

**LOWELL CHARTER TOWNSHIP PLANNING COMMISSION
PUBLIC HEARING & SPECIAL MEETING
FEBRUARY 23, 2004**

PRESENT: Batchelor, Blough, Cornish, Sanford, Simmonds

ABSENT: None

CITIZENS: Three

PUBLIC HEARING

The Public Hearing to present the proposed Adult Entertainment Business Ordinance was called to order by Chairman Cornish at 7:00 p.m.

The Adult Entertainment Business Ordinance was presented by the Planning Commission. This included the following:

- Definitions
- Allowable locations
- Restricted locations
- General conditions and restrictions
- Changes to other ordinances

The Public Hearing was opened for public comment. This included:

- P. Blumm – Kissing Rock
 - She is in favor of the ordinance.
- J. Persha – Grand River
 - He is in favor of the ordinance, although it may need to be refined.

This concluded the public input portion of the hearing.

Then followed a detailed discussion of the proposed ordinance. This concentrated on the different types of “adult businesses” and the percentage necessary for regulation by the ordinance.

The proposed ordinance stated that any establishment with more than 25% of its “stock” identified as adult entertainment would be regulated by the Adult Entertainment Business Ordinance. Any establishment with less than 25% of its “stock” identified as adult entertainment would not be subject to the Ordinance.

Possibly there should be two categories of adult entertainment with different percentages that would allow regulation by the ordinance.

After discussion, the Planning Commission determined the following separation:

- If the establishment has **any** live appearances or performances characterized by an emphasis on specified sexual activities or specified anatomical areas or sexually oriented entertainment or states of nudity or peep booths it must be regulated by the Adult Entertainment Business Ordinance.

If the establishment has more than 10% of its sales floor square footage in stock in trade, books, magazines or other periodicals or video movies, films, photographs, novelties or other paraphernalia, it must be regulated by the Adult Entertainment Business Ordinance.

The Public Hearing was concluded at 7:40 p.m.

SPECIAL MEETING

The Lowell Charter Township Planning Commission Special Meeting was called to order by Chairman Cornish at 7:41 p.m.

APPROVAL OF PRIOR MINUTES:

The minutes of the February 9, 2004 regular meeting were considered. Batchelor moved to approve. Seconded by Blough. All in favor and the minutes were approved as presented.

VICTORIAN OAKS – TOM KARP:

Apparently the Township has received documentation from the Lowell Fire Department related to driveway requirements. The Planning Commission will get a copy of this material to see how it applies to the Karp proposal.

L & M AGRICULTURAL:

C. Blough discussed a possible Special Use Permit for an agricultural fertilizer and chemical use at Blough Farms, 12709 Cascade Road.

This farm operation currently has the facilities and does its own mixing of fertilizer and chemicals for its farming operations. They buy the material in bulk and have stock on hand.

Since all of the local farm elevators which used to supply this material have closed, Blough Farms proposes to provide some of their surplus material to neighboring farmers. This would be more of a service to neighboring farmers than a business.

This definitely would not develop into a commercial sales operation. They might sell as little as one percent of their stock to others. It is possible that they might also store material for neighboring farms if they have facilities available.

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After discussion, the Planning Commission advised that it would be best if L & M Agricultural proceeded with plans to obtain a Special Use Permit for this endeavor.

Carlton will establish a date for a public hearing with the Township Clerk.

CONCLUSION:

Batchelor moved to adjourn. Seconded by Sanford. All in favor and the Special Meeting of the Lowell Charter Township Planning Commission was adjourned at 8:40 p.m.

Submitted by D. Simmonds - Secretary