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**OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION MEETING**

**OSHTEMO TOWNSHIP HALL
7275 WEST MAIN STREET**

**THURSDAY, AUGUST 28, 2025
6:00 P.M.**

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Approval of Agenda
4. Public Comment on Non-Agenda Items
5. Approval of Minutes: June 12, 2025 Meeting and August 14, 2025 Meeting
6. **Special Exception Use: Little Pistol Farms Category 2 Agritourism (2335 South Van Kal Street, Parcel 3905-30-155-029)**
Planning Commission to conduct special exception use review of a proposed Category 2 Agritourism land use.
7. Public Comment
8. Other Updates and Business
9. Adjournment

Broadcast Notice:

This meeting is being streamed live on the Public Media Network website and app and recorded for watching on-demand. It is also broadcast on Spectrum and AT&T community access channels.

**Policy for Public Comment
Township Board Regular Meetings, Planning Commission & ZBA Meetings**

All public comment shall be received during one of the following portions of the Agenda of an open meeting:

- a. Citizen Comment on Non-Agenda Items or Public Comment – while this is not intended to be a forum for dialogue and/or debate, if a citizen inquiry can be answered succinctly and briefly, it will be addressed or it may be delegated to the appropriate Township Official or staff member to respond at a later date. More complicated questions can be answered during Township business hours through web contact, phone calls, email (oshtemo@oshtemo.org), walk-in visits, or by appointment.
- b. After an agenda item is presented by staff and/or an applicant, public comment will be invited. At the close of public comment there will be Board discussion prior to call for a motion. While comments that include questions are important, depending on the nature of the question, whether it can be answered without further research, and the relevance to the agenda item at hand, the questions may not be discussed during the Board deliberation which follows.

Anyone wishing to make a comment will be asked to come to the podium to facilitate the audio/visual capabilities of the meeting room. Speakers will be invited to provide their name, but it is not required.

All public comment offered during public hearings shall be directed, and relevant, to the item of business on which the public hearing is being conducted. Comment during the Public Comment Non-Agenda Items may be directed to any issue.

All public comment shall be limited to four (4) minutes in duration unless special permission has been granted in advance by the Supervisor or Chairperson of the meeting.

Public comment shall not be repetitive, slanderous, abusive, threatening, boisterous, or contrary to the orderly conduct of business. The Supervisor or Chairperson of the meeting shall terminate any public comment which does not follow these guidelines.

(adopted 5/9/2000)
(revised 5/14/2013)
(revised 1/8/2018)

Questions and concerns are welcome outside of public meetings during Township Office hours through phone calls, stopping in at the front desk, by email, and by appointment. The customer service counter is open from Monday-Thursday, 8 a.m.-1 p.m. and 2-5 p.m., and on Friday, 8 a.m.–1 p.m. Additionally, questions and concerns are accepted at all hours through the website contact form found at www.oshtemo.org, email, postal service, and voicemail. Staff and elected official contact information is provided below. If you do not have a specific person to contact, please direct your inquiry to oshtemo@oshtemo.org and it will be directed to the appropriate person.

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Jodi Stefforia	375-4260	jstefforia@oshtemo.org	
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**OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION
MINUTES OF A MEETING HELD JUNE 12, 2025**

AGENDA

SPECIAL EXCEPTION USE: NELSON HOME OCCUPATION (2100 S 4TH STREET, PARCEL 3905-29-280-016)

ZONING ORDINANCE TEXT AMENDMENTS (MUD, PUD, ADULT FOSTER CARE, NON-MOTORIZED, TEMPORARY OUTDOOR EVENTS)

A meeting of the Oshtemo Charter Township Planning Commission was held Thursday, June 12, 2025, commencing at 6:00 p.m. at the Oshtemo Township Hall, 7275 West Main Street.

MEMBERS PRESENT: Deb Everett, Vice Chair
 Scot Jefferies
 Scott Makohn
 Alistair Smith
 Jeremiah Smith (arrived at 6:04 p.m.)

MEMBERS ABSENT: Michael Chapman, Township Board Liaison
 Philip Doorlag, Chair

Also present were Jodi Stefforia, Planning Director; James Porter, Township Attorney; Leeanna Harris, Planning and Zoning Administrator; Jennifer Wood, Recording Secretary; and approximately 16 interested persons.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Vice Chair Everett called the meeting to order at 6:00 p.m. Those in attendance joined in reciting the Pledge of Allegiance.

APPROVAL OF AGENDA

Vice Chair Everett inquired if there were any changes to the agenda. There were none.

The agenda stands as published.

PUBLIC COMMENT ON NON-AGENDA ITEMS

Vice Chair Everett inquired if anyone present wished to speak on non-agenda items.

No one came forward.

APPROVAL OF THE MINUTES OF THE MEETING OF MAY 22, 2025

Vice Chair Everett asked for additions, deletions, or corrections to the minutes of the meeting on May 22, 2025.

Mr. Jefferies made a motion to approve the Minutes of the Meeting of May 22, 2025 as drafted. Mr. Makohn seconded the motion. The motion passed unanimously.

SPECIAL EXCEPTION USE: NELSON HOME OCCUPATION (2100 S 4TH STREET, PARCEL 3905-29-280-016)

Ms. Stefforia stated that she recently became aware of a personal conflict of interest related to the Special Exception Use request currently before the Commission. She emphasized that this conflict has not impacted her ability to perform her professional responsibilities and noted that she brings over 30 years of experience in the field of planning and follows a professional code of ethics adopted by her profession.

Ms. Harris presented her updated staff report, dated June 12, 2025, which is hereby incorporated into the official record. The Planning Commission had tabled this item from its May 22, 2025, meeting to the June 12, 2025, meeting in order to allow staff time to gather information regarding previous home occupation approvals. The meeting packet includes minutes from five prior home occupation requests, as well as materials submitted by the applicants during the previous meeting.

Applicants Bill and Jaymie Nelson are requesting Special Use approval to operate a golf and softball training facility as a home occupation. The proposed use would occupy approximately 1,000 square feet within two existing accessory structures located on their property at 2100 South 4th Street. The subject property which is zoned RR: Rural Residential is a 10-acre property located on the west side of South 4th Street, north of West M Avenue and south of West L Avenue. An aerial map of the subject property was presented for reference.

For purposes of this report, the accessory buildings will be referred to as A and B. Building A is approximately 3,600 square feet, with 720 square feet to be utilized for softball instruction, and building B is approximately 2,000 square feet, with 220 square feet to be utilized for golf instruction. The operations are proposed to take place during a five hour window on weekdays, and during a 12 hour window on the weekends and during the summer, with staggered appointment times. Those coming to the site for instruction would utilize informal areas adjacent to the accessory buildings for parking.

ANALYSIS

Home occupations are a permitted use in the RR: Rural Residential district subject to the regulations in Section 48.60 of the Zoning Ordinance. If the use satisfies the criteria in Section 48.60, no approvals from a reviewing body are necessary. However, if the home occupation departs from these criteria, the applicant may request a Special Exception Use approval from the Planning Commission pursuant to Section 49.120 of the Zoning Ordinance.

In this instance, the home occupation criteria in Section 48.60 do not allow for accessory buildings to be used as part of a home occupation. However, Section 49.120 of the Zoning Ordinance allows the use of accessory building for a home occupation as a consideration through the Special Exception Use process, provided that all other requirements are met.

When reviewing a Special Exception Use, there are two sets of criteria that must be considered: the general Special Use criteria in Section 65.30 and the specific requirements for the use outlined in Section 49.120.

Section 65.30: Special Use Review Criteria

A. Master Plan/Zoning Ordinance: The proposed use will be consistent with the purpose and intent of the Master Plan and Zoning Ordinance, including the district in which the use is located. Currently, the Future Land Use Map identifies this area as Rural Residential, consistent with current zoning. The forthcoming Place Types map of the 2025 Master Plan identifies this area as Countryside Residential.

Home occupations that are incidental and subordinate to a residential use, blend into residential neighborhoods, and fall within an acceptable threshold of nonresidential activity can be consistent with the Zoning Ordinance.

B. Site Plan Review: The Site Plan Review Criteria of Section 64
An engineered site plan is not required for a special use review of this nature and no exterior changes are proposed to be made in relation to the site. However, the applicant provided a floor plan for both of the barns and a site plan.

C. Impacts:
Impacts are evaluated on whether the use would be compatible, would present any adverse effects, or would be detrimental to the area.

The area around the property is rural, consisting of parcels containing single-family homes, large agricultural parcels, and the Wendalyn Woods plat nearby.

A building permit will need to be properly issued by the Oshtemo Township Building Department for building A regardless of whether the Planning Commission approves or denies the request.

Potentially adverse effects arising from the proposed use on adjacent properties should be minimized through the provision of adequate parking, the placement of buildings, structures and entrances, as well as the location of screening, fencing, landscaping, buffers or setbacks.

It can be argued that the use as proposed is not harmonious or appropriate within the existing or planned character and could be disturbing or detrimental to adjacent properties. Planning staff suggest the Planning Commission discuss the home occupation request to see if there are any conditions which could make this request more compatible to the area such as the recommendations from Planning staff included in the report.

The natural features of the subject property should only be cleared or altered to the extent necessary to accommodate site design elements, particularly where the natural features assist in preserving the general character of the area.

No additional clearing is expected to occur and no concerns arose regarding the natural features.

Adequate public and/or private infrastructure and services already exist or would be provided, and would safeguard the health, safety, and general welfare of the public.

D. Specific Use Requirements: Section 49.120

The majority of the criteria are satisfied, such as:

- No nonresident employees proposed to work onsite.
- Size limitations for the detached accessory buildings

This section does include criteria that the Planning Commission can recommend such as:

- Limited days
- Limited hours
- Requiring screening

Recommendation:

Planning Department staff recommend that the Planning Commission review the information included in the staff report and attachments, with attention to the Special Use criteria, have an open dialogue with the applicants, consider the public comment, and consider a motion on the special use request to establish a golf and softball operation as a home occupation within the two (2) existing accessory buildings located at 2100 South 4th Street by approving, approving with conditions, or denying the request.

If the Planning Commission finds that the special use request is supported, the following conditions in the staff report as amended:

- 1) The golf and softball instruction shall be conducted only in the existing accessory buildings on site. At no point shall that operation utilize more than 1,200 square feet in area within the accessory buildings or include instruction of any other sport or by anyone other than the applicants.
- 2) All other requirements stated within Section 48.60.A of the Township Ordinance shall be met at all times. If any complaints are received and verified by the Township regarding the subject home occupation that violates the other requirements of Sections 48.60 or 49.120 or exceed what was specifically mentioned in this report or any condition of approval, this approval will be voided; the home occupation will cease immediately and become an Ordinance Enforcement matter to resolve.

- 3) The unpermitted driveway shall be coordinated with the Road Commission of Kalamazoo County and removed as may be required by RCKC policies or permanently gated to prevent access from South 4th Street.
- 4) Residential signage, neither exceeding 3 square feet in sign area nor located in the public right of-way, shall be added to the applicant's frontage on South 4th Street and shall indicate the house number of the applicants (2100).
- 5) Screening in the form of a solid fence shall be added to shield the accessory buildings and ground activity near the south property line, extending from west of Building A to east of Building B.
- 6) The home occupation shall only operate in the approved operation hours and days of operation. Appointments shall not overlap.
- 7) A building permit shall be properly issued by the Oshtemo Township Building Department for building A.
- 8) Any sales that occur on the property must be incidental to the home occupation and shall not be made to members of the public not receiving instruction.

Ms. Harris shared additional aerial maps of the property for reference.

Vice Chair Everett asked the Commissioners if they had any questions for staff.

Mr. A. Smith expressed appreciation to the Planning Staff for the comprehensive information they provided.

Vice Chair Everett invited the applicant to speak.

Mrs. Nelson spoke to the Commission in support of her request. Upon purchasing the property, her intent was to create and maintain a home that supports both her family and the broader community. Mrs. Nelson stated that she is a professional educator and expressed her intent is to offer private softball instruction.

The individualized instructional activities occur in a small, enclosed, netted structure under 1,200 square feet, located in an accessory building on the property. Instruction is by appointment only, limited to individual sessions, and operates on a small scale. There is no signage, advertising, walk-in traffic, or additional staff involved. The instructional services are comparable to home-based music or tutoring lessons, though the space requires greater ceiling height for safety.

Mrs. Nelson shared they have taken proactive steps in response to previous concerns raised at the last meeting. These include:

- Coordinating with the Road Commission, which confirmed no permit was required for a secondary driveway due to the amount of frontage the property possesses. That driveway has since been closed with a cattle gate to avoid confusion.

- Plans to install larger house numbers and reflective driveway markers to help students identify the correct entrance.
- Exploring new parking arrangements to minimize vehicle movement and reduce headlight disruption to neighbors.
- Considering privacy screening or fencing to buffer light and sound.
- Offering alternative parking arrangements to further minimize any potential neighborhood impact.

Mrs. Nelson emphasized that this is not a commercial enterprise, but rather a personal passion project focused on mentoring and youth development. She advised there is no intention of expanding operations and is committed to aligning with township expectations. Her request is tailored, small-scale, and designed to minimize any community impact.

She respectfully asks the board to consider her unique circumstances and welcomes any recommendations to ensure continued compliance and harmony within the neighborhood.

Mr. Jefferies requested clarification on whether Mrs. Nelson was speaking solely on behalf of the softball business or also representing the golf business. Mrs. Nelson confirmed that she was speaking in support of both operations. She further clarified that the combined area for both uses would total under 1,200 square feet, with softball instruction occurring in one building and golf instruction in the other. She noted that both facilities would utilize non-permanently fixed safety netting.

Mrs. Nelson reiterated that there are no plans to conduct retail sales as part of the operations. In response to Mr. Jefferies' concerns about the ability to maintain the designated square footage, Mrs. Nelson explained that the use of netting helps to ensure that the space remains within the established limits.

Vice Chair Everett asked for any additional questions or comments from the Commissions for the applicants.

There were none.

Public Comment

Vice Chair Everett opened the floor for public comment.

Six members of the public provided comments during the meeting. Three individuals spoke in support of the proposed project, while three expressed opposition.

Vice Chair Everett closed the public comments.

The Vice Chair Everett asked the Commission if there was any additional discussion on the matter.

Vice Chair Everett inquired about the duration of the lessons. Mrs. Nelson responded that each lesson typically lasts between 30 and 45 minutes. She also noted that she is currently working with approximately 20 students, while her husband is instructing 11 or 12 students.

Mr. Jefferies asked whether instruction had continued after the applicants were notified of the issue. Mrs. Nelson confirmed that all instructional activities had ceased following the notification.

Vice Chair Everett shared information from an email submitted by Chair Doorlag regarding the application. In the email, Chair Doorlag expressed his support for the Special Use request, stating that he does not believe the proposed use would negatively impact the character of the surrounding area. He noted that he felt that the applicant has addressed relevant security considerations and the primary reason the matter requires Commission review is because the instruction is being offered for a fee. Chair Doorlag characterized the issue as a building permit matter and stated that the buildings in question appear consistent with the character of the RR zoning district. He also observed that, as previously noted, many properties in the area contain accessory buildings.

Mr. Jefferies reminded the Commission that Rural Residential (RR) zoning is distinct from R-1 zoning. He emphasized that individuals choose to live in rural areas for specific reasons, often valuing the flexibility to use their property as they see fit.

The Commission discussed minor discrepancies between the interior wall layouts shown on the submitted plans and the actual site conditions. Commissioners requested clarification on setback requirements, and Ms. Harris confirmed that all required setbacks appeared to be met. She also noted that the Building Department typically accepts hand-drawn plans for accessory buildings and does not require a formal survey. Concerns were raised regarding access to the neighboring property; however, the planned closure of the second driveway with a gate is expected to help mitigate this issue. While the Road Commission has approved the second driveway, the Planning Commission may include its closure as a condition of approval.

It was noted that the Special Use approval is tied to the current property owner and would require reapplication if ownership changes. The Commission raised questions regarding potential business growth, as well as the monitoring of compliance and enforcement challenges associated with the use.

Several members expressed reservations about long-term oversight, with some supporting moving forward under specific conditions, including limits on student numbers and operating hours. The distinction between commercial and non-commercial use was discussed, with recognition that even nonprofit activities could impact traffic and neighborhood character.

Mr. A Smith made **a motion** to deny the Special Use application to operate a golf and a softball instruction business as a home occupation utilizing approximately 1,000 square feet within two (2) existing accessory buildings at 2100 South 4th Street. Mr. J. Smith **seconded the motion**. The **motion passed** with three Commissioners voting in favor of the denial and two voting against.

TEXT AMENDMENTS ADDRESSING MUD, PUD, ADULT FOSTER CARE, NON-MOTORIZED AND TEMPORARY OUTDOOR EVENTS

Ms. Stefforia presented her staff report, dated June 12, 2025, which is hereby incorporated into the record. The Planning Department maintains a wish list of Zoning Ordinance amendments, which is updated as issues arise with the current ordinance, new projects highlight areas for improvement, or emerging land use trends are identified. Amendments are presented to the Commission on a quarterly basis.

This round of amendments includes proposed changes to the Mixed Use District (MUD), prompted by the application of the first MUD project, West Main Villages. Additionally, unrelated amendments are proposed for the Planned Unit Development (PUD) ordinance concerning phasing timelines. Other proposed changes address regulations for Adult Foster Care facilities, temporary outdoor events, and updates to non-motorized facility standards.

Mixed Use District. As part of the current round of amendments to the Statement of Purpose and Intent, updates are proposed to the Mixed-Use District. These proposed changes focus primarily on how traffic is generated by new development projects.

She explained a key concern has emerged from a forthcoming proposal with potentially significant traffic implications. There has been a desire for a broader mix of uses—not just retail and residential (such as multifamily and two-family units), but a more integrated and functional mix overall.

After meeting with developers, it is clear that while true mixed-use development remains a shared goal, these types of projects are often more complex to deliver. As such, the intent of the amendments is to encourage—but not require—mixed-use developments that feature complementary uses. The aim is to support projects that reduce traffic impacts by design and contribute to the overall cohesiveness of the area. The Township's Transportation Engineer assisted with the crafting of these amendments.

Layout, Circulation and Transportation - Introduces all-new language. Additional language was provided by the Chair and will be included in Draft Two of the amendments. Specifically, it clarifies that while future connections to adjacent developments are encouraged, they will not be mandated if legal access—such as easements—is not currently available. The revised language will state that connections should be made either now or in the future, as easements and opportunities are secured or become available.

Traffic Impacts - Two new paragraphs have been added under the Traffic Impacts section, based on input from the Township's Transportation Engineer. This language emphasizes the importance of internal trip capture, compact design, and connectivity to the surrounding street network. The engineer's analysis reflects community feedback, where there is strong concern about continued piecemeal expansion and property acquisition. The goal is to avoid unnecessary sprawl and create a more self-contained development pattern.

Density Bonus – As part of the proposed updates, the density bonus provision is addressed, which currently allows for up to 32 units per acre. Based on stakeholder discussion, it is recommended that this level of density be granted as long as the increased density can be supported without negatively impacting the transportation network or conflicting with the long-term vision for the corridor. Mixed Use Buildings was added a way to award additional density.

Phasing – It would be reasonable and practical to require a phasing plan from developers as part of the overall project approval process. This plan should outline how the development will be implemented over time and should be flexible enough to be amended as the project evolves—especially for larger developments that may span multiple years or ownership transitions.

Buffer from Adjacent Residentially Zoned Districts – Clarifying language was added.

Natural Features – The Environmental Protection Ordinance (Article 56) and the Mixed-Use District regulations (Article 30), language is added to direct attention to the relevant environmental protection requirements. These considerations may be especially important for a nearby property located east of the West Main Villages, on the same side of the highway. The natural features present in that area could provide opportunities for thoughtful, flexible design that would serve both the community’s interests and the goals of the project.

Conditions for Development – Clarifying language is added to use the proper term “retention basin,” instead of “detention basin.” Additionally, the Transportation and Mobility Ordinance requires a 50-foot-wide easement, so it is recommended to be reduced from the 66 feet as currently referenced.

Permitted Uses – The uses allow for a wide range of uses. However, through the experience with the West Main Villages development, it is recognized that certain uses—such as a car wash—are not appropriate for a walkable, mixed-use environment. While still ensuring flexibility,, the list of permitted uses is proposed to be refined to align with the vision of a cohesive and pedestrian-friendly development. For example, reconsidering whether to include "commercial center" as a permitted use, as its definition is quite broad and could allow uses that are not consistent with the goals for the area.

Based on feedback from both the Planning Commission and the Township Board, there was concern over the presence of three drive-thru establishments along the frontage in the West Main Villages project. After consulting a planning consultant, they advised staff that some communities address this by allowing drive-up windows only on end-cap units, rather than on free-standing buildings. This approach could help limit both the number and type of drive-thru businesses, contributing to a more walkable and community-focused development pattern.

Development Requirements – Renames the Oshtemo Streets and Mobility Ordinance to the Transportation and Mobility Ordinance.

With permission from Vice Chair Everett, Ms. Stefforia invited Mr. Curt Aardema to the podium to speak. Mr. Aardema thanked the Commission for the opportunity to speak. He reviewed the proposed changes in detail and had a handful of suggestions.

One concern raised was the potential for requiring a connection to adjacent private property as a condition of development approval. It was suggested that these connections should only be considered if they involve a public road or if the Township has an existing agreement in place. Ms. Stefforia noted that Chair Doorlag had expressed a similar perspective, emphasizing that connections should be considered only when easements or other opportunities are available or arise in the future.

Phasing – Mr. Aardema emphasized that large development projects often extend over long timelines, and flexibility in phasing is important. He noted that while the initial phase may stay on schedule, subsequent phases can easily fall behind, affecting the overall sequencing of the project. He suggested that if delays occur, the developer will likely return to the Planning Commission regardless, and that building in flexibility from the outset could reduce the need for repeated approvals. Extending the timeline for each phase from 12 to 18 months was proposed as a more realistic approach.

Mr. Aardema recommended revising language requiring each phase to be “fully functional” to something more practical, such as ensuring each phase can provide necessary services. This would allow for some subjectivity based on the nature of the development while still ensuring usability.

In terms of site design, Mr. Aardema supported the 50-foot-wide easement, noting that narrower private streets often create a more walkable and pedestrian-friendly environment. He referenced data and experience showing that wider roads tend to separate buildings too much, reducing pedestrian activity.

Regarding permitted uses, Mr. Aardema agreed there was little interest in allowing a large number of freestanding fast-food establishments. However, he saw value in allowing some freestanding buildings with a drive through—particularly for banks or credit unions—which can act as architectural anchors, manage parking layouts more effectively, and are typically low-traffic generators. He suggested that banks and credit unions be categorized separately from food service uses, given their different design and security needs. These types of businesses generally do not locate in multi-tenant buildings and can help meet community demand while maintaining design integrity.

Mr. Aardema thanked the Commission for the opportunity to speak and contribute to this process. He shared that it is encouraging to see the progress being made and looks forward to seeing how this development can evolve in the future. Now that the Township has been through a similar process with the West Main Village project, he is hopeful in continuing to see thoughtful, well-planned growth.

Mr. Jefferies raised a question regarding the core intent of the Mixed-Use District, which emphasizes creating a walkable neighborhood where people can live and conduct daily activities without needing to drive. He asked how the Township defines what qualifies as a “service” or “business” that aligns with this vision. Specifically, he expressed concern that the current list of

permitted uses appears to replicate what is allowed in other commercial zones, rather than focusing on uses that support a walkable, mixed-use environment.

He noted that some proposed uses may not necessarily contribute to the walkability or day-to-day functionality of the neighborhood. He also referenced hospitals, not to focus on them specifically, but to highlight the need for a clearer framework to evaluate whether certain uses truly support the intended character of the district.

In response, Ms. Stefforia acknowledged the concern and noted that staff will revisit the list of permitted uses and refine them in the next draft.

Mr. Jefferies inquired about the development of a large property in sections. Ms. Stefforia responded that if a developer intends to subdivide a large mixed-use site—such as 40 acres into smaller parcels—the entire project must be submitted as a comprehensive plan and undergo rezoning approval.

Mr. Jefferies expressed his appreciation for the modifications, and Vice Chair Everett concurred.

Adult Foster Care. Ms. Harris presented the amendments for Adult Foster Care. Following a review of the ordinance to ensure consistency with the State Licensing Act and recent amendments related to adult foster care facilities, several updates were identified as necessary. One of the key proposed changes is the addition of a definition for adult congregate care facilities, which are facilities that serve more than 20 adults and are not currently addressed in the zoning ordinance. Research indicates there are no existing congregate care facilities in the county and only four in the state.

Another proposed update involves the addition of unified care facilities. This change is intended to allow flexibility for co-locating compatible uses—such as adult foster care and childcare facilities—within the same building or on the same property. Under the current ordinance, these uses would be restricted by the 1,500-foot separation requirement. The revision would allow such co-location when appropriate, while maintaining the intent of the buffer in other scenarios.

Finally, the ordinance language is being refined to ensure definitions align with those in the State Licensing Act. There were numerous references to “adult foster care facility” in the ordinance, but the State Licensing Act specifically uses the term “adult foster care family home.” The term “adult foster care facility” is a broader definition that encompasses various types of care settings. To clarify this distinction and align with the Licensing Act, it is being proposed to update the language accordingly.

Additionally, it is being proposed to add definitions and allow for adult foster care congregate facilities, unified care facilities, and other larger care facilities within the R-2 Residential District to better accommodate these uses.

Larger care facilities are already permitted in the R-2 Residential District. The proposal is to also allow congregate care facilities and unified care facilities in the R-3, R-4, and R-5 districts.

For larger facilities, existing special use provisions will be updated to include certain exceptions, particularly relating to the 1,500-foot separation requirement. For example, unified care facilities operated by the same entity may be allowed closer proximity through a special use permit, subject to Planning Commission approval. This would provide flexibility for cases like a daycare center adjacent to a vacant parcel seeking to establish an adult foster care use, where the buffer currently restricts development. Ms. Stefforia shared an example of where this would apply.

These would be additional conditions for congregate and unified care facilities requirements such as frontage on or direct vehicular access to a primary or arterial road and connection to public sewer and water services.

Ms. Stefforia clarified that currently, no large facilities are allowed in R-2, even as a special use, but that there are some parcels in the Township where it might be appropriate. These standards aim to ensure that larger care facilities are appropriately located and serviced, preventing unsuitable placement within interior neighborhood parcels. Ms. Harris pointed out criteria #3 already lays out that any building must be compatible in size, height, external design, landscaping, and surrounding open space as other residential buildings in the area.

Planned Unit Development. The PUD language concerning concept plans and project phasing requires clarification. Currently, concept plans for Planned Unit Developments (PUDs) often are not finalized before site plans begin to be submitted. It is being proposed that the ordinance be amended to require that a detailed site plan for a PUD must be submitted for review within six months of concept plan approval. Additionally, if more than two years elapse between submissions of individual site plans within the PUD—unless otherwise allowed by an approved phasing plan—the Commission may require resubmission of the concept plan for further review and possible revision.

If a phase does not commence within 12 months of the approved phasing plan, the Planning Commission may require a resubmission of the Conceptual Plan or overall planned unit development plan for further review and possible revision. Further revisions will be made to this section to ensure the language aligns consistently with the Mixed-Use provisions.

With permission from Vice Chair Everett, Ms. Stefforia invited Curt Aardema to the podium to speak.

Mr. Aardema inquired about the Planned Unit Development (PUD) at the corner of Drake and Stadium Drive, a project expected to span 10 to 15 years, noting that approximately three acres remain undeveloped. He asked whether a concept plan review would need to be brought back to the Planning Commission for the final phase, which is anticipated to be developed within the next couple of years.

Mr. Porter responded that he did not believe an additional concept plan review would be required since this is part of the existing project continuing under its current phasing plan. A new review would only be triggered if a revised phasing plan were necessary.

Vice Chair Everett inquired further about the site plan review process. Mr. Porter confirmed that site plan review would still be required for the development of the remaining parcel.

Ms. Stefforia suggested revising the language to indicate that resubmission of the phasing plan may be required, rather than a concept plan, similar to the process used for Mixed-Use developments. She further clarified that the project Mr. Aardema referenced would be grandfathered in and would not need to submit a new phasing plan for the development of the final phase.

Mr. Aardema shared this support for the proposed changes linking resubmission requirements more closely to the phasing plan, rather than the entire concept plan. The change provides clarity and flexibility.

Ms. Stefforia thanked Mr. Aardema for his input.

Temporary Outdoor Events. Ms. Stefforia shared that the Planning Department has been receiving an increasing number of last-minute requests for temporary outdoor events, such as weekend gatherings in church parking lots. The proposed amendment seeks to formalize the process by allowing events lasting up to three days to be reviewed administratively, extending the current limit from one day to three days.

Sidewalks and Non-Motorized Facilities. The Township has debated this issue multiple times over the years. A key challenge arises when sidewalks are constructed but do not connect to other pedestrian infrastructure, resulting in incomplete networks. New regulations now prohibit the construction of ‘sidewalks to nowhere.’ The Zoning Board of Appeals has requested amendments in response to having granted three recent requests that allowed property owners to consent to a future special assessment district, rather than requiring immediate construction of sidewalk segments or escrow deposits. This approach acknowledges that construction costs may change over time and that building larger sidewalk segments at once can achieve economies of scale, avoid piecemeal development, and minimize design complications.

Vice Chair Everett recommended advancing this item to a public hearing. Ms. Stefforia advised that the public hearing would be scheduled for the second meeting in July, on July 24th.

Vice Chair Everett **made a motion** to hold a public hearing on the afore-mentioned text amendments on July 24th. Mr. Makohn **seconded the motion**. The **motion passed** unanimously.

OTHER UPDATES AND BUSINESS

Vice Chair Everett asked if there were any other updates or business.

Ms. Stefforia requested the cancellation of the June 26th Planning Commission meeting.

Mr. Makohn **made a motion** to cancel the June 26, 2025 Planning Commission. Mr. Jefferies **seconded the motion**. The **motion passed** unanimously.

Mr. Jefferies shared that Kalamazoo College is implementing a policy requiring all juniors and seniors to reside on campus.

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:50 p.m.

Minutes Prepared: June 16, 2025

Minutes Approved:

**OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION
MINUTES OF A MEETING HELD AUGUST 14, 2025**

AGENDA

PUBLIC HEARING: ZONING ORDINANCE TEXT AMENDMENTS (MUD, PUD, ETC.)

PUBLIC HEARING: ZONING ORDINANCE TEXT AMENDMENT (SUPPLEMENTAL SETBACK, PARKING)

PRESENTATION: BATTERY ENERGY STORAGE SYSTEMS

A meeting of the Oshtemo Charter Township Planning Commission was held Thursday, August 14, 2025, commencing at 6:00 p.m. at the Oshtemo Township Hall, 7275 West Main Street.

MEMBERS PRESENT: Michael Chapman, Township Board Liaison
 Philip Doorlag, Chair
 Deb Everett, Vice Chair
 Scot Jefferies
 Scott Makohn
 Alistair Smith

MEMBERS ABSENT: Jeremiah Smith

Also present were Jodi Stefforia, Planning Director; James Porter, Township Attorney; Leeanna Harris, Planning and Zoning Administrator; Colten Hutson, Zoning Administrator; Jennifer Wood, Recording Secretary; and approximately 7 interested persons.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chair Doorlag called the meeting to order at 6:00 p.m. Those in attendance joined in reciting the Pledge of Allegiance.

APPROVAL OF AGENDA

Chair Doorlag inquired if there were any changes to the agenda. There were none.

Mr. A. Smith made a **motion** to approve the agenda as presented. Mr. Jefferies **seconded the motion**. The **motion passed** unanimously.

PUBLIC COMMENT ON NON-AGENDA ITEMS

Chair Doorlag inquired if anyone present wished to speak on non-agenda items. No one came forward.

APPROVAL OF THE MINUTES OF THE MEETING OF JULY 24, 2025

Chair Doorlag asked for additions, deletions, or corrections to the minutes of the meeting on July 24, 2025. There were none.

Mr. Jefferies made **a motion** to approve the Minutes of the Meeting of July 24, 2025, as presented. Mr. A. Smith **seconded the motion**. The **motion passed** unanimously.

PUBLIC HEARING - TEXT AMENDMENTS ADDRESSING MUD, PUD, ADULT FOSTER CARE, NON-MOTORIZED AND TEMPORARY OUTDOOR EVENTS

Ms. Stefforia presented her updated staff report, dated August 14, 2025, which is hereby incorporated into the official record. Draft one of the amendments was considered in June. The amendments were set for hearing on July 24; at that meeting, the item was adjourned to the August 14 meeting.

The amendments propose changes to the Mixed Use District as a result of its application to the first MUD project. Also being presented are unrelated changes to the Planned Unit Development (PUD) ordinance regarding phasing timelines. Adult Foster Care facilities, temporary outdoor events and changes to the non-motorized facilities are also proposed.

The Planning Commission reviewed various sections of the proposed ordinance amendment. Clarifications were provided regarding language related to temporary outdoor events, drive-through restrictions for restaurants in multi-tenant buildings, and adult foster care family home occupancy requirements. Discussion included whether drive-through limitations should apply more broadly beyond restaurants and clarification that temporary events are limited to 12 days per calendar year in total.

Chair Doorlag opened the public hearing for comments. There were none.

Chair Doorlag closed the public hearing.

Mr. A. Smith made **a motion** to accept the text amendments as presented related to Mixed-Use Developments (MUD), Planned Unit Developments (PUD), Adult Foster Care, Non-Motorized Transportation, and Temporary Outdoor Events and forward to the Township Board of Trustees with a recommendation of adoption. Mr. Makohn **seconded the motion**. The **motion passed** unanimously.

ZONING ORDINANCE TEXT AMENDMENT (SUPPLEMENTAL SETBACK, PARKING)

Ms. Stefforia presented her staff report, dated August 14, 2025, which is hereby incorporated into the record. In a recent application of the supplemental setback requirement for commercial properties adjacent to residential areas, staff identified that not all permitted uses in commercial or industrial districts generate impacts that justify increased setbacks. For example, low-impact uses like office buildings may not warrant a greater setback, suggesting that specific exceptions should be incorporated into the ordinance.

In addition, minor language changes are being recommended to clarify regulations regarding parking and the storage of recreational vehicles (RVs), boats, and other vehicles in residential districts.

The Planning Commission reviewed the proposed Zoning Ordinance text amendments, specifically addressing how building height affects setback requirements in commercial and industrial districts. It was clarified that for buildings exceeding 25 feet in height, the increased setback requirements still apply even when reduced by 50%, maintaining proportional height-to-setback ratios. Commissioners also discussed the applicability of these changes to the mixed-use district and confirmed they would not apply there, as mixed-use development follows its own setback standards.

Further clarification was provided regarding off-street parking regulations for one and two-family dwellings. The goal was to ensure consistent language so that exemptions from general off-street parking requirements do not override specific provisions regarding RV and boat storage.

Chair Doorlag opened the public hearing for comments. There were none.

Chair Doorlag closed the public hearing.

Mr. Chapman made **a motion** to accept the Zoning Ordinance text amendments for supplemental setbacks and parking regulations as presented and forward to the Township Board with a recommendation of adoption. Mr. Doorlag **seconded the motion**. The **motion passed** unanimously.

PRESETATION: BATTERY ENERGY STORAGE SYSTEMS

Ms. Rachel Walker, the Director of Permitting from NewEdge spoke to the Commission regarding standalone utility scaled battery energy storage development. Also joining Ms. Walker were her colleagues Mr. Steve Barna, the Chief Development Officer and Ms. Donna Marceau the Senior Director of Real Estate. The team was invited to provide general information on this emerging technology, its role in grid infrastructure, and to answer questions from the Commission.

Battery energy storage system facilities are large-scale, stationary battery systems that store excess energy, particularly from intermittent renewable sources like wind and solar, and then release it when demand increases. Though similar in principle to the batteries in everyday electronics, these systems are built to stricter safety standards and are considered critical infrastructure. Ms. Walker emphasized their usefulness in stabilizing the electrical grid and supporting state and local energy goals, including Michigan's targets for renewable energy and energy storage.

The team also addressed how battery energy storage system projects are developed, explaining that the process typically takes 2 to 5 years, includes land acquisition, environmental reviews, regulatory permitting, community engagement, and eventual construction. Battery enclosures resemble large steel shipping containers and produce minimal noise, about the level of a residential air conditioning unit at the property line. Safety and fire prevention are a top priority, with the company partnering with experienced firefighter consultants and complying with national fire codes. Financially, these projects can generate significant tax revenue for local communities. The systems are non-toxic, non-emitting, and largely maintenance-free. At the end of their 25-year lifespan, projects are either decommissioned and the land restored or potentially renewed through contract extensions. The companies that build these systems tend not to maintain ownership but sell to utility companies typically that have issued an RFP for a facility to be built.

The Planning Commission engaged in a wide-ranging discussion with the applicant on battery energy storage systems covering fire suppression features, utility company involvement, project timelines, site screening, decommissioning procedures, emergency response planning, and potential health and environmental impacts. Commissioners asked questions related to site safety, future industry changes, long-term ownership responsibilities, training for local first responders, and whether energy benefits would be local. The applicant provided clarifications on industry practices, including best practices for decommissioning and fire safety.

The Commission thanked NewEdge for their presentation.

PUBLIC COMMENT

Chair Doorlag opened the floor for public comment. One person came forward in opposition to the Township considering a battery energy storage system.

OTHER UPDATES AND BUSINESS

Chair Doorlag inquired if there were any other updates or business.

There were none.

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:18 p.m.

Minutes Prepared: August 18, 2025

Minutes Approved:

August 20, 2025

Mtg Date: August 28, 2025

To: Oshtemo Township Planning Commission

From: Colten Hutson, Zoning Administrator

Applicant: Kenneth and Katherine Schneider

Owner: Kenneth and Katherine Schneider

Property: 2335 South Van Kal Street, Parcel Number 05-30-155-029

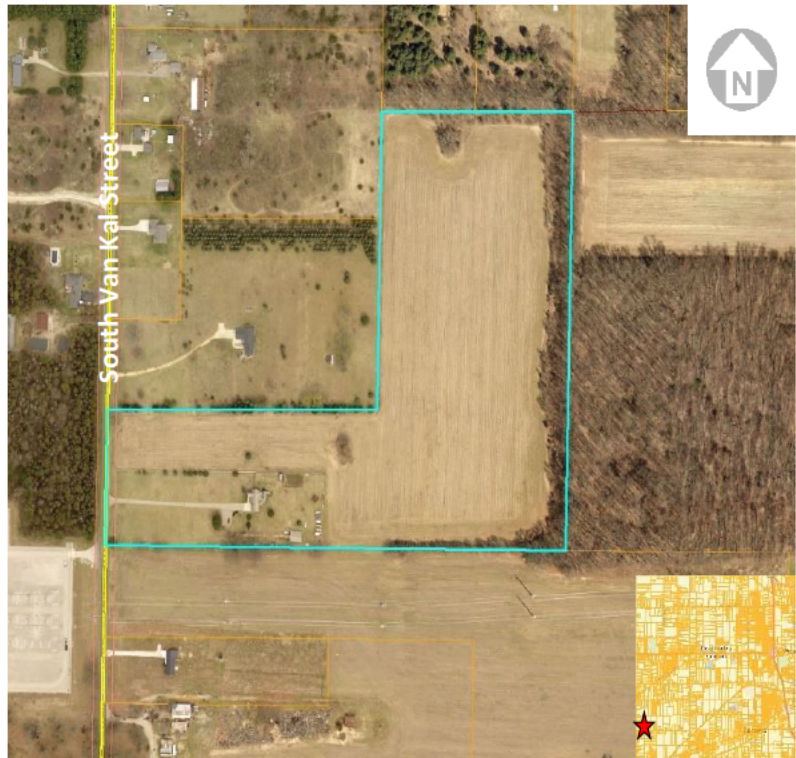
Zoning: RR: Rural Residential District

Request: Special use approval to establish an Agritourism, Category 2 use

Section(s): Section 65: Special Uses
Section 49.10: Agritourism, Category 2

PROJECT OVERVIEW:

The applicants, Kenneth and Katherine Schneider, are requesting special use approval to establish an Agritourism, Category 2 use on the property located at 2335 South Van Kal Street. The agritourism operation is proposing to provide a number of activities, including hayrides, mazes, and educational workshops, in addition to offering the purchase of agricultural products produced on site, agriculturally related products, and non-agriculturally related products. The subject 35-acre site is zoned RR: Rural Residential and is between West L Avenue and West M Avenue on the east side of South Van Kal Street.



ANALYSIS:

Agritourism uses of this intensity are permitted as a special use in the RR: Rural Residential zoning district. All special uses require review and approval by the Planning Commission. When reviewing this request, two sets of criteria must be considered: 1) the general special use review criteria in Section 65.30, and 2) the specific requirements tied to the special use outlined in Section 49.10.

Section 65.30: Special Use Review Criteria

A. Master Plan/Zoning Ordinance: The proposed use will be consistent with the purpose and intent of the Master Plan and Zoning Ordinance, including the district in which the use is located.

The Township's Future Land Use Map categorizes this area as *Rural Residential*, consistent with the subject property's present zoning. The forthcoming Place Types map of the 2025 Master Plan identifies this area as *Countryside Residential*. From a zoning perspective, the proposed use would be consistent with its rural surroundings and is in accordance with the Township's Zoning Ordinance.

B. Site Plan Review: The Site Plan Review Criteria of Section 64

An engineered site plan is not required for a special use request of this nature. However, the applicant provided a site plan sketch depicting a general layout of structures, parking, fencing, and activity and U-pick areas on the property; is attached to this report. A review of the site plan sketch against the development requirements of Section 49.10 of the Zoning Ordinance will be provided later in this report.

C. Impacts:

1. The proposed use would be compatible, harmonious and appropriate with the existing or planned character and uses of adjacent properties; meaning the proposed use can coexist with neighboring uses in a stable fashion over time such that no neighboring use is unduly negatively impacted.

The proposed agritourism operation is allowed with special use approval within the RR: Rural Residential District. Other than properties zoned AG, the most compatible zoning designation for a use of this nature is the RR: Rural Residential zoning district. This area of the Township is rural, consisting of large parcels containing single-family homes and farmland. The 29 acres of land has been farmed for decades. It can be argued that the proposed Category 2 Agritourism use is harmonious with the existing or planned character and uses of neighboring properties.

2. Potentially adverse effects arising from the proposed use on adjacent properties would be minimized through the provision of adequate parking, the placement of buildings, structures and entrances, as well as the location of screening, fencing, landscaping, buffers or setbacks.

A general layout of the active area of the site has been provided. Other than the existing residence and barn, only a farmstand is proposed at this time and will be placed near the road. Informal parking is planned on the south side of the driveway while handicap parking is proposed on the north side of the driveway near the farmstand and activity area. Minimal information on setbacks and fencing has been provided. No landscaping is required. A row of evergreen trees exists along the fence line and the northern property line.

3. The proposed use would not be detrimental, hazardous, or disturbing to existing or future adjacent uses or to the public welfare by reason of excessive traffic, noise, smoke, odors, glare, or visual clutter.

The proposed use could potentially be considered disruptive to existing or future adjacent uses as there will be an increase in noise and traffic to and from the property from visitors, which currently do not exist with the present single-family home. Operation hours are

proposed from 9:00 AM to 7:00 PM; however, the specific days of operation were not included in the narrative.

An overhead powerline utility easement abuts immediately to the south. A utility substation owned by the Michigan Electric Transmission Company (METC) is across Van Kal Street to the west. Single-family homes, of which an owner has expressed his support for the proposed agritourism use in the letter attached to the application, are found to the north. Immediately east is a combination of farmland and unimproved property.

The applicants expressed in their application that all Agritourism, Category 2 activities will be setback at least 200 feet from the nearest residence.

The Planning Commission should make a finding as to whether the traffic and noise from this agritourism operation will have a detrimental impact to the public and neighboring occupants and uses.

D. Environment: The natural features of the subject property shall only be cleared or altered to the extent necessary to accommodate site design elements, particularly where the natural features assist in preserving the general character of the area.

There is presently a home and a barn on the 35-acre property, including 29 acres of farmland. Existing tree lines adjacent to the north and east property lines will remain and satisfy the screening requirements of Section 49.10 of the Zoning Ordinance.

No clearing is expected to occur to accommodate the agritourism use. For these reasons, staff does not find that the proposed Agritourism, Category 2 use will have a detrimental impact on the natural features or in preserving the general character of the area.

E. Public Facilities: Adequate public and/or private infrastructure and services already exist or would be provided, and will safeguard the health, safety, and general welfare of the public.

The property abuts a County primary road. No public water or sewer are available on site. Portable toilets, which the applicants have expressed will be ADA compliant, are planned to be provided near the entrance into the activity area. The proposed agritourism use would not create any burden on infrastructure.

F. Specific Use Requirements: Section 49.10

See evaluation under Section 49.10 that follows.

Section 49.10: Agritourism, Category 2

- A. **Application Narrative.** A written narrative describing the use in detail, including both agriculturally related and non-agriculturally related products and uses; proposed hours of operation; measures that are to be taken to assure that the operation of the use will take place only in a safe and convenient manner; special events; and other information describing the use and which will assist the Planning Commission in determining whether the application meets the Special Use requirements.

A narrative detailing the proposed Agritourism, Category 2 operation has been provided and is attached to this report. Requirement satisfied.

- B. **Exemption.** Generally recognized agricultural operations, which are not involved with the retail sales of goods or any public activities, are exempt from these standards.

Goods will be sold with the proposed Agritourism, Category 2 operation. Therefore, the requirements outlined in Section 49.10 of the Zoning Ordinance apply.

- C. **General Standards.**

1. **Parcel size.** Parcels must be a minimum of 10 acres. The Planning Commission may consider a smaller parcel size depending on the agritourism uses planned. Their consideration of a smaller parcel size will be based on the intensity and scale of the proposed agritourism use, compatibility with surrounding property owners, and will be harmonious with the existing character of the area.

The subject property area exceeds 10 acres. Requirement satisfied.

2. **Maximum floor area.** The maximum floor area for all buildings related to the agritourism use shall be 10,000 square feet. Clusters of smaller, architecturally appropriate structures are encouraged to maintain rural character of the agritourism use. This maximum floor area does not include greenhouses.

The farmstand is proposed to consist of a temporary tent structure initially. Information on the size of the proposed farmstand was not provided in the narrative or site plan as a part of the application. However, as a part of the Agritourism, Category 1 administrative approval, the applicants outlined that the farmstand will be less than 200 square feet in size. Requirements satisfied.

3. **Outdoor storage/display.** The maximum area for the storage/display of agricultural products for sale shall be one acre. This requirement does not apply to u-pick operations.

The applicant submitted information that outdoor storage/display of agricultural products will be located in the rear yard; however, there is no indication of the acreage that such storage/display would occupy. Requirement not satisfied.

Staff asks that the Planning Commission request further information to ensure the amount of outdoor storage/display of agricultural products outside of U-Pick areas will not exceed one acre.

- 4. Architectural character. All buildings shall incorporate a rural theme in terms of style and design. This means new agritourism uses involving new structures shall complement and enhance the rural environment. For example, gable or gambrel roofs, roof ornamentation such as cupolas, dormers, porches, and decorative shutters.**

No new buildings are currently proposed with this application. Requirement satisfied.

- 5. New uses and buildings. New uses and buildings shall be located, designed and operated so as not to interfere with normal agricultural practices on and off site. Non-agricultural uses should be limited to lands with poor agricultural soils or lands otherwise not suitable for agricultural purposes.**

Requirement satisfied.

- 6. Use and product percentages. Agricultural products produced on site, agriculturally related products and uses, and non-agriculturally related products and uses are permitted based on the following percentages:**

- a. At least 50 percent of the products (measured as an average over the farm’s marketing season) and uses marketed and offered must be grown or produced on and by or have a direct relationship with the affiliated farm. For purposes of this requirement, affiliated means a farm under the same ownership or control (e.g. leased) as the farm market whether or not the farm market is located on the property where production occurs.**

The applicants submitted a list of agricultural products that will be grown on the subject property or on related farm properties which will be marketed and offered and indicated that the agricultural products and uses produced on site will be no less than 50%. Requirement satisfied.

- b. A maximum of 30 percent of the products and uses marketed and offered may be other agriculturally related products and uses as defined by Section 11: Definitions.**

The applicants noted in their narrative that the products and uses marketed and offered of the agriculturally related type will not exceed 30%. A list of all agriculturally related products and uses in was not provided in the narrative. Requirement not satisfied.

- c. A maximum of 20 percent of the products and uses marketed and offered may be non-agriculturally related products and uses as defined by Section 11: Definitions.**

The applicants noted in their narrative that the products and uses marketed and offered of the non-agriculturally related type will not exceed 20%. A list of all non-agriculturally related products and uses was not provided in the narrative. Requirement not satisfied.

- d. For purposes of determining the percentage of products and uses being marketed and offered, the primary measure will be square footage of space used for each individual product or use. If measurement of retail space during the marketing season is not feasible to determine percentage of product, then the percent of the gross sales dollars will be used.**

The applicants have agreed to follow the limitations. Requirement satisfied.

- 7. Parking. On-site vehicle parking shall be provided on agribusiness property as follows:**

- a. The total number of required spaces shall be calculated as one space for every 1,000 square feet of the main public activity area, plus one space for every two employees. The main public activity areas shall be defined as the primary buildings and outdoor spaces where the public congregates for the agritourism use. This shall not include areas dedicated to agricultural production.**

Staff requested that the applicants provide the dimensions of the activity area and how many employees are anticipated to be present; however, the information was not provided. Requirement not satisfied.

- b. 24-foot two-way or 20-foot one-way circulation aisles shall be maintained. To ensure drive aisles are maintained, the location of parking spaces shall be defined by providing some type of marker at the center of the space to be placed every 64 feet for two-way traffic and 60 feet for one-way traffic.**

The dimensions of circulation aisle widths was not provided on the site plan sketch. Requirement not satisfied.

- c. Parking lots shall be clearly demarcated through some physical means like timbers, fences, stakes, etc.**

Stakes and pennant taping is proposed to be used to define parking and circulation aisles. Requirement satisfied.

- d. The on-site parking shall be arranged so no vehicle movements occur in the public right-of-way and to avoid the accumulation of parked cars on the public roads.**

It is difficult to evaluate the number of spaces and overall parking arrangement proposed as the site plan sketch lacks detail and labels. However, based on the setback information provided for the farmstand, staff can confirm that the parking area proposed will be located outside of the public right-of-way. Requirement satisfied.

- e. Parking and driveway surfaces may be pervious or hard surface.**

Driveway surfaces and visitor parking are proposed to be located on a turf surface. Requirement satisfied.

- f. Accessible spaces must be provided in accordance with the requirements of Americans with Disabilities Act of 1990, utilizing the most current design standards.**

The applicants express in their narrative that at least one ADA parking space will be installed. The total number of ADA parking spaces required is based on the total number of parking spaces, which cannot be determined until more information is provided. Requirement may or may not be satisfied.

- g. The Planning Commission may reduce or defer the number required parking spaces if the applicant provides a parking study that demonstrates, to the satisfaction of the Planning Commission, that a reduced number of parking spaces will meet the parking needs of the Agritourism uses. If parking is deferred, the location of those deferred spaces must be shown as such on the required site plan.**

The applicants are not proposing to reduce or defer parking spaces at this time. Requirement satisfied.

- 8. Lighting. Any exterior lighting installed related to an agritourism use or activity shall be appropriately shielded and directed downwards to minimize light pollution. All lighting shall meet the standards of Section 78.720: Outdoor Lighting Standards.**

No new lighting is currently proposed with this application. Requirement satisfied.

- 9. Trash receptacles. Trash receptacles shall be provided. If dumpsters are provided, they shall be placed on a hard surface and shall be completely obscured from view by a screen fence or wall.**

The applicants stated that trash receptacles will be provided on site. Requirement satisfied.

- 10. Screening. Opaque screening, consisting of an earth berm, evergreen screen, or an obscuring wall or fence, shall be provided near the primary public activity areas on those sides abutting or adjacent to a residential use. The use of natural landscape materials is encouraged. The Planning Commission may waive the screening requirement in specific cases where cause can be shown that the distance between the agritourism and residential use would not require screening.**

A residence abuts to the north; a row of mature evergreen trees are present, which provides a buffer between land uses. Adjacent property to the west and south contain a utility substation and a utility easement consisting of overhead powerlines. Requirement satisfied.

- 11. Restroom facilities. Public restroom facilities, temporary or permanent, shall be provided on site in compliance with the Americans with Disabilities Act of 1990, utilizing the most current accessibility standards.**

The applicants state in their narrative that the temporary restroom facilities provided will be ADA compliant. Requirement satisfied.

- 12. Maximum capacity. The Fire Marshall or Building Official shall establish a maximum occupant capacity for meetings, training, educational or similar events which shall be appropriate to the site and facilities in terms of safe capacity in buildings, parking area and sanitation limitations of the site.**

Maximum capacity can be determined by the Building Official or Fire Marshall once further information is gathered from the applicants pertaining to the size of activity and special event areas. Requirement can be satisfied.

13. Hours of operation. Hours of operation must be provided by the applicant. The Planning Commission may alter the requested hours of operation for the agritourism uses, or specific elements thereof, consistent with the character of the land uses in the vicinity and may further approve an enforcement mechanism to ensure adherence to the established hours of operation.

Operation hours are proposed from 9:00 AM to 7:00 PM; however, as to whether the hours are daily, weekends only, such information is needed to make a finding on this criterion. Requirement may or may not be satisfied.

14. Access. Access to an agritourism use must be from the County primary road or State highway, unless approved by the Planning Commission.

This section of South Van Kal Street is categorized as a County primary road per the Road Commission of Kalamazoo County. Requirement satisfied.

15. Livestock. The keeping of livestock for agritourism purposes shall be subject to the provisions of Section 78.400: Keeping of poultry, swine, horses, or livestock.

The applicants have not indicated that there will be any livestock as part of the Agritourism use. Requirement satisfied.

D. Agritourism Special Events.

1. The following table outlines the type and number of Agritourism Special Events allowed throughout a typical calendar year, beginning on January 1st.

Table 49.10.1 - Agritourism Category 2 Special Events Allowances				
Event Type	Event Size (Persons)	Number of Consecutive Days	Days Between any Event*	Total Number of Events per Year
Educational classes, lectures, seminars, and day camps	1-20	5	2	15
	21-50	3	4	10
	Over 50 (max 100)	2	10	5
Retail events	N/A	2	30	3
Holiday events/festivals	N/A	2	60	3

*Must follow the maximum number of days between events.

2. The agritourism operator/property owner shall submit the annual list of the special events to the Planning Commission for review within 30-days of the first requested event. The Planning Commission may eliminate a special event if said event would be unduly disruptive to the general peace and enjoyment of the rural and/or residential character of the surrounding area.

No specific list of known special events has been submitted. Requirement can be satisfied with more information as specific events are known by the applicants.

3. The special event must be related to and enhance the primary agritourism use of the property.

No specific list of known special events has been submitted. Requirement not satisfied presently.

- 4. A reserved parking area shall be provided on-site to be utilized for special events. If the agritourism use intends to hold special events, this reserved area must be displayed on a site plan.**

A reserved area for parking is not shown on the site plan sketch. As space exists on the property to establish reserve parking if warranted, this information can be added to the plan. Requirement not satisfied.

- 5. The reserved parking area must be of adequate size to accommodate the anticipated additional traffic of the special event. The size of the reserved parking area shall be reviewed and approved by the Planning Commission.**

Dimensions of a reserved parking area was not provided, and therefore, staff are unable to determine if an adequate size is proposed. See comment above. Requirement not satisfied.

- 6. The reserved parking area must be of adequate size to accommodate the anticipated additional traffic of the special event. The size of the reserved parking area shall be reviewed and approved by the Planning Commission.**

Dimensions of a reserved parking area was not provided, and therefore, staff are unable to determine if an adequate size is proposed. See comment above. Requirement not satisfied.

- 7. For special events lasting more than one day and with an expected daily attendance exceeding 100 hundred individuals, the on-site manager or owner shall notify all adjacent neighbors bordering the subject property in writing of the date, time, duration and description of the event. Notification shall occur at least five business days prior to the beginning of the event.**

There are no such events planned. If the applicants plan such an event, prior approval of the Planning Commission is required pursuant to Section 49.10. Requirement satisfied.

E. Education-oriented activities. Events and/or activities which bring the public to the property for the sole purpose of participation, learning, or involvement in the agricultural operation are exempt from the Agritourism Special Event standards if they meet the following criteria:

- 1. Are limited to a one-day event no more than five times throughout a 12-month period.**

Although the applicants detailed in their narrative that all Agritourism, Category 2 special events and activities would follow the requirements of Section 49.10 of the Zoning Ordinance, a list of specific special events proposed was not included. Staff is unable to confirm if the number of events per 12-month period would be in conformance with code requirements. Requirement can be satisfied with more information from the applicants once events are known.

- 2. Have not more than 50 participants on the property at any one time during the one-day event.**

The applicants have stated that all Agritourism, Category 2 special events and activities would follow the requirements of Section 49.10 of the Zoning Ordinance and that there would be less than 50 participants for any special event. Requirement satisfied.

F. Prohibited Uses.

- 1. Motorized off-road vehicle racing or other similar motor vehicle activities.**

No such motor vehicle activities are proposed. Requirement satisfied.

- 2. Other uses that the Planning Commission determines would disturb the general peace and enjoyment of the rural and/or residential character of the surrounding area due to excessive traffic, noise, smoke, odors, or visual clutter.**

All uses proposed have been outlined in the narrative. Staff requests that the Planning Commission make a finding as to whether the proposed uses attached to the Agritourism, Category 2 operation will create such negative impacts.

RECOMMENDATION:

Staff recommends that the Planning Commission review the information included in the staff report and attachments, with attention to the Special Use criteria, have an open dialogue with the applicants, consider public comment, and make a finding on the **special use request to establish an Agritourism, Category 2 use at 2335 South Van Kal Street** by approving, approving with conditions, or denying the request.

If the Planning Commission makes a finding to approve the request, staff suggest the following conditions be included:

1. The property owner shall return to the Planning Commission in November 2026 for a two-year review of any necessary modifications to the special use permit that may be appropriate or desirable.
2. All requirements identified as not being satisfied in this report shall be addressed through the submission of an updated narrative and revised site plan to the Township for administrative review and approval.
3. If at any time the use does not conform to Section 49.10 of the Zoning Ordinance, or exceeds what was identified in this report, narrative, or any condition of approval, this special use approval will be voided and special use permit will be revoked until such time as the Planning Commission has considered the changes and made a finding that the expanded and/or change to the use satisfies Section 49.10.
4. The agritourism use shall only operate during the hours and days approved by the Planning Commission; any expansion of the days and hours require Planning Commission approval.
5. Gross sales reports must be submitted to the Township annually by March 1 which highlight agricultural products produced on-site, agriculturally related products, and non-agriculturally related products the previous year.
6. All special events shall be reviewed and approved by the Planning Commission as they are known by the applicants. This can occur annually with a single submittal or as events are known.
7. A building permit shall be required for any new buildings or structures exceeding 200 square feet in area.
8. Any signage erected shall require a sign permit and conform to Article 55 of the Zoning Ordinance except as may be allowed by the Farm Market GAAMPs.

Attachments: Application, Narrative, Site Sketch, Citizen Letter, Section 49.10, and Farm Market GAAMPs



7275 W. Main Street, Kalamazoo, Michigan 49009-9334
 Phone: 269-375-4260 Fax: 269-375-7180

PLEASE PRINT

PROJECT NAME & ADDRESS

Agritoursim Category 2, 2335 S Van Kal St., Kalamazoo, MI 49009

PLANNING & ZONING APPLICATION

Applicant Name: Kenneth & Katherine Schneider

Company: Little Pistol Farms LLC

Address: 2335 S Van Kal St
Kalamazoo, MI 49009

E-mail: [REDACTED]

Telephone: 810-444-4080 Fax: _____

Interest in Property: Owners

OWNER*:

Name: Kenneth & Katherine Schneider

Address: 2335 S Van Kal St
Kalamazoo, MI 49009

E-mail: [REDACTED]

Phone & Fax: 810-444-4080

THIS
SPACE
FOR
TOWNSHIP
USE
ONLY

Fee Amount _____

Escrow Amount _____

NATURE OF THE REQUEST: (Please check the appropriate item(s))

- | | |
|--|---|
| <input type="checkbox"/> Pre-Application Review | <input type="checkbox"/> Accessory Building Review – I083 |
| <input type="checkbox"/> Site Plan Review – I088 | <input type="checkbox"/> Rezoning – I091 |
| <input type="checkbox"/> Administrative Site Plan Review – I086 | <input type="checkbox"/> Subdivision Plat Review – I089 |
| <input checked="" type="checkbox"/> Special Exception Use – I085 | <input type="checkbox"/> Interpretation – I082 |
| <input type="checkbox"/> Zoning Variance – I092 | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Site Condominium – I084 | |

BRIEFLY DESCRIBE YOUR REQUEST (Use Attachments if Necessary): _____

Agritourism Category 2 - See Attached Narrative

LEGAL DESCRIPTION OF PROPERTY (Use Attachments if Necessary)

SEC 30-2-12 BEG ON W LI 2211.90 FT S 00DEG-01'-18" W OF NW COR TH N 89DEG-11'-51" E PAR N LI 948.23 FT TH N 00DEG-01'-18" E
891.90 FT TH N 89DEG-11'-51" E 671.39 FT TO W 1/8 LI TH S 00DEG-27'-03" E THEREON 1310.46 FT TO E & W 1/4 LI TH S 89DEG-30'-09" W
THEREON 1630.31 FT TH N 00DEG-01'-18" E THEREON 410 FT TO BEG SPLIT/COMBINED ON 02/03/2025 FROM 05-30-155-021, 05-30-155-031

PARCEL NUMBER: 3905- 30-155-029

ADDRESS OF PROPERTY: 2335 S Van Kal St, Kalamazoo, MI 49009

PRESENT USE OF THE PROPERTY: Agriculture Improved

PRESENT ZONING: Rural Residential SIZE OF PROPERTY: 29.31 Acres

**NAME(S) & ADDRESS(ES) OF ALL OTHER PERSONS, CORPORATIONS, OR FIRMS HAVING
A LEGAL OR EQUITABLE INTEREST IN THE PROPERTY:**

Name(s)	Address(es)
Kenneth Schneider	2335 S Van Kal St, Kalamazoo, MI 49009
Katherine Schneider	2335 S Van Kal St, Kalamazoo, MI 49009

SIGNATURES

I (we) the undersigned certify that the information contained on this application form and the required documents attached hereto are to the best of my (our) knowledge true and accurate. I (we) acknowledge that we have received the Township's Disclaimer Regarding Sewer and Water Infrastructure. By submitting this Planning & Zoning Application, I (we) grant permission for Oshtemo Township officials and agents to enter the subject property of the application as part of completing the reviews necessary to process the application.

SAME AS APPLICANT

Owner's Signature (*If different from Applicant)

Date

[Handwritten Signature]

7/7/2025

Applicant's Signature

Date

- Copies to:
- Planning - 1
- Applicant - 1
- Clerk - 1
- Deputy Clerk - 1
- Attorney - 1
- Assessor - 1
- Planning Secretary - Original

PLEASE ATTACH ALL REQUIRED DOCUMENTS

\\Oshtemo-SBSUsers\Linda\LINDA\Planning\FORMS

Rev. 9/14/22

**Request for Special Use Exception – Agritourism Category 2
Little Pistol Farms – 2335 S. Van Kal St., Oshtemo Township**

Dear Planning Commission,

We are respectfully requesting a Special Use Exception for Agritourism Category 2 on our 29-acre family farm, Little Pistol Farms, located at 2335 S. Van Kal St. Our farm has already been approved by Oshtemo Township for Agritourism Category 1, supporting our farmstand and U-pick operations.

Little Pistol Farms is located on a medium-traffic thruway and is just a few miles from another popular pumpkin destination that has recently closed due to the passing of the owner. We hope to help fill this community gap with a safe, family-focused, and agriculture-based experience.

Farm Overview

Our thriving farmland contributes to Oshtemo Township’s green space, enhances rural character, and offers a unique opportunity for community members to engage with local food systems. We strive to provide visitors with the chance to meet farmers, learn about modern agriculture, and access fresh, nutritious produce through meaningful and educational agritourism activities.

Our operations are conducted in accordance with Generally Accepted Agricultural and Management Practices (GAAMPs) adopted by the Michigan Commission of Agriculture. We are currently working toward Michigan Agriculture Environmental Assurance Program (MAEAP) certification, further reinforcing our commitment to environmental stewardship and sustainability.

We also deeply value the peace and quality of life in our surrounding community and take thoughtful measures to minimize any disruptions to neighbors.

Basis for Operating

While the Oshtemo Planning Department was unable to provide us with any other Agritourism Category 1, 2, or 3 narratives, we have based our operating plans on other Agritourism type operations in the area that we have frequented and enjoyed as a family for years.

These long-established seasonal operations, also located on parcels with residences, have successfully operated for decades and served as great subject matter experts. The farmers at these locations offered us valuable first-hand advice. The examples we studied included Gene the Pumpkin Man, Verhages, and Schultz’s Farm Market.

Purpose of Agritourism Category 2 Request

This request would allow us to expand our offerings to include family-friendly, seasonal agritourism features such as:

- Hayrides
- Family photo areas
- Outdoor mazes during peak U-pick seasons
- Educational field trips for schools and small groups
- Seminars and workshops led by MSU Extension, MDARD, and local ag-focused organizations interested in our specialty farming practices

These additions will support local agricultural education, provide safe and enriching experiences for families, and enhance the economic sustainability of our farm.

Farm Production and Product Guidelines

Little Pistol Farms produces a wide variety of Michigan-grown crops, this year including:

- Pumpkins (our largest crop, over 24 varieties)
- Tomatoes
- Asparagus
- Melons (watermelon, honeydew, cantaloupe)
- Peppers
- Zucchini and yellow squash
- Legumes, gourds, winter squash, lettuce, herbs

- Fruit: peaches, berries, apples
- Sunflowers and other cut flowers

We will continue to comply with the Township's product mix standards:

- **At least 50%** of marketed products will be grown or produced on our farm or our related farm properties
- **No more than 30%** will be agriculturally related but not grown on-site
- **No more than 20%** will be non-agriculturally related products

Impact on Surrounding Properties

- **South:** 55-acre soybean field with ITC utility easement
- **West:** Across the road – ITC Utility Substation and ITC owned forest land (Almena Township/Van Buren County)
- **East:** Additional farmland currently planted in soybeans
- **North:** One adjacent residence (former owner of our farmland who farmed corn/soybeans) has expressed full support of our agritourism efforts (letter attached)

All other adjacent homes to our farmland are well set back with forest buffers. Agritourism activities will be concentrated away from property lines and over 200 feet from the nearest home meeting Agritourism GAAMPs.

Safety Measures

Visitor areas are fully fenced to keep guests away from nearby roadways, neighbors or farm equipment. All activities will be clearly marked, and staff will be present during open hours to guide and monitor guest safety.

Special Events & Education

We anticipate holding occasional special events that fall within the Agritourism Category 2 guidelines. We understand all special events must be approved by the planning department via administrative review. Special events will not be planned during peak u-pick days.

- Small agricultural education classes
- Seasonal celebrations
- Seminars or workshops focused on our specialty crops – average participation at MSU Extension events we've attended 30-40 people, likely less considering the lack of specialty farmers in this area according to the Kalamazoo County Conservation Office.
- Classroom field trips – our local school has confirmed they would only bring one school bus at a time. Less than 50 students at a time.

We appreciate that the Planning Department has made progress towards removing barriers in outdoor special event approvals moving to administrator review with a shorter timeline. School field trips and other learning-oriented programs will follow all local guidelines and best practices for visitor safety and experience.

Hours of Operation & Lighting

- **Hours:** 9 AM – 7 PM
- **Lighting:** No permanent lighting is currently planned. If lighting becomes necessary in the future, it will be fully shielded, downward-facing, and compliant with Section 78.720 Outdoor Lighting Standards. Temporary lighting if needed will also be shielded and downward-facing.
- **Peak days:** Weekend u-picks – Going off other pumpkin vendors like Gene the Pumpkin man, on the busiest Saturday afternoons we have gone there over the years there we counted an average of 20 cars parked in his yard (60-75 people). No markings, single lane, unpaved drive, fencing at roadway, and no traffic backed up down M-43.

Farmstand Display Area

Our seasonal farmstand display occupies less than one acre, located in the northwest quadrant of our front yard. It follows all applicable GAAMPs and setback requirements. A permanent structure may be considered in the future and would follow all relevant ordinances and permit requirements.

For this first season we plan to use temporary canopy type structures. Pending future success, we will consider permanent structures following applicable ordinances and codes. We understand any structure over 200 square feet will require review, approval and permits by Oshtemo Township. It is tempting to take the Planning Department up on their gracious offer on July 14, 2025 of non-expiring building permits if we apply for them today however, we are not ready to do so as we're still learning what our farm and community need.

Outdoor Storage

Outdoor storage for off season displays will be located in the backyard.

Parking

Visitor parking will be accommodated on a flat, grassed section of our fenced-in southwest front yard. We intend to use stakes and pennant taping to determine parking rows and aisles. While our one-way loop was advised against by the Planning Department, we will follow their advice and change to rowed parking within the same space. Signage will be present to direct visitors to the parking area.

On the busiest of weekends, Verhages, Gene the Pumpkin Man and Schult's Farm Market's unmarked parking areas have been easily maneuvered for over 10 years each or longer. Even when we held our large garage sale that attracted many vehicles on our property (with zero parking space markings) visitors easily created appropriate parking rows and did not park in the driveway or right of way. If parking becomes an issue we will adjust it, as any business owner would. We will be cautious with over creating parking as we are aware this is an important objective in Oshtemo Township.

At least one ADA-accessible parking space will be marked near the farmstand to ensure accessibility.

Emergency Access

A few years back a combine pulled down the power lines on farmland to our south. The power lines snapped while live and lit the freshly harvested dry corn fields on fire on all 3 sides of our home. It should be noted, there were many fire vehicles and full-size fire trucks from Oshtemo and Mattawan in our driveway and yard, none of them had issues maneuvering or navigating the emergencies engulfing three sides of our property using our current driveway.

Drain Field

Our drain field is in our fenced in backyard, right next to our home on the northside, aside from our mower nothing drives over it. Our well is located in our front yard adjacent to our front porch.

Screening and Buffering

A mature tree line already exists along our northern property line. We have also planted additional trees in that area, which are growing quickly. All Category 2 activities will take place well within the property and at least 200 feet from the nearest residence.

Trash and Restroom Facilities

- **Trash:** Clearly marked and maintained trash receptacles will be provided for guests. These will be determined and continually adjusted to meet the needs of guests. Trash receptacles will also follow all farm market GAAMPs. At this time, we do not plan to have a dumpster on site, little waste is forecasted.
- **Restrooms:** During U-pick season and events, at least one clean, accessible ADA compliant portable restroom will be provided in compliance with Township and health regulations.

Conclusion

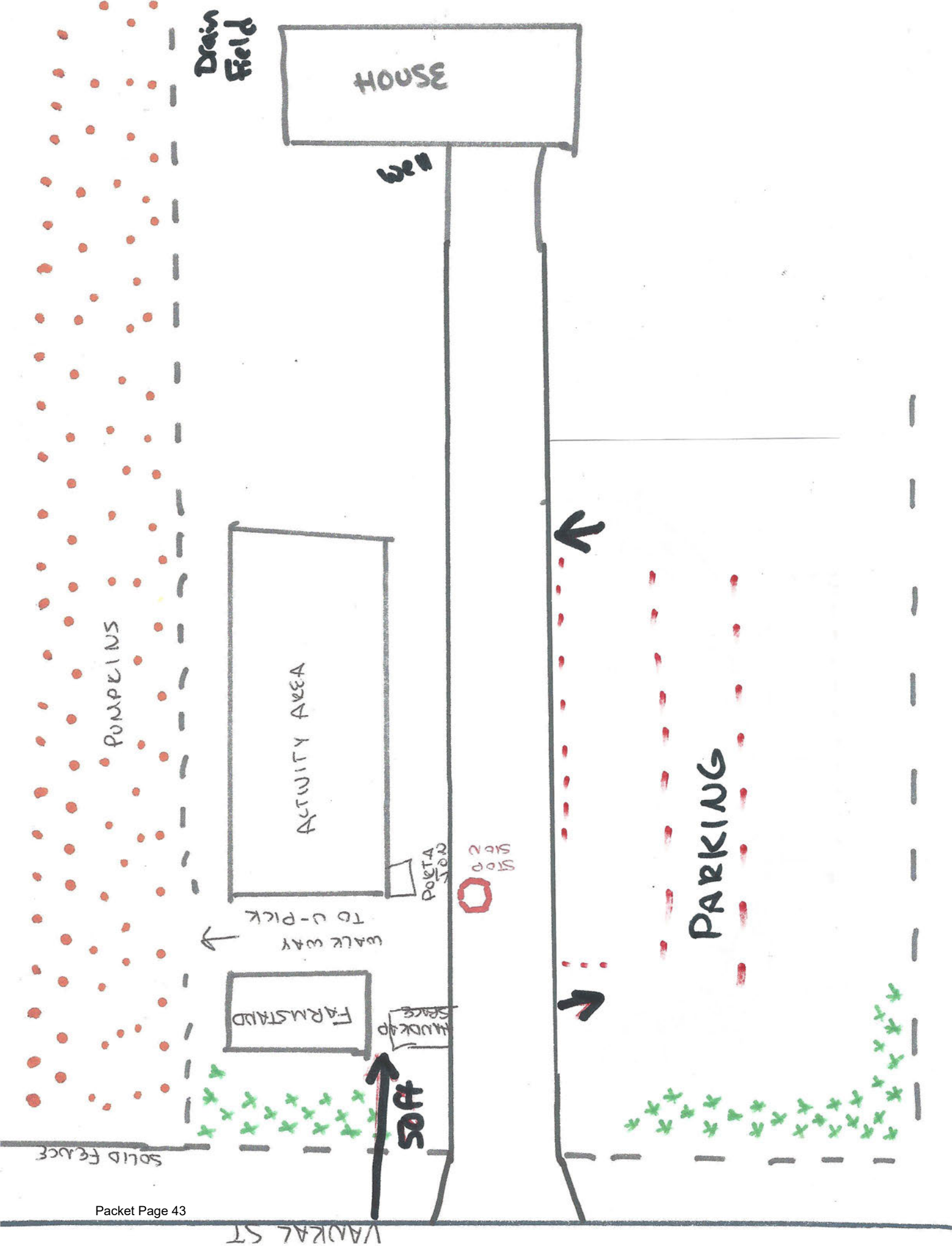
We are committed to operating a safe, educational, and community-focused agritourism site that supports agriculture, local food systems, and Oshtemo's rural heritage. This Special Use Exception will allow us to expand thoughtfully and responsibly while continuing to meet the needs of the public, our farm, and our community.

Thank you for your time and consideration.

Sincerely,
Kenneth and Katherine Schneider
Little Pistol Farms
2335 S Van Kal St, Kalamazoo, MI 49009
810-444-4080

Attachments: Site Plan, Neighbor Support Letter





Dennis Swarthout
2227 S Vankal St
Kalamazoo, MI 49009

July 6, 2025

Dear Oshtemo Township,

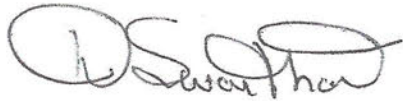
I am writing to confirm my awareness of, and support for the proposed agritourism operation at Little Pistol Farms, located at 2335 S Van kal St, Kalamazoo, MI 49009. The property owners Ken & Katie Schneider, my neighbors, have shared their plans to operate a seasonal pumpkin patch experience and farm stand in accordance with the Category 2 Agritourism use as defined by the Oshtemo Township Zoning Ordinance.

I understand the intent of this project is to maintain active agricultural use of the land while offering a family-friendly farm experience for the surrounding community. I believe this effort aligns with the rural character of the area and will be a positive addition to our community.

To that end, I have no objections to the proposed agritourism category 2 use and offer my support as a neighboring property owner.

Please accept this letter as a formal acknowledgment of our support for the Agritourism Category 2 application submitted by the Schneiders.

Sincerely,

A handwritten signature in black ink, appearing to read "D Swarthout". The signature is written in a cursive style with a large initial "D" and a stylized "S".

Dennis Swarthout

07/06/2025



ZONING ORDINANCE

ARTICLE 49

49 – REQUIREMENTS FOR SPECIAL USES

(Amended by ord. no. 611; adopted May 28th, 2019; effective June 6th, 2019. Amended by ord. no. 628; adopted September 22nd, 2020; effective October 1st, 2020. Amended by ord. no. 629; adopted October 27th, 2020; effective November 5th, 2020. Amended by ord. no. 673; adopted February 11, 2025, effective February 25, 2025. Amended by ord. no.674; adopted February 11, 2025, effective February 25, 2025. Amended by ord. no. 681; adopted July 8, 2025, effective July 24, 2025.)

49.10 AGRITOURISM, CATEGORY 2

- A. **Application Narrative.** A written narrative describing the use in detail, including both agriculturally related and non-agriculturally related products and uses; proposed hours of operation; measures that are to be taken to assure that the operation of the use will take place only in a safe and convenient manner; special events; and other information describing the use and which will assist the Planning Commission in determining whether the application meets the Special Use requirements.
- B. **Exemption.** Generally recognized agricultural operations, which are not involved with the retail sales of goods or any public activities, are exempt from these standards.
- C. **General Standards.**
 - 1. **Parcel size.** Parcels must be a minimum of 10 acres. The Planning Commission may consider a smaller parcel size depending on the agritourism uses planned. Their consideration of a smaller parcel size will be based on the intensity and scale of the proposed agritourism use, compatibility with surrounding property owners, and will be harmonious with the existing character of the area.
 - 2. **Maximum floor area.** The maximum floor area for all buildings related to the agritourism use shall be 10,000 square feet. Clusters of smaller, architecturally appropriate structures are encouraged to maintain rural character of the agritourism use. This maximum floor area does not include greenhouses.
 - 3. **Outdoor storage/display.** The maximum area for the storage/display of agricultural products for sale shall be one acre. This requirement does not apply to u-pick operations.
 - 4. **Architectural character.** All buildings shall incorporate a rural theme in terms of style and design. This means new agritourism uses involving new structures shall complement and enhance the rural environment. For example, gable or gambrel roofs, roof ornamentation such as cupolas, dormers, porches, and decorative shutters.
 - 5. **New uses and buildings.** New uses and buildings shall be located, designed and operated so as not to interfere with normal agricultural practices on and off site. Non-agricultural uses should be limited to lands with poor agricultural soils or lands otherwise not suitable for agricultural purposes.
 - 6. **Use and product percentages.** Agricultural products produced on site, agriculturally related products and uses, and non-agriculturally related products and uses are permitted based on the following percentages:
 - a. At least 50 percent of the products (measured as an average over the farm’s marketing season) and uses marketed and offered must be grown or produced on and by or have a direct relationship with the

- affiliated farm. For purposes of this requirement, affiliated means a farm under the same ownership or control (e.g. leased) as the farm market whether or not the farm market is located on the property where production occurs.
- b. A maximum of 30 percent of the products and uses marketed and offered may be other agriculturally related products and uses as defined by Section 11: Definitions.
 - c. A maximum of 20 percent of the products and uses marketed and offered may be non-agriculturally related products and uses as defined by Section 11: Definitions.
 - d. For purposes of determining the percentage of products and uses being marketed and offered, the primary measure will be square footage of space used for each individual product or use. If measurement of retail space during the marketing season is not feasible to determine percentage of product, then the percent of the gross sales dollars will be used.
7. Parking. On-site vehicle parking shall be provided on agribusiness property as follows:
- a. The total number of required spaces shall be calculated as one space for every 1,000 square feet of the main public activity area, plus one space for every two employees. The main public activity areas shall be defined as the primary buildings and outdoor spaces where the public congregates for the agritourism use. This shall not include areas dedicated to agricultural production.
 - b. 24-foot two-way or 20-foot one-way circulation aisles shall be maintained. To ensure drive aisles are maintained, the location of parking spaces shall be defined by providing some type of marker at the center of the space to be placed every 64 feet for two-way traffic and 60 feet for one-way traffic.
 - c. Parking lots shall be clearly demarcated through some physical means like timbers, fences, stakes, etc.
 - d. The on-site parking shall be arranged so no vehicle movements occur in the public right-of-way and to avoid the accumulation of parked cars on the public roads.
 - e. Parking and driveway surfaces may be pervious or hard surface.
 - f. Accessible spaces must be provided in accordance with the requirements of Americans with Disabilities Act of 1990, utilizing the most current design standards.
 - g. The Planning Commission may reduce or defer the number required parking spaces if the applicant provides a parking study that demonstrates, to the satisfaction of the Planning Commission, that a reduced number of parking spaces will meet the parking needs of the Agritourism uses. If parking is deferred, the location of those deferred spaces must be shown as such on the required site plan.
8. Lighting. Any exterior lighting installed related to an agritourism use or activity shall be appropriately shielded and directed downwards to minimize light pollution. All lighting shall meet the standards of Section 78.720: Outdoor Lighting Standards.
9. Trash receptacles. Trash receptacles shall be provided. If dumpsters are provided, they shall be placed on a hard surface and shall be completely obscured from view by a screen fence or wall.
10. Screening. Opaque screening, consisting of an earth berm, evergreen screen, or an obscuring wall or fence, shall be provided near the primary public activity areas on those sides abutting or adjacent to a residential use. The use of natural landscape materials is encouraged. The Planning Commission may waive the screening requirement in specific cases where cause can be shown that the distance between the agritourism and residential use would not require screening.

11. Restroom facilities. Public restroom facilities, temporary or permanent, shall be provided on site in compliance with the Americans with Disabilities Act of 1990, utilizing the most current accessibility standards.
12. Maximum capacity. The Fire Marshall or Building Official shall establish a maximum occupant capacity for meetings, training, educational or similar events which shall be appropriate to the site and facilities in terms of safe capacity in buildings, parking area and sanitation limitations of the site.
13. Hours of operation. Hours of operation must be provided by the applicant. The Planning Commission may alter the requested hours of operation for the agritourism uses, or specific elements thereof, consistent with the character of the land uses in the vicinity and may further approve an enforcement mechanism to ensure adherence to the established hours of operation.
14. Access. Access to an agritourism use must be from the County primary road or State highway, unless approved by the Planning Commission.
15. Livestock. The keeping of livestock for agritourism purposes shall be subject to the provisions of Section 78.400: Keeping of poultry, swine, horses, or livestock.

D. Agritourism Special Events.

1. The following table outlines the type and number of Agritourism Special Events allowed throughout a typical calendar year, beginning on January 1st.

Table 49.10.1 - Agritourism Category 2 Special Events Allowances				
Event Type	Event Size (Persons)	Number of Consecutive Days	Days Between any Event*	Total Number of Events per Year
Educational classes, lectures, seminars, and day camps	1-20	5	2	15
	21-50	3	4	10
	Over 50 (max 100)	2	10	5
Retail events	N/A	2	30	3
Holiday events/festivals	N/A	2	60	3

*Must follow the maximum number of days between events.

2. The agritourism operator/property owner shall submit the annual list of the special events to the Planning Commission for review within 30-days of the first requested event. The Planning Commission may eliminate a special event if said event would be unduly disruptive to the general peace and enjoyment of the rural and/or residential character of the surrounding area.
3. The special event must be related to and enhance the primary agritourism use of the property.
4. A reserved parking area shall be provided on-site to be utilized for special events. If the agritourism use intends to hold special events, this reserved area must be displayed on a site plan.
5. The reserved parking area must be of adequate size to accommodate the anticipated additional traffic of the special event. The size of the reserved parking area shall be reviewed and approved by the Planning Commission.
6. The reserved parking area must be of adequate size to accommodate the anticipated additional traffic of the special event. The size of the reserved parking area shall be reviewed and approved by the Planning Commission.



7. For special events lasting more than one day and with an expected daily attendance exceeding 100 hundred individuals, the on-site manager or owner shall notify all adjacent neighbors bordering the subject property in writing of the date, time, duration and description of the event. Notification shall occur at least five business days prior to the beginning of the event.
- E. **Education-oriented activities.** Events and/or activities which bring the public to the property for the sole purpose of participation, learning, or involvement in the agricultural operation are exempt from the Agritourism Special Event standards if they meet the following criteria:
1. Are limited to a one-day event no more than five times throughout a 12-month period.
 2. Have not more than 50 participants on the property at any one time during the one-day event.
- F. **Prohibited Uses.**
1. Motorized off-road vehicle racing or other similar motor vehicle activities.
 2. Other uses that the Planning Commission determines would disturb the general peace and enjoyment of the rural and/or residential character of the surrounding area due to excessive traffic, noise, smoke, odors, or visual clutter.



Generally Accepted Agricultural and Management Practices for Farm Markets



2025

Michigan Commission of Agriculture & Rural
Development
PO BO 30017
Lansing, MI 48909



In the event of an agricultural pollution emergency such as a chemical/fertilizer spill, manure lagoon breach, etc., the Michigan Department of Agriculture & Rural Development and/or Michigan Department of Environment, Great Lakes, and Energy should be contacted at the following emergency telephone numbers:

Michigan Department of Agriculture & Rural Development: 800-405-0101
Michigan Department of Environment, Great Lakes, and Energy's Pollution
Emergency Alert System: 800-292-4706

If there is not an emergency, but you have questions on the Michigan Right to Farm Act, or items concerning a farm operation, please contact the:

Michigan Department of Agriculture & Rural Development
Right to Farm Program
P.O. Box 30017
Lansing, Michigan 48909
517-284-5619
877-632-1783
517-335-3329 FAX

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PREFACE

The Michigan legislature passed into law the Michigan Right to Farm Act (Act 93 of 1981, as amended) which requires the establishment of Generally Accepted Agricultural and Management Practices (GAAMPs). These practices are written to provide uniform, statewide standards and acceptable management practices based on sound science. These practices can serve producers in the various sectors of the industry to compare or improve their own managerial routines. New scientific discoveries and changing economic conditions may require necessary revision of the practices. The GAAMPs are reviewed annually and revised as considered necessary.

The GAAMPs that have been developed are as follows:

- 1) 1988 Manure Management and Utilization
- 2) 1991 Pesticide Utilization and Pest Control
- 3) 1993 Nutrient Utilization
- 4) 1995 Care of Farm Animals
- 5) 1996 Cranberry Production
- 6) 2000 Site Selection and Odor Control for New and Expanding Livestock Facilities
- 7) 2003 Irrigation Water Use
- 8) 2010 Farm Markets

These practices were developed with industry, university, and multi-governmental agency input. As agricultural operations continue to change, new practices may be developed to address the concerns of the neighboring community. Agricultural producers who voluntarily follow these practices are provided protection from public or private nuisance litigation under the Right to Farm Act.

The website for the GAAMPs is <http://www.michigan.gov/righttofarm>.

INTRODUCTION

As farmers look for ways to keep their businesses economically viable, many have chosen to shift their operations from a farmer-to-processor to a direct market business model. This includes selling raw and value-added products directly to the consumer through on-farm establishments, farmers markets, and other agricultural outlets. This allows farms to take advantage of consumer interest in agritourism, the “buy local” movement, and a desire for a connection with farmers and food production. These activities have far-reaching economic impacts. Many regions have capitalized on the growth of farm markets by developing regional farm market and culinary trails, and tourism promotion based on authentic culinary experiences offered by local farm markets. Farm markets provide the opportunity for visitors to meet a farmer, learn about modern agricultural practices, and gain access to fresh, local, nutritious food. Finally, farm markets and the associated farm, help maintain green space adding to the quality of life. Thriving farmland enhances the beauty of communities, retains residents, and attracts visitors. As farm operations engage in direct sales and on-farm activities, conflicts have arisen regarding oversight of these businesses.

Michigan is a Right to Farm (RTF) state and the RTF Act defines a “farm operation” as meaning the operation and management of a farm or a condition or activity that occurs at any time as necessary on a farm in connection with the commercial production, harvesting, and storage of farm products. This definition includes, but is not limited to, marketing produce at roadside stands or farm markets. Farm markets offer farm related experiences and farm products through a variety of agritourism activities. The experience in turn promotes sale of more farm products and provides an added income stream to support the farm business, the farm family, and surrounding communities; and keeps farmland in production.

Although the RTF Act includes farm markets in the definition of a farm operation, this definition does not define a farm market or describe specific marketing activities. These GAAMPs for Farm Markets were developed to provide guidance as to what constitutes an on-farm market and farm market activities.

DEFINITIONS

Affiliated – “Affiliated” means a farm under the same ownership or control (e.g., leased) as the farm and does not need to be on the same parcel of land.

Expanding Farm Market – An addition to an existing farm market that increases the square footage of the farm market.

Farm – A “farm” means the land, plants, animals, buildings, structures, including ponds used for agricultural or aquacultural activities, machinery, equipment, and other appurtenances used in the commercial production of farm products.

Farm Market – A farm market is a year-round or seasonal location where transactions and marketing activities between farm market operators and customers take place. A farm market may be a physical structure such as a building or tent, or simply an area where a transaction between a customer and a farmer is made. The farm market does not have to be a physical structure. The farm market must be located on property owned or controlled (e.g., leased) by the producer of the products offered for sale at the market. Fresh products as well as processed products may be sold at the farm market. At least 50 percent of the farm products offered must be produced on and by the affiliated farm measured by retail floor space during peak production season, or 50 percent of the average gross sales for up to the previous five years or as outlined in a business plan. Processed products will be considered as produced on and by the farm if at least 50 percent of the product’s primary or namesake ingredient was produced on and by the farm, such as apples used in apple pie, maple sap in maple syrup, strawberries in strawberry jam, etc.

Farm Product – A “farm product” means those plants and animals useful to humans produced by agriculture and includes, but is not limited to forages and sod crops, grains and feed crops, field crops, dairy and dairy products, poultry and poultry products, cervidae, livestock (including breeding and grazing), equine, fish and other aquacultural products, bees and bee products, berries, herbs, fruits, vegetables, flowers, seeds, grasses, nursery stock, trees and tree products, mushrooms and other similar products, or any other product which incorporates the use of food, feed, fiber, or fur as determined by the Michigan Commission of Agriculture & Rural Development.

Marketing – Promotional and educational activities at the farm market incidental to farm products with the intention of selling more farm products. These activities include, but are not limited to, farm tours (walking or motorized), demonstrations, cooking and other classes utilizing farm products, and farm-to-table dinners.

Processed – A farm product or commodity that has been converted into a product for direct sales. Processing may include, but is not limited to, packing, washing, cleaning, grading, sorting, pitting, pressing, fermenting, distilling, packaging, cutting, cooling, storage, canning, drying, freezing, or otherwise preparing the product for sale.

PHYSICAL CHARACTERISTICS OF A FARM MARKET

Location

A new or expanding farm market that is greater than 120 square feet must meet a minimum setback of 165 feet from all non-farm residences.

New or expanding farm markets are not authorized under this GAAMP on platted lots within a subdivision created under the Michigan Land Division Act (Act 288 of 1967, MCL 560.101, *et seq.*) or preceding statutes and on condominium units within a condominium (sometimes referred to as “site-condos”) created under the Michigan Condominium Act (Act 59 of 1978, MCL 559.101, *et seq.*). However, farm markets are permitted in such areas if authorized by association rules or pursuant to a local ordinance designed for that purpose, unless prohibited by association rules.

A farm market should have a written site plan for potential MDARD review that preempts local government regulations.

Buildings

If the farm market is housed in a physical structure as defined and regulated by the Stille-Derossett-Hale Single State Construction Code Act (Act 230 of 1972), the structure must comply with the Stille-Derossett-Hale Single State Construction Code Act (Act 230 of 1972), including road right-of-way areas and ingress and egress points.

Parking and Driveways

Parking and driveway surfaces may be paved, vegetative, ground, gravel, or other unpaved material.

Vehicle Ingress and Egress

Any farm market and affiliated parking operating along a public road must obtain all appropriate ingress and egress permits.

Signage

A minimum of one roadside sign is allowed.

For further information concerning this GAAMP you may contact the Michigan Department of Agriculture and Rural Development or Michigan State University Extension.

APPENDICES

Appendix A: Considerations for Farm Markets

Statement of Intent

Appendix A is explicitly intended as a reference for informational and educational purposes only. Information contained in Appendix A is not intended to be utilized by Michigan Department of Agriculture and Rural Development (MDARD) Right to Farm Program as part of any Generally Accepted Agricultural and Management Practices (GAAMPs) conformance determination process.

GAAMPs Conformance and Other Regulatory Permits

Depending on the nature and location of a GAAMPs conformant farm market operation, other local, state and/or federal regulations may still apply. It is the responsibility of the farm market owner or their representative acting on the owner's behalf to contact the appropriate regulatory authorities to determine if additional permits for compliance are required prior to beginning any activity or construction.

MDARD Right to Farm Program does not have authority to determine applicability of, or compliance with, any regulation other than conformance to the management practices described within the GAAMPs.

Non-Farm Product Sales, Processing and Miscellaneous Activities

Michigan Right to Farm Act provides nuisance protection for farms and farm operations in conformance with GAAMPs including the production of farm products and the marketing and sales of farm products at farm markets. This protection may not extend to sales of non-farm products (e.g., hats, t-shirts, jewelry, etc.), on-site processing of farm products (e.g., baking pies, brewing hard cider, etc.) or other on-farm activities (e.g., wedding/event barns, bed & breakfast/lodging, restaurants, glamping, etc.). A GAAMPs-conformant farm market operation may still be subject to other local, state and/or federal regulations (see *GAAMPs Conformance and Other Regulatory Permits* above).

Signage

Farm Markets GAAMPs allows for a minimum of one roadside sign; however, this sign (and any additional signs, if permitted) may be subject to other local ordinance requirements (e.g., setbacks, lighting, height, and size)

Agritourism

'Agritourism' currently has no legal definition or recognition in Michigan law. Activities commonly identified as, and/or associated with, agritourism may or may not comply with GAAMPs. These activities must be assessed on a case-by-case basis and may be subject to additional local, state and/or federal regulations (see *GAAMPs Conformance and Other Regulatory Permits* above).

Resources

There are many professional resources available to assist farmers, government officials and others navigating Right to Farm and GAAMPs-related issues. Resources include, but are not limited to, MDARD Right to Farm Program, Michigan State University Extension, Michigan Townships Association, Michigan Farm Bureau, and Michigan Agritourism Association.

REFERENCES

State of Michigan. *Report of Recommendations*. Report of the Michigan Agricultural Tourism Advisory Commission. Commission report of Governor Granholm. January 2007.

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State of Michigan. Michigan Department of Transportation. Directory of Offices by Region.

<https://www.michigan.gov/mdot/about/regions> (Accessed 7.26.2022).

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