied by each type of use.
 - c. The number of residential units.
 - d. A residential density calculation indicating the total number of dwelling units. divided by gross site area, and a more detailed residential density calculation that divides the number of a specific unit type by the gross site area associated with that specific unit type.
 - e. The number and/or square feet and type of nonresidential uses.
 - f. The number of acres to be preserved as common open or recreational space.
 - g. The relationship of the proposed PD to the Township Master Plan.
 - h. The implementation phases of the PD, the approximate time frame to complete each phase, and a specific schedule of the intended development and construction schedule details, including anticipated construction start and completion dates.
 - i. Proposed utility services and how they are to be provided, including but not limited; to water, sanitary sewer, telecommunications, and storm water management. Where applicable, the Applicant shall use low impact development storm water best management practices.
 - j. Proposed deed restrictions, covenants, or similar legal instruments to be applied within the PD.
 - k. Variations from Ordinance regulations that are being sought, and the reasons to support the requested variations.
 - l. Areas of the site containing significant natural features, including a breakdown of the approximate square feet/acres by type of significant natural feature. Significant natural features shall include: wetlands, flood plains, water bodies, woods, slopes in excess of eighteen (18) percent, active agricultural land, or any other unique natural features as determined by a local, state, or federal department or agency authorized by law to designate or classify a unique natural feature.
 - m. Signatures of all parties having an interest in the property with a statement of the nature of their interest and their intention to see the development of the property completed in accordance with the approval, if granted.
 - n. Written recommendations from the Iosco County Road Commission as to access and road improvement needs and/or contributions toward necessary upgrades, if any.
2. PD Plans shall be drawn at a conventional scale that is appropriate to the size of the property and the proposed Planned Development. The PD Plan shall contain the following:
 - a. The name of the PD, the Applicant's name, the name and address of the firm or individual who prepared the preliminary development plan, date, scale, and north arrow.
 - b. Property lines, dimensions in feet of all property lines, and size of the PD (and individual phases) in acres.
 - c. Existing Zoning and land uses of all abutting properties.
 - d. Significant natural features on the site as defined in Section 5.2[E.1.I.] above.

- e. Existing buildings and structures on the site and those located on abutting land within fifty (50) feet of a common property line.
 - f. Proposed uses, buildings, and their locations.
 - g. Rights-of-ways and pavement edges or curb lines of existing streets abutting the PD.
 - h. Locations of proposed access drives, parking lots, and streets within the PD.
 - i. Proposed walkways or pedestrian paths.
 - j. Proposed methods of providing water, sanitary sewer, and storm water drainage facilities.
 - k. Layout and typical dimensions of proposed lots.
 - l. The general improvements that constitute a part of the development, including, but not limited to; lights, signs, service areas, dumpsters, mechanisms designed to reduce noise, utilities, and visual screening features.
 - m. Specifications for exterior building materials for structures proposed in the project.
 - n. Elevations for proposed buildings or building types.
 - o. Photometric plans for the project area.
3. The Planning Commission may require additional information reasonably necessary to determine compliance with the review standards and other requirements applicable to a PD, or to determine the impact of the proposed development. Such information may include, for example; soil reports, hydrological tests, traffic studies, wetland determinations or a market analysis. At any time during the PD Plan review process, the Planning Commission shall have the right to hire such experts as may be needed to provide independent studies regarding issues related to the PD approval standards or to review documents or consultant reports provided by the applicant or others. Fees and expenses related to any such experts shall be paid from the monies that have been paid to the Township in escrow.

F. **PD Public Hearing.** Upon determining that the application and all required information are complete, the Planning Commission shall conduct a Public Hearing. Notice of the hearing shall be in accordance with the notification procedures for Special Land Use as described in the Michigan Zoning Enabling Act or a successor statute.

G. **Final Decision by the Planning Commission.**

- 1. The Planning Commission shall make its decision at any regular or special meeting.
- 2. At the meeting when a decision is reached, the Planning Commission shall review the record compiled at the Public Hearing(s) and the reports of any experts or consultants.
- 3. Based on the record compiled at the public hearings and any regular or special meeting(s) held, the Planning Commission shall determine whether the PD Plan complies with the standards of Section 5.3[A]. If it does comply, then the Planning Commission shall approve it, or approve it with conditions. However, if it does not comply, then it shall be denied. In any case, a decision by the Planning Commission shall be in writing and shall contain findings of fact or reasons ~~regarding~~ why the application complies or fails to comply with applicable provisions of this Zoning Ordinance. The findings of fact shall address the following:

- a. The application submitted by the Applicant was complete, and information required by the Planning Commission was provided and is part of the public record.
 - b. The PD fulfills the objectives of the Oscoda Township Master Plan or adopted subarea plans and the land use policies of the Township and presents an innovative and creative approach to the development of the subject property.
 - c. The proposed land uses fulfill a need or demand for such land uses within the Township.
 - d. The property is suitable for the proposed purposes and land uses.
4. The Planning Commission's decision shall be final after the meeting minutes at which the decision was adopted are approved, or after the decision is certified in writing. Once the decision is final, judicial review may be sought as authorized by law.
 5. Approval of the PD Plan does not constitute approval to modify the subject property in any form or fashion until a site plan is submitted and approved by the Planning Commission for the entire development, or for each phase as approved in the PD Plan. The site plan review and its contents shall comply with the requirements of Article X and Section 7.3: Site Plan Review. The site plan approval process is separate from the PD review and approval process. As a result, approval of the Planned Development (PD) Plan does not constitute approval of the PD site plan.
 6. The PD Plan site plan review process commences once the PD Plan is approved by the Planning Commission. The Applicant, at their discretion, can concurrently submit for review the PD Plan and site plan.

Section 5.3- STANDARDS AND REQUIREMENTS FOR APPROVAL

- A. When the Planning Commission makes a decision regarding a PD Plan, they shall make it based on compliance with the following standards:
 1. Land uses shall be consistent with the intent of the underlying Zoning District and the Oscoda Township Master Plan and adopted subarea plans.
 2. The PD shall meet the minimum land area requirements specified for the underlying Zoning District.
 3. A PD shall comply with all dimensional and use regulations of the underlying Zoning District unless variations are otherwise approved by the Planning Commission. Such proposals shall be accompanied by supporting material demonstrating that the variations would provide equal or greater protection to adjacent or nearby properties.
 4. The lands comprising a PD must be subject to unified ownership or control so that the person or legal entity applying for PD approval has proprietary responsibility for the completion of the development, if approved. If multiple persons or legal entities have ownership interests in the land, all such persons or entities shall sign the PD application. If the application is signed by a prospective purchaser or person who has optioned the land, written consent by all owners of the land must be submitted with the application.

5. As provided for in this paragraph, except for on-site septic systems and wells, water supply and sanitary sewage disposal in and for a PD shall only be accomplished by public or community water supply and sanitary sewer systems. These must be approved by the District Health Department 2 (DHD2) and other agencies having jurisdiction and be in compliance with applicable Township Ordinances. If approved by the District Health Department 2 (DHD2), on-site septic systems and wells may be permitted for individual residential lots containing a single-family dwelling.
6. The PD Plan must be consistent with the intent of this Article, as described in Section 5.1, and it must also represent a development opportunity for the community that could not be achieved through Conventional Zoning.
7. The PD Plan and its proposed uses must be compatible with the type, character, and density of land uses on adjacent and nearby lands based on the future land use map in the ~~Iosco~~ Oscoda Township Master Plan or adopted subarea plan.
8. The proposed PD must be compatible with the capacities of public services and facilities affected by the development.
9. The proposed PD must preserve significant natural features, if any.
10. If a proposed PD lies partially outside the jurisdictional boundary of the Township, then the minimum parcel size shall be based on the total size of the project and not just that portion located within the Township.
11. The proposed PD must provide for useable open space which meets the following standards:
 - a. At least 10% of the parcel(s) acreage or square footage.
 - b. Acreage or square footage provided shall be for active or passive recreation use and shall be accessible to the occupants or users of the PD.
 - c. No area which exceeds 18% grade shall be allocated or designated as useable open space.
 - d. At least 40% of the total area required as useable open or recreation space shall be landscaped and maintained.
 - e. Any useable open space which is not planted shall be developed to encourage outdoor active or passive recreational use and shall include such elements as decks, sports courts, outdoor seating, decorative paved areas, and walkways which do not serve as entrance walkways.
 - f. No area designated for off-street parking and loading areas, service areas, driveways, required walkways, or portions thereof, or any features that are used for required access to dwelling units, shall be counted as satisfying any useable open or recreation space area requirement.
12. Landscaping must be provided to ~~insure~~ ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property meeting the minimum standards of Section 6.15, as applicable.
13. Motor vehicle access to the uses within a PD shall be from interior roads only unless approved otherwise by the Planning Commission or the Iosco County Road Commission.

Safe, convenient and well-defined vehicular and pedestrian circulation within, and access to the development must be provided.

14. Important historical and architectural features, if any, within the development are to be preserved.

Section 5.4- CONDITIONS

- A. To the extent authorized by law, reasonable conditions may be required with the approval of a PD Plan. Conditions may include, but are not limited to, those necessary to:
 1. Ensure that public services and facilities will be sufficient to serve the proposed land use(s).
 2. Protect the natural environment.
 3. Promote the use of land in a socially and economically desirable manner.
 4. Meet the purpose and intent of the Zoning Ordinance.
 5. Ensure compatibility with other uses of land adjacent to the subject property.
- B. Imposed conditions shall be designed to protect public health, safety, and welfare, be reasonably related to the purposes affected by the PD, be necessary to meet the intent and purpose of this ordinance and be related to ensuring compliance with the standards of this ordinance. All conditions shall be made a part of the record of the approved PD.
- C. When conflicts arise between other provisions of the Zoning Ordinance and this Article, the provisions of this Article shall take precedence unless determined otherwise appropriate by the Planning Commission.

Section 5.4.1- RESIDENTIAL USES PERMITTED

- A. Planned Developments in District F. The following residential uses are permitted: Micro Housing Subject to the requirements in Section 5.15.

Section 5.5- PD PLAN APPROVAL AND LAND USE PERMIT ISSUANCE

PD Plan approval does not constitute approval of a land use permit (also sometimes called a Zoning Permit). For those aspects of an approved PD Plan that are controlled by the Township, no construction shall commence until a site plan (Article X) has been approved by the Planning Commission and a land use permit has been issued by the Zoning Administrator Planning and Zoning Director. The Township Planning and Zoning Administrator Director shall issue a land use permit once all conditions have been met and the performance guarantee, in a form as referenced in Section 10.8, has been provided to the Township Clerk.

Section 5.6- CHANGES AND AMENDMENTS TO AN APPROVED PD PLAN

Changes to an approved PD Plan shall be permitted only under the following circumstances:

- A. All holders of an approved PD Plan shall notify the Planning and Zoning Administrator Director, in writing, of any desired change to the approved PD Plan.
- B. Minor changes may be approved by the Planning and Zoning Administrator Director after determining that the proposed revision(s) will not alter the basic design and character of the PD

Plan, nor any specified conditions imposed as part of the original PD Plan approval. Minor changes shall include the following:

1. Change in any building size up to ten (10) percent in gross floor area.
 2. Movement of buildings or other structures by no more than ten (10) feet measured horizontally.
 3. Replacement of plant material specified in the landscape plan with comparable materials of an equal or greater size.
 4. Changes in building materials to a comparable or higher quality.
 5. Changes in floor plans which do not alter the character of the use.
 6. Relocation of dumpster(s) or signs.
 7. Modification of parking areas allowing up to a ten (10) percent change in their location as noted on the PD Plan, provided there is no change in the approved driveway location(s).
 8. Changes necessary to conform to other laws or regulations as required or requested by the Township, the Iosco County Road Commission, or other County, State, or Federal regulatory agency.
 9. Change of phases or sequence of phases only if all phases of the PD Plan have received final approval, and if the change does not alter any conditions of approval.
- C. A proposed change that is determined by the Planning and Zoning ~~Administrator~~ Director not to be minor shall be considered an amendment to the PD Plan and shall be processed in the same way as the original PD Plan application.

Section 5.7- RECORDING OF PD DEVELOPMENT AGREEMENT

Upon receipt of the report and recommendation of the Planning Commission, and after a Public Hearing, the Township Board shall review all findings. If the Board shall determine to grant the application, it shall instruct the Township Attorney to prepare a development agreement setting forth the conditions upon which such approval is based, which agreement, after approval by resolution of the Board, shall be executed by the Township and the applicant. Approval shall be granted only upon the Board determining that all provisions of this Article have been met and that the proposed development will not adversely affect the public health, welfare, and safety.

- A. The development agreement shall include, at a minimum:
1. A legal description and survey of the total site(s) proposed for development.
 2. Names and addresses of all owners and persons with legal or equity interest in the property proposed for development.
 3. A development schedule, including any individual stages or phases, and the anticipated beginning and completion dates.
 4. An affirmative representation that the proposed use(s) will not exceed the performance criteria of the Ordinance.
 5. Modifications to standard Zoning requirements which will be requested, if any.
 6. All conditions and stipulations as set forth by the Township Board.
 7. Provisions satisfactory to the Township Attorney, Planning Consultant or Engineer dealing with maintenance of the property as well as maintenance, repair, and replacement of any common facilities servicing any portion of the property.
 8. Any provisions deemed necessary by the Township Attorney, Planning Consultant or Engineer regarding on-site and off-site easements required to service the property.

9. A statement incorporating by reference in the agreement all representations, warranties and information provided in any submission by the applicant and confirming the Township's reliance on those representations, warranties, and information.
10. Enforcement provisions satisfactory to the Township Attorney.
11. A statement allowing recording of the agreement or a notice of the existence of an agreement at the office of Iosco County Register of Deeds.
12. Any other provisions deemed necessary by the Township Attorney, Engineer or Planning Consultant to meet the intent and purposes of Planned Development.
13. Any other information deemed necessary by the Township for consideration of the development.

Section 5.8- PHASING

- A. **Phasing.** When phased construction of a PD project is proposed, each phase, upon completion, shall be capable of standing on its own in terms of the presence of services, facilities, and open or recreational space. Each phase shall also contain the necessary components to ensure protection of natural resources and public health, safety, and welfare.
- B. For PDs with both residential and nonresidential uses, each phase shall contain a mix of land uses achieving that facilitates the land use mix proposed for the entire PD.

Section 5.9- COMMENCING CONSTRUCTION AND EXTENSIONS

- A. Construction of improvements in the planned development (PD) shall begin within 12 months from the date of approval of the site plan by the Planning Commission. An extension of time for beginning construction may be requested in writing by the applicant.
- B. The Planning Commission may grant two (2) extensions for up to an additional one (1) year period for each extension, provided that the applicant applies for such an extension prior to the date of the expiration of the PD Plan, and provided that:
 1. The applicant presents reasonable evidence that the development has encountered unforeseen difficulties beyond the control of the applicant.
 2. The PD requirements and standards, including those of this Ordinance and the Oscoda Township Master Plan or adopted subarea plan that are reasonably related to the development, have not changed.

Section 5.10- RESCISSION OF APPROVAL

- A. Rescission of Approval
The PD Plan and/or site plan which is part of an approved PD Plan may be rescinded by the Oscoda Township Planning Commission under the following circumstances.
 1. The property owner / developer of an approved PD Plan has not submitted a site plan required by the PD Plan within one (1) year from the date of approval or;
 2. The property owner / developer of an approved site plan, which is part of the PD Plan, has not commenced construction within one (1) year from the date of approval.
- B. Process to Rescind an Approved PD Plan

The PD Plan approval shall be rescinded based on the following process.

1. The Planning Commission shall notify the PD applicant in writing of its intent to rescind PD Plan approval, site plan approval, and any land use permit that has been issued as a result of that approval.
2. The notice of intent shall state the basis for the proposed rescission, and shall state the time, date and location of a public hearing at which the PD applicant may be heard regarding ~~the accuracy of~~ the proposed basis for rescission.
3. The notice of intent shall be sent by first class mail to the applicant's last known address, based on the PD application, or it may be personally served ~~to~~ on the applicant or a representative of the applicant.
4. The notice of intent shall be mailed or delivered in person at least thirty (30) days before the public hearing at which the rescission will be considered. All Public Hearing requirements of the Michigan Zoning Enabling Act shall be met. The rescission notice of intent shall:
 - a. ~~Be made in writing.~~
 - b. ~~Be mailed to the applicant by first class mail.~~
 - c. State when the rescission becomes effective.
 - d. State the basis for the rescission.
 - e. ~~Be recorded with the Iosco County Register of Deeds, if rescinded.~~
5. Unless granted an extension, a Planned Development (PD) project that has been rescinded by the Planning Commission cannot reapply for a PD until one (1) year after the date that the PD was rescinded.
6. Once a Planned Development (PD) has been rescinded by the Planning Commission, or the PD has been withdrawn by the property owner / developer, the Zoning for the subject property and/or properties shall revert back to ~~their~~ its prior Zoning classifications and ~~must be recorded with the Iosco County Register of Deeds, if rescinded.~~

C. Process to Rescind an Approved Site Plan

1. The process to rescind a site plan shall follow the requirements of Section 10.4.

Section 5.11- FINAL AS-BUILT DRAWINGS

A. Submission of Final Drawings

The Applicant shall provide the Township with a complete set of "as-built" drawings for the PD and/or each completed phase in Adobe® PDF and ~~the most recent release~~ an acceptable format of AutoCAD®.

Section 5.12- ZONING BOARD OF APPEALS JURISDICTION

The Zoning Board of Appeals is without jurisdiction to accept appeals regarding an approved PD Plan.

Section 2: Severability.

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

Section 3: Effective Date.

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

CHARTER TOWNSHIP OF OSCODA

Date: _____ By: _____
Ann Richards, Supervisor

Date: _____ By: _____
Joshua Sutton, Clerk

Published Date: _____

Effective Date: _____

Section 5.15- MICRO HOUSING PLANNED DEVELOPMENT REQUIREMENTS

A. The purpose of the Micro Housing Planned Development is to encourage affordable housing, infill development and sustainable practices. The following requirements shall apply for a Micro Housing Planned Development:

1. The proposed Planned Development shall comply with the approval process outlined in Article V; specifically, §5.9, §5.9.1, §5.9.2, §5.10, §5.11, §5.11.1, §5.11.2, §5.11.3, §5.12, §5.13, §5.14
2. A Micro Housing Planned Development will consist of individual dwelling structure less than 500 square feet.
3. The density will be no more than twenty (20) units per acre.
4. Micro Housing units are not Condominiums, Multi-family, Mobile Homes or Recreational Vehicles. Properties are titled in fee simple.
5. Micro homes must be structurally independent, with no shared foundations or common wall.
6. Micro homes shall be set on a permanent foundation.
7. Small lots may be irregularly shaped, a minimum area of eight hundred (800) square feet, and at least twenty (20) feet wide.
8. There are no yard or setback requirements along alleys, private roads, or between lots within the approved Planned Development.
9. At least fifty percent (50%) open space is required.
10. Design of structures must be approved by the Planning Commission.

11. Appropriate water, waste water and other utilities as required by the District Health Department 2 (DHD2) and/or Oscoda Township Utility Ordinance 2019-265.

OSCODA TOWNSHIP – ZONING ORDINANCE
ORDINANCE XX OF 2022

An Ordinance to amend the Oscoda Township Zoning Ordinance 165 pertaining to Micro Housing (Tiny Houses).

Section 1: The following definitions shall be added to Article II: Construction of Language and Definitions, Section 2.2 of Oscoda Township Zoning Ordinance 165.

Micro Housing – A residential dwelling unit less than 400 square feet; also referred to as a “Tiny House.”



Micro Housing on a permanent foundation



Micro Housing on a non- permanent foundation

Section 2: Micro Housing Units shall be allowed as a ~~Special Permit Use~~ Permitted Use in the following zoning districts.

Section Number	District	Sub Section	Item
4.20	F Forest	3.	5. Micro Housing in a Planned Unit Development per Section 5.4.1.3

Section 3: Section 5.4 shall be revised to include the following:

Section 5.4.1 Residential Uses Permitted

3. Planned ~~Unit~~ Development in District F. The following Residential uses are permitted:
 - A. Micro Housing subject to the requirements in Section 5.15.

Section 4: Section 5.15 shall be added to Article V of the Charter Township of Oscoda Zoning Ordinance 165

Section 5.15 Micro Housing Planned ~~Unit~~ Development Requirements

The purpose of a Micro Housing ~~PUD~~ is to encourage affordable housing, infill development and sustainable practices. The following requirements shall apply for a Micro Housing Planned ~~Unit~~ Development:

1. The proposed ~~PUD~~ shall comply with the approval process outlined in Article 5; specifically, §5.9, §5.9.1, §5.9.2, §5.10, §5.11, §5.11.1, §5.11.2, §5.11.3, §5.12, §5.13, and §5.14.

2. A Micro Housing PUD will consist of individual dwelling structure less than 500 square feet.
3. The density will be no more than twenty (20) units per acre.
4. Micro Housing units are not condominiums, multi-family, mobile homes or recreational vehicles. Properties are titled in fee simple.
5. Micro homes must be structurally independent, with no shared foundations or common walls.
6. Micro homes shall be set on a permanent foundation.
7. Small lots may be irregularly shaped, a minimum area of eight hundred (800) square feet, and at least twenty (20) feet wide.
8. There are no yard or setback requirements along alleys, private roads, or between lots within the approved PUD plan.
9. At least fifty percent (50%) open space is required.
10. Design of structures must be approved by the Planning Commission.
11. Appropriate water, waste water and other utilities ~~will be provided~~ as required by the District Health Department 2 (DHD2) and/or Oscoda Townships Utility Ordinance 2019-265.

OSCODA TOWNSHIP – ZONING ORDINANCE
ORDINANCE XX OF 2022

An Ordinance to amend the Oscoda Township Zoning Ordinance 165 pertaining to Accessory Dwelling Units.

Section 1: The following definitions shall be added to Article II: Construction of Language and Definitions, Section 2.2 of Oscoda Township Zoning Ordinance 165.

Accessory Dwelling Unit (“ADU”) A residential living unit on the same parcel on which a single-family dwelling is located. The ADU provides complete independent living facilities for one or more persons.



ADU-Attached to Primary dwelling



ADU Detached from Primary Dwelling

Short-Term Rental (“STR”) Means the provision of a room, space or dwelling that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than 31 consecutive days, in exchange for a charge for the occupancy.

Section 2: Accessory Dwelling Units shall be allowed as a Principal Use in the following zoning districts.

Section Number	District	Sub Section	Item
4.4	R-1 Low Density Residential	2.	E. Accessory Dwelling Unit
4.5	WR-1 Wurtsmith Low Density Residential	2	D. Accessory Dwelling Unit
4.6	R-2 Medium Density Residential	2	E. Accessory Dwelling Unit
4.7	WR-2 Wurtsmith Medium Density Residential	2	D. Accessory Dwelling Unit
4.8	R-3 Mixed Residential	2	F. Accessory Dwelling Unit
4.9	WR-3 Wurtsmith Mixed Residential	2	H. Accessory Dwelling Unit
4.10	R-4 High Density Residential	2	L. Accessory Dwelling Unit
4.16	R-T Residential Tourist	2	L. Accessory Dwelling Unit
4.23	AG Agriculture	2	Z. Accessory Dwelling Unit
4.25	NR Natural River District	7	Y. Accessory Dwelling Unit

Section 3: The following Section shall be added to the Oscoda Township Zoning Ordinance 165.

6.31 Accessory Dwelling Units

Accessory dwelling units (ADU’s) are intended to provide flexible housing options in the Township by allowing homeowners to establish a second dwelling unit on their property. ADU’s are subject to the following standards:

1. ADU's shall be limited to permitted districts and properties where single-family dwelling units are the principal use.
2. ADU's shall be subordinate to the single-family dwelling unit.
3. The owner of the property shall live on site, either in the principal dwelling unit or the accessory dwelling unit.
4. ADU's shall have their own separate entrance, kitchen, sleeping area, and full bathroom facilities.
5. ADU's may be attached to the single-family dwelling unit and may occupy a basement, first floor or second floor of the principal dwelling, or may occupy a separate, detached accessory building in the rear of the principal dwelling unit.
6. All ADU's shall meet applicable building and fire codes.
7. Building materials and designs used on detached ADU's or additions to the principal dwelling for an attached ADU, shall be of similar style as that of the principal dwelling.
8. The minimum size living shall be ~~three hundred (300)~~ four hundred (400) square feet.
9. The maximize size shall not exceed nine hundred (900) square feet, or the size of the principal dwelling unit, whichever is less.
10. Manufactured homes or mobile homes shall not be used as an ADU.
11. An ADU shall not be used as a Short-Term Rental.
12. An ADU built on a property which requires a septic sanitary system shall have the property inspected by the District Health Department 2 (DHD2) to ensure that the septic system has the capacity and functionality to accommodate the ADU.
13. An ADU built on property served by public water and/or public sanitary shall be separately metered.
14. An ADU shall conform to the dimensional requirements specified Section 4.28 "Summary Schedules Limiting Height, Bulk, Density and Area by Zoning District."