

**OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION
MINUTES OF A MEETING HELD FEBRUARY 13, 2025**

Agenda

Zoning Ordinance Text Amendments - accessory dwelling units

Zoning Ordinance Text Amendments - parking

Zoning Ordinance Text Amendments - access management and private streets

Zoning Ordinance Text Amendments - energy systems

A meeting of the Oshtemo Charter Township Planning Commission was held Thursday, February 13, 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
Jeremiah Smith

MEMBERS ABSENT: None

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 three 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.

ELECTION OF OFFICERS

The following Planning Committee members were proposed for Officers for 2025:

- Chair – Phil Doorlag
- Vice Chair – Deb Everett
- Secretary – Scot Jefferies

Mr. A. Smith made a **motion** to accept the slate of officers as presented. Mr. Makohn **seconded the motion.** The **motion passed** unanimously.

Mr. Alistar Smith was proposed as the Zoning Board of Appeals (ZBA) liaison.

Chair Doorlag made a **motion** for Mr. A. Smith to serve as the ZBA liaison. Vice Chair Everett **seconded the motion.** The **motion passed** unanimously.

APPROVAL OF AGENDA

Chair Doorlag inquired if there were any changes to the agenda. Ms. Stefforia requested the addition of a discussion on Ordinance 674 under item 12, "Other Updates and Business," which was adopted at the Oshtemo Township Board meeting on Tuesday night.

Mr. A. Smith made a **motion** to adopt the agenda as amended. Vice Chair Everett **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 DECEMBER 12, 2024

Chair Doorlag asked for additions, deletions, or corrections to the minutes of the meeting on December 12, 2024. There were none.

Vice Chair Everett inquired about an item on page seven. Chair Doorlag confirmed the information in the minutes was correct.

Mr. Jefferies made a **motion** to approve the Minutes of the Meeting of December 12, 2024, as presented. Mr. A. Smith **seconded the motion.** The **motion passed** unanimously.

ZONING ORDINANCE TEXT AMENDMENTS (ACCESSORY DWELLING UNITS)

Ms. Harris presented the staff memo from Planning Director Stefforia, dated February 13, 2025, which is hereby incorporated into the record. In response to resident interest, the need for additional dwelling units at all scales, and current housing trends, Zoning Ordinance language has been drafted to provide for Accessory Dwelling Units (ADUs). It is proposed that ADUs be permitted in various residential districts (R-3 and higher) and the agricultural district as a Permitted Use with Conditions. A visual aid was provided to illustrate the different types of

ADUs. The conditions were developed following a review of provisions from other communities' ordinances, national research, and an analysis of local conditions.

Public Comment

Chair Doorlag inquired if anyone present wished to speak on the Zoning Ordinance Text Amendments for Accessory Dwelling Units (ADUs). Two individuals spoke in favor of the ADUs and provided suggestions for the Commission's consideration.

The Commission then discussed the drafted Zoning Ordinance language. Mr. A. Smith raised concerns regarding the requirement for universal design, the provision for the removal of the ADU after 12 months of non-occupancy, and the stipulation that the ADU be located closer to the primary dwelling than the dwelling on a neighboring property. Ms. Stefforia responded that these issues could be addressed through a waiver request before the Planning Commission for unique properties.

Mr. Chapman expressed support for striking the requirement for the ADU's removal after 12 months of non-occupancy. Mr. Jefferies also supported allowing the unit to be rented and striking the language mandating the ADU's removal. Mr. Porter suggested adding language stipulating that if the property fell into disrepair or was abandoned, the ADU would be removed. Ms. Stefforia clarified that this situation would fall under the Building Code and the Property Maintenance Code. The Commission agreed that additional language was unnecessary.

Mr. Chapman questioned the restriction limiting the location of the ADU to the backyard and the prohibition on short-term rentals. Ms. Stefforia clarified that, currently, there is no language in the Township's regulations that either allows or disallows short-term rentals.

Mr. Jefferies raised concerns about the requirement for universal design, noting that it would impose an additional cost on property owners.

Chair Doorlag reviewed each section raised for discussion, allowing the Commissioners to provide their input. Several Commissioners introduced additional sections for further consideration.

Number 3, Section A Allowing ADUs on both single and two family homes

Ms. Stefforia noted that duplexes are permitted in the largest zoning district by land area. Chair Doorlag indicated that there were no objections to allowing two-family homes. Mr. Jefferies expressed support for permitting an ADU at the site of a two-family home, emphasizing that few properties would meet the size requirements. Vice Chair Everett reminded the Commission that one of the conditions is that the property must be owner-occupied. The final recommendation is to leave this item as is for now.

Number 3, Section B

B, 3 No more than two individuals may reside in the ADU.

The Commission discussed that the proposed restriction could be challenging for a caretaker or a family with a young child. As a result, the Commission unanimously agreed to modify the limit

to three individuals. The final recommendation is to revise the language to read, "No more than three (3) individuals may reside in an ADU."

B, 4 An ADU shall not have a gross floor area less than 350 square feet nor greater than 800 square feet...

Mr. Chapman and Chair Doorlag both expressed support for the idea of making the size of the ADU relative to the size of the primary residence. Mr. J. Smith suggested that if the property owner has the space, they should not be restricted by the size of the primary residence. The Vice Chair requested clarification on the difference between an addition and an attached ADU. It was explained that the ADU must include all necessary elements for self-sufficiency, which minimally includes a bedroom, a kitchen, and a bathroom.

After further discussion, the Commission's final recommendation was to revise the language to state, "The ADU must be less than the single-family home as defined in the Zoning Ordinance." Mr. Chapman proposed adding the phrase "at the time of application" to this provision. Chair Doorlag referred this matter to the Planning staff to work on the details.

B, 6 The principal dwelling or the ADU must be declared the main residence of the owner of the property.

Mr. Chapman supported the idea of allowing flexibility, permitting the principal owner to reside in either the main residence or the ADU. A question was raised regarding how it is determined or declared that the owner is in residence. Ms. Stefforia explained that some communities use a signed declaration form for this purpose. Mr. Porter added that this information could also be verified through tax records, specifically by listing the homestead.

Vice Chair Everett questioned whether the requirement for recording at the Register of Deeds was still necessary. Ms. Stefforia clarified that the intent behind this requirement is to ensure that when the property is sold, the buyer does not mistakenly view it as an investment property with two rental units.

The final recommendation was to retain the requirement that the property be listed as either the principal dwelling or that the ADU be declared the main residence of the property owner. The Planning Department staff will make slight adjustments to the language.

Mr. Jefferies inquired whether ADUs would have separate mailing addresses. Ms. Stefforia responded that Oshtemo would not want ADUs to have separate street addresses other than a unit number for emergency services (EMS) purposes. Mr. Jefferies noted that having the same address could create challenges when trying to remove someone from the property. A suggestion was made to designate the units as "Unit A" and "Unit B." The Planning Department staff will review this issue and report back to the Commission.

B,8 For new home construction incorporating an ADU, at least one of the dwellings shall incorporate Universal Design principles on the main floor of the dwelling.

Chair Doorlag expressed support for leaving this decision up to the homeowner. Mr. Chapman, Mr. Jefferies, and Vice Chair Everett agreed with this approach. Ms. Stefforia recommended

incorporating three or four elements of universal design and having the Building Department monitor compliance. The final recommendation was to remove item eight from the requirements.

B, 9 For attached ADUs, the principal residence shall have no external evidence of the ADU...

Ms. Stefforia shared that the intent of the language is not clear. Chair Doorlag expressed his interpretation that the ADU should not have any glaring or apparent features that distinguish it from the attached principal residence. Mr. Chapman raised concerns about how restrictive the current language is. Chair Doorlag discussed the location of the entrance, suggesting it should be in the rear or side yard. Mr. Chapman recommended striking item nine in its entirety, and Chair Doorlag agreed. The final recommendation was to remove item nine.

B, 10 Mobile homes, shipping containers and trailers on wheels, recreational vehicles, or similar structures or conveyances shall not be considered an ADU for the purposes of this section.

Mr. Chapman questioned the restriction on the use of shipping containers, noting that some have been designed very well. Chair Doorlag clarified that this restriction would not prevent the use of prefabricated homes, as long as all other requirements are met. Chair Doorlag expressed support for removing shipping containers from the list of restrictions. The final recommendation was to strike shipping containers from the list of prohibited uses.

B, 11 No ADU shall be used for a short-term rental (less than 180 days).

Ms. Stefforia expressed concern about the staff capacity needed to address the number of complaints that could arise if ADUs were allowed to be used as short-term rentals. She suggested that the Township Board should weigh in on the issue of short-term rentals. Mr. Chapman voiced concerns about imposing this restriction on ADUs, particularly since the Township has not yet addressed short-term rentals as a general matter. It was discussed that since the owner would be on the premises, this would provide an additional layer of protection for the rental. Chair Doorlag, Mr. J. Smith, Mr. Chapman, and Mr. Jefferies expressed support for removing item 11 from the restrictions. The final recommendation was to strike item 11 from the list of restrictions.

B, 2 An ADU shall be connected to a water supply and sanitary facilities.

Mr. Jefferies inquired whether the ADU needed to have its own connections or if it could connect to the primary residence. Mr. Porter explained that this would be a health code issue. Ms. Stefforia added that the county would need to assess whether there is sufficient capacity to allow the ADU to connect to the primary residence.

B, 13 The principal residence and the ADU shall share the same vehicular access to the property.

Chair Doorlag inquired about this matter. Ms. Stefforia explained that as long as the ADU had an improved surface for parking, it would be sufficient. This could include the existing driveway.

Number 4, Section C

C, 1 The ADU must be located in the rear yard.

Chair Doorlag questioned the restriction that an ADU could only be located in the rear yard. Mr. Chapman also raised concerns about this restriction, noting the varying shapes of yards. Ms.

Stefforia requested that the Planning Department review and revise the language regarding this restriction. Mr. Chapman suggested allowing ADUs in the side yard as well. Chair Doorlag agreed with adding the option of the side yard.

Chair Doorlag reminded the Commission that all of these requirements could be waived by the Planning Commission.

C, 2 The ADU must be located closer to the principal dwelling on the property than the ADU is located to the principal dwelling on an adjacent property.

Mr. A. Smith questioned the restriction, and Chair Doorlag also expressed concerns about it. Both noted that this restriction could force a property owner to build an ADU in an awkward location. Mr. Chapman recommended striking the restriction, as there are already other restrictions in place. The final recommendation was to remove this restriction.

C, 3 Universal Design principles shall be fully incorporated.

The final recommendation was to strike this restriction.

C, 6 When not occupied for a continuous period of 12 months or more, the ADU shall be removed from the property.

The final recommendation was to strike this restriction.

Number 3, Section D

Chair Doorlag inquired whether these requirements are different from those for building a house, or if they are more restrictive. Ms. Stefforia informed the Commission that the only differences are the deed restriction and the affidavit, along with the requirement for a designated parking area, which could be located on the driveway. The final recommendation for Section D was to make no changes.

Number 4, Amend Section 57.100.B.

The final recommendation to number four was no changes.

ZONING ORDINANCE TEXT AMENDMENTS (PARKING)

Ms. Harris presented the staff memo from Planning Director Stefforia, dated February 13, 2025, which is hereby incorporated into the record. Article 52 was reviewed for potential changes aimed at reducing the amount of pavement in new developments and retrofitting existing sites. The Planning Department proposes moving away from parking minimums and adopting parking maximums for several reasons, including reducing impervious surfaces that require stormwater management, lowering development costs, and creating opportunities to repurpose underutilized areas in large commercial parking lots.

The ordinance currently requires more parking spaces for various land uses than is warranted, based on research and recent national studies. The Planning Department staff recommends a series of changes to the chart in Section 52.100 to reduce these requirements by establishing new maximums. Also proposed are reductions in the dimensions of parking spaces and drive aisle

widths. Ms. Harris shared images of parking lots that highlighted repurposed areas within large parking lots.

Public Comment

Chair Doorlag inquired if anyone present wished to speak on the Zoning Ordinance Text Amendments related to parking. Two residents spoke in opposition to the proposed amendments. Chair Doorlag thanked the residents for their comments.

Chair Doorlag then reviewed each section, allowing for discussion among the Commissioners.

Section 52.30 Agricultural and Residential Zones

The section regarding the one-ton load carrying capacity was discussed. Mr. Porter explained that the intent of this language was to prevent very large vehicles from being taken home, while still allowing businesses and residents to have large vehicles. The final recommendation was for the Planning Department staff to review the language regarding the one-ton capacity.

Section 52.50 Off-Street Parking and Site Circulation Requirements (various subsections)

2, A Space Size

Mr. A. Smith expressed concerns about reducing the width of parking spaces. Mr. Chapman also raised concerns about placing a maximum on parking spaces and questioned whether this requirement should be applied retroactively. Mr. Porter clarified that this would only be requested if significant work were being done to the business or if a site plan review was required. Ms. Stefforia recommended changing the language from "shall be required" to "may be required." Chair Doorlag agreed that parking requirements should be market-driven but did not support switching the minimums to maximums or lowering the requirements. The Commissioners discussed this matter at length. The final recommendation was to leave the language as written, with the exception of incorporating the recommended change to add an additional 2 feet in width to accommodate vehicle overhang when a curb abuts a parking space.

2, B&C Parking aisles and Circulation aisles

Chair Doorlag expressed support for the flexibility in the range of aisle widths but cautioned that the type of parking should be taken into account, as angled parking requires less space than perpendicular parking. Mr. Chapman questioned whether it was necessary to list the maximums, suggesting that parking should instead be based on the needs of the business. Vice Chair Everett raised concerns that too many parking spaces might be required. Chair Doorlag explained that there is a correlation between the size of the lot and the amount of parking needed, noting that from a safety perspective, limiting the width of parking aisles is beneficial. Chair Doorlag stated that he was in favor of removing the maximum for parking spaces but keeping a maximum for the parking and circulation aisles. No final recommendation was made. The Planning Department will review the matter and present a second draft for further consideration.

Mr. Jefferies recommended reviewing the language and replacing the word "shall" with "may," unless it is absolutely necessary to retain "shall."

Chair Doorlag cautioned the Planning Department against imposing maximums that are lower than the total number of people expected at a location, particularly for places where people must go and do not have a choice, such as a work location. The Planning Department will review each use based on the feedback received at tonight's meeting and reassess the numbers.

Mr. A. Smith made **a motion** to adjourn the discussion on Zoning Ordinance Text Amendments regarding parking as well as the two remaining agenda items: Zoning Ordinance Text Amendments on access management and private streets, and Zoning Ordinance Text Amendments on energy systems, until the next work session, scheduled for the first meeting in March. Vice Chair Everett **seconded the motion**. The **motion passed** unanimously.

PUBLIC COMMENT

There was none.

OTHER UPDATES AND BUSINESS

Ms. Stefforia presented a proposal for new language to Ordinance 674, including the restoration of previously removed language. The Oshtemo Township Board recently passed revisions proposed by the Planning Commission after a public hearing in December. Based on additional feedback from the public, the Planning Department is recommending the proposed revisions presented by Ms. Stefforia this evening which restore the chart that allowed for larger accessory building square footage on parcels based upon acreage. Mr. Porter explained that once the Planning Commission approves the proposed changes, the recommendation will be sent back to the Township Board for final approval.

Ms. Stefforia further advised that, rather than creating a new ordinance, these changes will be incorporated into the ADU Ordinance. The Commission expressed agreement with this proposal.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:40 p.m.

Minutes Prepared: February 17th, 2025

Minutes Approved: February 27, 2025