

VILLAGE OF PAW PAW  
VAN BUREN COUNTY, MICHIGAN

NOTICE OF PUBLIC HEARING AND PLANNING COMMISSION MEETING

**TO: THE RESIDENTS AND PROPERTY OWNERS OF THE VILLAGE OF PAW PAW, VAN BUREN COUNTY, MICHIGAN AND ALL OTHER INTERESTED PARTIES.**

PLEASE TAKE NOTICE that a **Public Hearing/Regular Meeting will be held by the Village of Paw Paw Planning Commission on Thursday, March 5, 2020 at 7:00 p.m. at the Paw Paw Township Hall, 114 North Gremps Street, within the Village.**

PLEASE TAKE NOTICE that the item(s) to be considered at this Public Hearing include, in brief, the following:

1. An amendment of Section 42-3 of the Village of Paw Paw Zoning Ordinance so as to amend the definitions of *'junkyard'* and *'open-air business'* as follows:

**Section 42-3 Definitions**

*Junk or salvage yard* means any land area, including buildings thereon, used for the collection, storage, dismantling, **disassembly, dumping, display, resale, exchange, baling, cleaning or handling of secondhand, salvaged, recycled or used waste, materials, machinery, vehicles, trailers, equipment, furnishing or parts thereof, or similar items.**

*'Open-Air Business'* means a **business, a substantial part of which involves activities or the display, sale, and/or rental of goods outside of a building.**

2. An amendment of Section 42-222 of the Village of Paw Paw Zoning Ordinance so as to amend the Permitted Uses of the B-2 General Business District to add:

(12) Outdoor display of merchandise as an accessory use to the principal use of the parcel.

3. An amendment of Section 42-223 of the Village of Paw Paw Zoning Ordinance so as to amend the Special Uses of the B-2 General Business District as follows:

(6) ~~Bowling alleys, skating rinks, and indoor recreation facilities, pool or billiard halls, or pinball or video game arcades or establishments.~~

**Indoor or outdoor commercial recreation facility such as a bowling center, theater, skating rink, racquet club, miniature golf, video**

**amusement establishment, pool and billiard establishment or similar uses.**

4. An amendment of Section 42-242 of the Village of Paw Paw Zoning Ordinance so as to amend the Permitted Uses of the CBD Central Business District to add:

(13) Outdoor display of merchandise as an accessory use to the principal use of the parcel.

and to delete:

(9)d. ~~Outdoor temporary display of seasonal/outdoor products is permitted if not a nuisance or safety hazard to pedestrians or motorists. All displays/products shall be enclosed in a secure area, or otherwise secured unless stored inside at night.~~

5. An amendment of Section 42-302 of the Village of Paw Paw Zoning Ordinance so as to amend the Permitted Uses of the I-1 Light Industrial District to add:

(20) Indoor or outdoor commercial recreation facility such as a bowling center, theater, skating rink, racquet club, miniature golf, video amusement establishment, pool and billiard establishment or similar uses.

6. An amendment of Section 42-303 of the Village of Paw Paw Zoning Ordinance so as to amend the Special Uses of the I-1 Light Industrial District to add:

(6) Open-air businesses.

7. An amendment of Section 42-323 of the Village of Paw Paw Zoning Ordinance so as to amend the Special Uses of the I-2 General Industrial District to add:

(3) Open-air businesses.

8. An amendment of Section 42-343 of the Village of Paw Paw Zoning Ordinance so as to amend the Permitted Uses of the PUD Planned Unit Development District to add:

(14) Outdoor display of merchandise as an accessory use to the principal use of the parcel.

9. An amendment of Section 42-367 of the Village of Paw Paw Zoning Ordinance so as to amend the Site Design Standards as follows:

(23) ~~Private Open-air businesses (permanent or temporary).~~

- a. Minimum lot area shall be 1 acre.
- ~~b. A 5 ft fence or wall shall be constructed along the rear and sides of the lot capable of~~ **All open-air businesses shall be able to demonstrate that operations will effectively** keep trash, paper, and other debris from blowing off the premises. ~~except as provided otherwise in this chapter.~~
- c. All open-air businesses shall comply with all applicable health department regulations regarding sanitation and general health conditions.
- d. Unless specifically waived by the approval body designated by this chapter, a building of not less than 500 sq ft of gross floor area shall be constructed on the premises for ~~office~~ use in connection with the ~~subject~~ open-air business.
- e. (performance bond requirement)
- ~~f. In the case of indoor outdoor garden nurseries: The storage or materials display areas~~ **Areas used for activities or the display, sale, and/or rental of goods in connection with the open-air business** shall meet all **applicable yard building** setback requirements. ~~applicable to any building in the district.~~
- g. All loading activity and parking areas shall be provided on the same premises (off street).
- ~~h. Storage of any soil, fertilizer, or similar loosely packaged materials shall be sufficiently contained to prevent adverse effect on adjacent property.~~

(29) **Outdoor display of merchandise as an accessory use to the principal use of the parcel.**

**Such use shall be subject to site plan review by the Planning Commission in accordance with Sec 42-202 of this Ordinance and shall comply with the following requirements:**

- a. **The merchandise displayed outdoors is the same as or is related to that which is offered inside the building which constitutes the principal use of the parcel.**
- b. **The size and nature of the outdoor display shall clearly be incidental and subordinate to the principal use of the parcel such that the accessory use serves to support the principal use but could not function independent of the principal use.**
- c. **The area devoted to the outdoor display of merchandise shall not create unsafe conditions for motorized or non-motorized travel.**

- d. The area devoted to the outdoor display of merchandise shall at all times be kept neat and orderly and not be allowed to become unsightly or a visual nuisance. Any debris, scrap material, litter, empty shelves, racks, pallets, boxes or similar material not containing display items shall be removed from the outdoor display area.
- e. No part of a public sidewalk, street right-of-way, alley or parking lot shall be used for such accessory use except as may be permitted by the Village.
- f. The outdoor display of merchandise shall not be located so that it utilizes those parking spaces required by the Zoning Ordinance for the principal use.
- g. The Planning Commission may limit the number of days and the hours of operation for such use.

10. Such other and further matters as may properly come before the Planning Commission for this meeting.

**Public comment will be taken at the hearing or written comment may be provided to the Village Offices prior to the meeting. Additional information regarding this hearing is available at the Paw Paw Village Hall, 111 East Michigan Avenue between the hours of 7:00 a.m. to 4:00 p.m., Monday through Friday or by sending a written request to PO Box 179, Paw Paw, MI 49079.**

Individuals with disabilities requiring auxiliary aids should contact the Village Clerk no later than five business days prior to the meeting to ensure the provision of reasonable accommodations.

***By order of the Village of Paw Paw Planning Commission.***