

AGENDA

The City of Buchanan Planning Commission, in compliance with Michigan’s Open Meetings Act, hereby gives notice of a Planning Commission meeting to be held in the Chamber of City Hall.

** Comments may also be submitted in writing at least 4 hours in advance to the Community Development Director Richard Murphy at rmurphy@cityofbuchanan.com*

** Buchanan City will provide necessary and reasonable auxiliary aide and services to those individuals with disabilities who wish to attend the public meeting upon receiving at least one (1) week’s prior notice. Any such individual requiring such aids or services should contact the city in writing or by telephoning: Buchanan City Clerk; 302 North Redbud Trail, Buchanan, MI 49107, 269-695-3844.*

I. PUBLIC HEARING**A. Call to Order****B. Roll Call****C. Opening of Hearing and Statement of Purpose of the Hearing**

The purpose of the Public Hearing is for the Plan Commission to consider an application for an amendment to the Buchanan Zoning Ordinance initiated by MCAP Buchanan Propco, LLC, the owner of the property commonly known as “Buchanan Meadows”, located at 809 Carroll St., Buchanan. The proposed amendment to the Buchanan Zoning Ordinance would allow (i) Convalescent and Nursing Care to be provided in the R-3 Multi-Family Residential Zoning District upon issuance of a special use permit; (ii) reduce the required lot area per resident square footage for group home and adult foster care facilities; and (iii) limit the number of licenses for adult foster care facilities operating as a single integrated development in the R-3 Multi-Family Residential Zoning District or R-4 Multi-Family Senior Residential Zoning District to no more than five (5) licenses, each authorized to provide care to up to 20 residents.

D. Announcement of the Rules of the Hearing**E. Presentation by the Applicant****F. Presentation by the Opposition****G. Applicant's Rebuttal****H. Closing of Hearing****II. Regular Meeting - Call to Order****III. Pledge of Allegiance****IV. Roll Call****V. Approve Agenda****VI. Public Comments - Agenda Items****VII. Approve Minutes****A.** Consider approving the meeting minutes from February 13th, 2024.**VIII. Old Business**

IX. New Business

[A.](#) Consider an ordinance amending the city of Buchanan zoning ordinance; Article VII- R-3 Multi-Family Zoning District; Article XXI Group Homes and Adult Foster Care Facilities.

B. Consider appointing Officers.

X. Public Comment - Non-Agenda Items Only

XI. Community Development Director Comments

XII. Commissioner Comments

XIII. Adjournment



PUBLISHED:

Berrien County Record

**NOTICE OF PUBLIC HEARING
CITY OF BUCHANAN
Plan Commission**

A Public Hearing has been set for April 9, 2024, at 6:00 p.m. at Buchanan City Hall, 302 N. Redbud Trail, Buchanan, Michigan 49107. The purpose of the Public Hearing is for the Plan Commission to consider an application for an amendment to the Buchanan Zoning Ordinance initiated by MCAP Buchanan Propco, LLC, the owner of the property commonly known as "Buchanan Meadows", located at 809 Carroll St., Buchanan. The proposed amendment to the Buchanan Zoning Ordinance would allow (i) Convalescent and Nursing Care to be provided in the R-3 Multi-Family Residential Zoning District upon issuance of a special use permit; (ii) reduce the required lot area per resident square footage for group home and adult foster care facilities; and (iii) limit the number of licenses for adult foster care facilities operating as a single integrated development in the R-3 Multi-Family Residential Zoning District or R-4 Multi-Family Senior Residential Zoning District to no more than five (5) licenses, each authorized to provide care to up to 20 residents.

At the above time and place, all interested parties will be given an opportunity to be heard before the Plan Commission issues its determination regarding the application. Parties seeking visual or audio accommodation may contact Clerk Kalla Langston at (269) 695-3844, preferably with as much advance notice as possible, so that suitable arrangements can be made to help make needed accommodations.

Written comments may also be submitted in advance of the meeting to Community Development Director Richard Murphy either by delivery to Buchanan City Hall, or via email to rmurphy@cityofbuchanan.com.

Richard Murphy
Community Development Director

Kalla Langston
City Clerk

118960.000001 4882-9040-4781.2

302 Redbud Trail North • Buchanan, Michigan 49107
Tel: (269) 695-3844 • Fax: (269) 695-4330
www.cityofbuchanan.com



CITY OF BUCHANAN PLANNING COMMISSION

TUESDAY, FEBRUARY 13, 2024 – 6:00 PM

CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

III. Regular Meeting - Call to Order

Meeting was called to order at 6:00 PM by Chairperson Kevin Barker.

IV. Pledge of Allegiance

Barker led in the Pledge of Allegiance.

V. Roll Call

Present: Chairperson, Kevin Barker; Vice Chair Ralph McDonald; Secretary Tony Houser; Mayor Sean Denison; Jacob Brown; Peter Lysy; Matt Pleasant

VI. Approve Agenda

Motion made by Denison, supported by Houser to approve the agenda as presented. Voice vote carries unanimously.

VII. Public Comments - Agenda Items

None

VIII. Approve Minutes

A. Consider approving minutes from the Regular Meeting on December 12, 2023.

Motion made by Denison, supported to approve the minutes as amended with the minutes showing the correct spelling of McDonald and McDonald marked as absent, as well as Houser on page 3. Motion stands with amendments. Roll call vote carries unanimously.

IX. Old Business

X. New Business

A. Plan Commission resignations and recommendations

1) Kevin Barker has retired as a long-time member and chair of the Plan Commission, consider accepting his resignation. Effective March 12th, 2024.

Motion made by Houser to accept Kevin Barkers resignation with regret, supported by Brown.

Denison presented Barker with a key to the city for his dedicated service to the city. McDonald commented on how many hours Barker has given to the city. Murphy shared his appreciation on Barkers help since arriving at the city. Barker has been instrumental to the city and to Murphy. He wishes him luck in the next adventurer. Brown wished Barker all the luck and happy to see him close one book and open a new one.

Voice vote carries unanimously.

2) Consider recommending the appointment of Plan Commission Applicants Jen Garry & Alan Robandt.

Jen Gerry and Alan Robandt gave a brief introduction of there history with Buchanan and why they want to be apart of the plan commission. After much discussion and questions from the plan commission to both Gerry and Robandt.

McDonald made the motion that was supported by Brown to recommend Jen Garry to the Plan Commission. Roll call vote carries unanimously.

3) Consider recommending the appointment of Peter Lysy to the Design Review Committee to represent the Plan Commission.

Motion made by Barker, supported by Houser to appoint Peter Lysy to the Design Review Committee.

Discussion: Houser enquired about the number of members that sit on Design Review Committee, which is 5 members. And if we need to recommend since a plan commission member is recommended to sit on the DRC. Lysy would like to sit on the DRC, since he is at every meeting anyways and is incredibly knowledgeable in this area. Voice vote carries unanimously.

McDonald brought up the fact the Plan Commission has no representation for the Buchanan Tree Friends, Pleasant was happy to volunteer to join the Buchanan Tree Friends, Langston will connect with Brian Murphy and Elaine Rowland (Chair & Secretary) about Pleasant's joining the Buchanan Tree Friends.

B. Emma Lysy report to the Planning Commission

1) Review Master Plan Update

Lysy presented the Master Plan Update, explaining this is for Redevelopment Ready Communities (RRC) the goal is to achieve certified status and once the city accomplishes this, we can receive more grants and more channels open.

UPDATES from the Plan Commission for Review of Master Plan:

Item 5.1 City Manager Lynch will be taking a capital improvement class.

Item 8.1 Clarity on the Action Plan, with the City Commission to complete. The goal setting spring meeting could be documented as an Action Plan with that item being marked ongoing.

See attachment A

2) Consider the Planning Commission Annual Report

UPDATES from Plan Commission Annual Report.

Under #5 Taco Bell Site Review needs to be added.

See Attachment B

Motion by Denison, supported by Barker to approve the amended annual report and master plan review. Voice Vote carries unanimously.

C. Consider approval of Design Review items from the Feb 7th, 2024, meeting.

1) Rear awning proposed for 102 E. Front St. by Duance Case of Merrillville Awning

Lysy presented the awning of the pros and cons at Design Review. The frame came from the pure rituals building, it is being recycled. Jeff Antisto the owner of 102 E Front would like to use it on the back of his building with new covering. To protect air conditioning units and walls. It is on a rear façade but clearly visible. The pro at the back of the building can't look any worse and may dress it up a little. It may serve the purpose of protecting the wall and units from the weather. The illustration Attachment C, the pavement meets the wall (that does not exist) it was the old awning, it is not a concrete barrier. The awning is only covering 2 of the units instead of the 3 because of the conduit going up. Lysy is unsure if it is a live conduit. The objection is that the secretary of

interior standards puts out publications on awnings and this does not meet them. The awnings in historic applications are supposed to relate to windows and doors of the structure. They are not supposed to conceal significant arcature details of the structure and are supposed to be reversible. This is reversible, it does not relate to the features of the wall. The DRC felt that objections were not important considering they are bricked up windows. Denison brought up the fact that it projects three feet for the wall. There was more discussion about the location of the awning. If it could be shifted down to cover all the three units.

Motion made by Denison, supported by McDonald to approve the installation of the awning if the conduit is removable the Plan Commission recommends it be removed and the awning to be shifted down to be centered over the three units. If not, the installation is approved as recommended by the Design Review Committee.

Voice Vote as follows:

Aye: Barker, McDonald, Denison, Pleasant, Brown, Lysy

Opposed: Houser

Carries 6-1

2) Proposal for a public art installation at the Buchanan Public Library, 128 E. Front St- proposed by Live Buchanan

The frames are ready to go Live Buchanan is working with the ROTI- ROTI Art center to provide the artwork. Live Buchanan is still working on ideas for what type of artwork but basing it around Buchanan. This would be an annual with new artwork every spring. The Art Center oversees the artwork for it. The frames mirror the brick above. The Frames are removable. The sign ordinance does not apply to public art, this is also reversible. This project came directly from the "Vision of Buchanan".

Motion made by Denison, supported by Houser to approve the public art installation at the Buchanan Public Library.

Voice Vote carries unanimously.

XI. Public Comment - Non-Agenda Items Only

XII. Community Development Director Comments

None.

XIII. Commissioner Comments

McDonald- Thanked Barker for all his dedication and hard work. No report for the Trail Meeting

Pleasant- Good Luck on Barkers retirement.

Houser- Thanked Barker and brought up the MSU extension for Plan Commission about taking classes. Thanks to Taco Bell, they have been busy, and they were great.

Brown- Thanked Barker

Lysy- Thanked Barker for his perseverance

Denison- Glad to have Ralph back and Barker sorry to see you go and don't be a stranger. DPW building the steel is up.

Barker- Welcomed Jen Gerry, glad to see her join. Has enjoyed his time here and does not regret the team that is being left behind. There are a lot of good people and independent thinkers up here, you need a diverse group up here. Highly recommends looking at other zoning codes around communities they enjoy.

XIV. Adjournment

McDonald motions supported by Barker to adjourn the meeting at 7:36 P.M.

City of Buchanan Planning & Zoning
302 North Redbud Trail,
Buchanan, Michigan 49107
Phone (269) 695-3844 x 19 Fax (269)695-4330

General Information Application
For Land Development
(Complete application must be filed with the Zoning Administrator)

1. Applicant and Owner Information

Applicant(s)

Property Owner(s)

Principal Contact:

Name: Kevin W. Willis

Name: MCAP Buchanan Propco LLC

Address: 915 E. High St., #301

Address: 437 Madison Ave., Suite 33C

City Charlottesville

City: New York

State: Virginia Zip: 22902-5395

State: New York Zip: 10022-7049

Telephone: 434-963-4917

Secondary Contact:

Architect (if applicable):

Name _____

Name _____

Address _____

Address _____

City _____

City _____

State _____ Zip _____

State _____ Zip _____

Agent or Attorney:

Engineer (if applicable):

Name Daniel J. Schairbaum, Esq./Dykema

Name _____

Address: 2723 S. State Street

Address _____

City: Ann Arbor

City _____

State: Michigan Zip: 48104

State _____ Zip _____

Is this property held in a trust? [X] No

[] Yes Note – for all trusts–Provide, as an attachment, a statement from the trustee verifying the names of all owners

Name of trust _____

Address _____ City _____ State _____ Zip _____

2. Applicant and Purpose of Application

a. Applicant is (check one)

Property Owner Attorney Agent

Other (specify) _____

b. This application is a request for the following City of Buchanan action (check the appropriate action(s) requested.

- Rezone of Property
- Land Division Approval
- Condominium Approval
- Other Action (please specify)
- Special Use Permit
- Zoning Variance(s)
- Plan Review with Plan Commission

The applicant seeks approval of text amendments to the City of Buchanan Zoning Ordinance.

c. The reason for the requested action(s) are as follows:

The City of Buchanan and surrounding areas are underserved with respect to senior care options. The most recently adopted Master Plan for the City (adopted in 2021) identifies the multi-family residential districts as districts to be recommended for support of “elderly and assisted-use housing”. However, the current wording of the Zoning Ordinance limits the ability to provide comprehensive elderly and assist-use services in the R-3 (Multi-Family Residential) and R-4 (Multi-Family Senior Residential) zoning districts. The proposed text amendments will (i) facilitate the possible future expansion of Buchanan Meadows, subject to special use approval; (ii) provide flexibility to expand the services provided at Buchanan Meadows to include a licensed Home for the Aged; and (iii) reduce the lot area per resident square footage requirement for group homes and adult foster care facilities so that they are consistent with industry standards.

d. The specific section(s) of the Zoning Ordinance or other City ordinance(s) which address the amendment, variance, or other action which is being requested:

The proposed text amendment addresses the following sections of the Zoning Ordinance:

1. **Article VII (R-3 Multi-Family Residential District), Section 7.03—Uses Permitted by Special Use.** The proposed text amendment adds new Section F., which would allow Convalescent and Nursing Care as a use permitted by issuance of a special use permit.

2. **Article XXI (Group Homes and Adult Foster Care Facilities), Section 21.01—Applicability, Paragraph 3.** The proposed text amendment modifies Paragraph 3 to reduce the required per resident lot area square footage requirement for group homes and adult foster care facilities from 3,000 square feet to 2,000 square feet for each resident over the number of six (6) residents.

3. **Article XXI (Group Homes and Adult Foster Care Facilities), Section 21.03-R-3 and R-4, Residential Districts, Uses Special Uses.** The proposed text amendment adds new Paragraph 3, to allow operation of up to five (5) licensed adult foster care facilities each authorized to provide care to up to 20 residents, within a single, integrated development.

e. The following questions must be answered only if the application contains a request for a zoning variance:

- (1) Are the conditions which prevent the development of the property the result of action by an individual who has or had the property interest in the subject property?
 Yes No
- (2) If the conditions were self – imposed (not hardship), please explain why the variance should be granted?

NOT APPLICABLE; Application is for a text amendment to zoning ordinance and is not site specific.

3. Site and Surrounding Property Information

NOT APPLICABLE; Application is for a text amendment to zoning ordinance and is not site specific.

a. Common address or property location of subject property:

b. Legal Description (Attach additional sheet if necessary):

c. Permanent Real Estate Tax Identification Number: 11-58- _____

d. Parcel Size: _____ square feet

_____ acres

_____ dimension of lot frontage

_____ dimension of lot depth

e. What are the current land uses and zoning on the land and adjoining parcels of land surrounding the site?

	Current Zoning	Current Use of Land
On Site	_____	_____
Property Abutting – North of Site	_____	_____
Property Abutting – South of Site	_____	_____
Property Abutting – East of Site	_____	_____
Property Abutting – West of Site	_____	_____

f. Describe any existing structures and the physical attributes of the site:

Description of the Proposed Development

NOT APPLICABLE; Application is for a text amendment to zoning ordinance and is not site specific.

a. Please describe the proposed use of the land and/or buildings assuming approval of the request:

b. What is the proposed time frame for the build – out of the proposed development? _____

c. Please describe the number of buildings, square footage of each building and the total square footage of the development along with the required number of parking spaces for each intended use:

Building Use	Number of Buildings	Building Area (sq. ft.)	Total Building (sq. ft.)	Req. Parking
Single Family	_____	_____	_____	_____
Multi Family	_____	_____	_____	_____
Retail	_____	_____	_____	_____
Office	_____	_____	_____	_____
Industrial	_____	_____	_____	_____
Other	_____	_____	_____	_____

Other please specify type of use _____

Totals _____

d. Please describe the number of water and sewer connections this development will require:

Building Use	Water Connections & Size	Sewer Connection
Single Family	_____	_____
Multi – Family	_____	_____
Retail	_____	_____
Office	_____	_____
Industrial	_____	_____
Other	_____	_____

Other please specify type of use _____

Totals _____

- e. Will the building within this proposed development house any hazardous materials at occupancy?
 No
 Yes – Please continue by describing the type and quantity of materials:

4. Fire Department Approval of Site and Building Plans:

NOT APPLICABLE; Application is for a text amendment to zoning ordinance and is not site specific.

The City requires that the Fire Department must approve all site and building plans. This application and associated documentation must be approved by the Fire Chief or his designee. This approval can be arranged by calling the Fire Chief’s office.

Approval Date: _____

Conditions Attached

By: _____

Yes

No

Title: _____

5. Required and Requested Attachments

NOT APPLICABLE; Application is for a text amendment to zoning ordinance and is not site specific.

- a. _____ Plat of survey with legal description.
- b. _____ Site plan of proposed use or project showing traffic patterns, parking locations and count, drainage patterns including detention areas, landscape plans, landscaping plans, exterior lighting locations and illumination pattern, building façade portrait and building size and location dimensions.
- c. _____ Floodplain / hazard map (engineers drawing or FEMA map showing location of subject project).
- d. Please include any additional comments or pertinent information below or on separate attachment to this application.

6. Signature and Declaratory Statement

a. Please describe the reason that this petition should be granted:

The proposed text amendments provide a practical solution to an apparent problem. As noted above, the City of Buchanan and surrounding areas are underserved with respect to senior care options. The most recently adopted Master Plan for the City (adopted in 2021) identifies the multi-family residential districts as districts to be recommended for support of “elderly and assisted-use housing”. However, the current wording of the Zoning Ordinance limits the ability to provide comprehensive elderly and assist-use services in the R-3 (Multi-Family Residential) and R-4 (Multi-Family Senior Residential) zoning districts. Implementing the proposed text amendments will provide needed flexibility to senior care providers wishing to expand the scope of available services to the community. Importantly, adoption of the proposed text amendments will not result in automatic approval of any future expansion of building footprints or services in these zoning districts. To the contrary, any applicant (including the owner of the Buchanan Meadows property), will still need to satisfy the special use permit requirements as a condition to any expansion.

b. **Required Attendance at Public Hearing and / or Plan Commission Meeting(s):** The Plan Commission and the Board of Appeals have established a policy requiring the applicant or a designed representative of the applicant shall be present at any meeting or public hearing at which the matter will be considered. Failure of the applicant or designee of the applicant to appear before the Plan Commission or Board of Appeals is ground to postpone consideration of the application.

a. Declaratory Statement: I, Kevin W. Willis, hereby certify that all information contained in this application and accompanying documentation is true and correct to the best of my knowledge and further, I acknowledge the attendance responsibilities of the applicant as set forth in paragraph b. above.

b. Date: 3/22/2026
c. Applicant Signature: [Handwritten Signature]

d. Notary Public Certification Statement

City/County of Charlottesville
Commonwealth of Virginia

The foregoing instrument was subscribed and sworn before me this 22 day of March, 2024, by Kevin W. Willis.

Jamie Lee
Notary registration number: 8042925
My commission expires: 01/31/2027



The following signature is required, for verification that this is a valid and complete application to be considered by the Plan Commission or Zoning Board of Appeals.

Date
Zoning Administrator
Meeting date for initial review: _____

CITY OF BUCHANAN, MICHIGAN
SITE PLAN CHECKLIST
ITEMS REQUIRED ON SITE PLAN

1. Site Plan Drawn to scale – 1" = 100" or larger (example: 1" = 60", 1" = 50', 1" =40' etc.)
2. Name of Project Noted.
3. Owner's and/or Developer's Name and Address Noted
4. Architect and or Engineer's Name and Address Noted
5. Date
6. Scales of Drawing Noted on Plan
7. Existing Topography Shown at Intervals Not Less than Two (2) Feet
8. Building Coverage Noted (percentage of total size and total square footage to be shown)
9. Total Number of Parking Spaces Noted and Shown on Drawing
10. Building Dimensions Shown
11. Indicate Height of Buildings
12. Street Names Indicated (Existing and Proposed)
13. Indicate Existing and Proposed Right-of-Ways
14. North Arrow Shown
15. Locate Existing and Proposed Sanitary Sewers, Storm Sewers and Water Mains (Note for purposes of site plan review the proposed utilities need only be shown roughly)
16. Locate any Existing and Proposed Storm Water Detention / Retention Areas
17. Locate Existing Trees and Plantings
18. Note Location of Proposed Plantings
19. Note Location of all Sidewalks
20. Rough Sketches Showing Architectural intent.

04-11-03
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ARTICLE XXV

AMENDMENTS

Section 25.01 - Initiation. Amendments to this Ordinance may be initiated by the City Commission upon its own motion, by the Plan Commission, or may be proposed for consideration by the petition of the owners of property which would be involved or affected by such change or amendment. All proposed amendments not originating with the Plan Commission shall first be referred to the Plan Commission for study, review and recommendation.

Section 25.02 - Plan Commission Procedures. Amendments to this Ordinance, after the review and recommendation of the Plan Commission, may be adopted and enacted by the City Commission. The procedures to be followed in the enactment of an amendment to this Ordinance are those prescribed by the City Charter of the City of Buchanan for the enactment of any other kind of ordinance and Public Act 207 of 1921 as amended.

1. **Application for Amending the Zoning Ordinance.** An applicant, the City Commission or Plan Commission, upon its own action, may initiate an application for amending the zoning ordinance text or map. An application (on a form provide by the City with any established by this Ordinance (See Article XXVI, Section 26.04) shall be filed with the Zoning Administrator who shall immediately transmit the application to the Plan Commission, if the application did not originate from the Plan Commission.

2. **Plan Commission Public Hearing Required.** Upon receipt of an application for a zoning amendment, a notice that a request for zoning amendment has been received and that a public hearing will be held shall be published in a newspaper of general circulation in the City and shall be sent by mail or personal general delivery to the owners of property for which approval is being considered, to all persons whom real property is assessed within three hundred (300) feet of the boundary of the property in question, and to the occupants of all structures within three hundred (300) feet, except that the notice shall be given not less than five (5) and not more than fifteen (15) days before the application will be considered. If the name of the occupant is not known, Ae team "occupant" may be used in making notification. Notification need not be given to more than one (1) occupant of a structure, except that if a structure contains more than one (1) dwelling unit or spatial area owned or leased by different individuals, partnerships, businesses or organizations, one (1) occupant of each unit or spatial area shall receive notice. In the case of a single structure containing more than four (4) dwelling units or other distinct spatial areas owned or leased by different individuals, partnerships, businesses or organizations, notice may be given to the manager or owner of the structure who shall be requested to post the notice at the primary entrance to the structure. The notice shall:
 - A. Describe the nature of the proposed amendment requested;
 - B. Indicate the property which is the subject of the rezoning or nature of the change on the zoning ordinance text, as applicable;
 - C. State when and where the public hearing will be held;
 - D. Indicate when and where written comments will be received concerning the request;

City of Buchanan, Michigan Comprehensive Zoning Amendment - 2003

3. **Plan Commission Review and Recommendation.** Within thirty (30) days following the public hearing, the Plan Commission shall review the application for the amendment and comments received at the public hearing, the site plan, and other materials submitted in relation to the application, and take action to recommend approval or denial of the application to the City Commission. The decision shall be incorporated in a statement of conclusions relative to the amendment under consideration. The decision shall specify the basis for the decision, and any special circumstances utilized in arriving at the recommendation. The recommendation of the Plan Commission on application shall be made in accordance with conformance with the City of Buchanan Comprehensive Plan, as from time to time is amended, and such standards contained in this Ordinance which relate to the matters under consideration. Immediately upon action by the Plan Commission, the application, and all supporting documentation including the written report of the Plan Commission shall be transmitted to the City Clerk for inclusion on the City Commission agenda.

Section 25.03 - City Commission Review and Approval. Upon receipt of an application and recommendation to amend the Ordinance, the City Commission shall cause the action to be scheduled for Commission consideration and action. Prior to consideration of an action to approve or deny a request to amend the Ordinance, the City Commission shall consider the report and recommendation of the Plan Commission. The City Commission may provide for an additional public hearing. The City Commission may approve the amendment by a simple majority vote unless a protest petition is presented meeting the provisions of Section 4 of Public Act 207 of 1921 as amended is presented to the City Commission. A minimum two-thirds ($\frac{2}{3}$) majority vote by the City Commission is required to approve an amendment upon the filing of a valid protest petition.

CITY OF BUCHANAN
BERRIEN COUNTY, MICHIGAN
ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE CITY OF BUCHANAN ZONING ORDINANCE;
ARTICLE VII - R-3 MULTI-FAMILY ZONING DISTRICT; ARTICLE XXI GROUP
HOMES AND ADULT FOSTER CARE FACILITIES.**

At a regular meeting of the City Commission for the City of Buchanan, Berrien County, Michigan, held at the Buchanan City Hall on _____, 2024, at 7 p.m., Commissioner _____ moved to adopt the following Ordinance Amendments, which motion was seconded by Commissioner _____.

THEREFORE, THE CITY OF BUCHANAN ORDAINS:

AMENDMENTS TO ZONING ORDINANCE

**ARTICLE VII
R-3 MULTI-FAMILY RESIDENTIAL DISTRICT**

Section 7.03 - Uses Permitted by Special Use Permit

- F. Convalescent and Nursing Care.

**ARTICLE XXI
GROUP HOMES AND ADULT FOSTER CARE FACILITIES**

Section 21.01—Applicability.

- 3. The Plan Commission may grant special approval for a group home or adult foster care facility only if the lot area of real estate upon which the facility is to be located meets the requirements for the minimum lot frontage and area for the zoning district in which the facility is located and, in addition thereto, has a minimum of two thousand (2,000) square feet for each resident over the number of six (6) residents.

Section 21.03 - R-3 and R-4, Residential Districts, Uses Special Uses.

- 3. For an Adult Foster Care Facility operating as a single integrated development within one or more physically connected buildings, no more than five (5) licensed facilities, each authorized to provide care to up to 20 residents, shall be permitted within the single development.

Effective Date

~~This Ordinance shall become effective fifteen (15) days after its enactment.~~

This ordinance shall become effective fifteen (15) days after enactment and publication pursuant to Chapter 7, Section 7.4 and Section 7.5 of the Charter of the City of Buchanan, Michigan.

Proposed by Commission Member: _____

Seconded by Commission Member: _____

Roll Call Vote:

Ayes:

Nays:

Abstain:

Absent:

MADE, PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF BUCHANAN, BERRIEN COUNTY, MICHIGAN, ON THE ____ DAY OF _____, 2024, AND IT WAS PUBLISHED IN THE BERRIEN COUNTY RECORD NEWSPAPER ON _____, 2024 BY:

Sean Denison, Mayor _____

Kalla Langston, City Clerk _____

CERTIFICATION I hereby certify that the above is a true and complete copy of an ordinance adopted by the City Commission of the City of Buchanan, County of Berrien, State of Michigan, at a regular meeting held on the _____ day of _____, 2024, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976 as required by said act.

Kalla Langston, City Clerk