

**OSHTEMO CHARTER TOWNSHIP BOARD
7275 West Main Street
Kalamazoo, MI 49009**

June 24, 2025

Refer to page 3 for Virtual Meeting Information

**REGULAR MEETING
5:30 P.M.
AGENDA**

1. Call to Order
2. Pledge of Allegiance
3. Remote Location Identification (for remote attendance when permitted by statute)
4. Township Mission/Vision/Core Values:
 - a. *Core Value: Providing the best value-conscious technology currently available.*
5. Approval of Agenda
6. Public Officials and Community Partner Updates
7. Work Session: Achievements, Goals and Visions Presentations
 - a. Assessing Dept.; Building Dept.; Ordinance Enforcement; Legal Dept.
8. Public Comment on Non-Regular Session Items (Estimated 6:45 PM)
9. Consent Agenda
 - a. Meeting Minutes (Minutes of Regular Meeting June 10., 2025)
10. Budget Amendments
11. Consideration of Public, Educational, and Government (PEG) Access Letter to Secretary Dortch (Discuss w/ Clare)
12. Consideration of Second Reading re Ordinance No. 678 – Public Sanitary Sewer Hardship Financing or Deferment Hardship Text Amendments
13. Consideration of Brownfield Tax Increment Finance Policy - Amendments
14. Consideration of First Reading re Ordinance No. 679 – Zoning Text Amendments
15. Consideration of First Reading re Ordinance No. 680 – Zoning Text Amendments
16. Consideration of First Reading re Ordinance No. 681 – Zoning Text Amendments
17. Closed Session Resolution re Lease and/or the Sale or Transfer of Real Property
18. Public Comment
19. Board Member Comments & Committee Updates
20. Adjournment

**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.

Oshtemo Township Board of Trustees		
<u>Supervisor</u>		
Cheri Bell	216-5220	cbell@oshtemo.org
<u>Clerk</u>		
Dusty Farmer	216-5224	dfarmer@oshtemo.org
<u>Treasurer</u>		
Clare Buszka	216-5260	cbuszka@oshtemo.org
<u>Trustees</u>		
Neil Sikora	760-6769	nsikora@oshtemo.org
Kristin Cole	375-4260	kcole@oshtemo.org
Zak Ford	271-5513	zford@oshtemo.org
Michael Chapman	375-4260	mchapman@oshtemo.org

Township Department Information			
<u>Assessor:</u>			
Kristine Biddle	216-5225	assessor@oshtemo.org	
<u>Fire Chief:</u>			
Greg McComb	375-0487	gmccomb@oshtemo.org	
<u>Ordinance Enforcement:</u>			
Alan Miller	216-5230	amiller@oshtemo.org	
<u>Parks Director:</u>			
Vanessa Street	216-5233	vstreet@oshtemo.org	
Rental Info	216-5224	oshtemo@oshtemo.org	
<u>Planning Director:</u>			
Jodi Stefforia	375-4260	jstefforia@oshtemo.org	
<u>Public Works Director:</u>			
Anna Horner	216-5228	ahorner@oshtemo.org	

Zoom Instructions for Participants

Before a videoconference:

1. You will need a computer, tablet, or smartphone with a speaker or headphones. You will have the opportunity to check your audio immediately upon joining a meeting.
2. If you are going to make a public comment, please use a microphone or headphones with a microphone to cut down on feedback, if possible.
3. Details, phone numbers, and links to videoconference or conference call are provided below. The details include a link to “**Join via computer**” as well as phone numbers for a conference call option. It will also include the 11-digit Meeting ID.

To join the videoconference:

1. At the start time of the meeting, click on this link to [join via computer](#). You may be instructed to download the Zoom application.
2. You have an opportunity to test your audio at this point by clicking on “Test Computer Audio.” Once you are satisfied that your audio works, click on “Join audio by computer.”

You may also join a meeting without the link by going to join.zoom.us on any browser and entering this **Meeting ID: 832 9236 8430**

If you are having trouble hearing the meeting or do not have the ability to join using a computer, tablet, or smartphone then you can join via conference call by following instructions below.

To join the conference by phone:

1. On your phone, dial the teleconferencing number: **1-929-205-6099**
2. When prompted using your touchtone (DTMF) keypad, enter the Meeting ID number: **832 9236 8430#**

Participant controls in the lower-left corner of the Zoom screen:



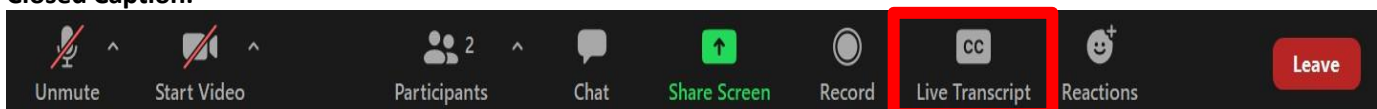
Using the icons at the bottom of the Zoom screen, you can (some features will be locked to participants during the meeting):

- Participants – opens a pop-out screen that includes a “Raise Hand” icon that you may use to raise a virtual hand. **This will be used to indicate that you want to make a public comment.**
- Chat – opens pop-up screen that allows participants to post comments during the meeting.

If you are attending the meeting by phone, to use the “Raise Hand” feature **press *9 on your touchtone keypad.**

Public comments will be handled by the “Raise Hand” method as instructed above within Participant Controls.

Closed Caption:



Turn on Closed Caption:

Using the icons at the bottom of the Zoom screen:

1. Click on the “Live Transcription” button.
2. Then select “Show Subtitle”.

Mission:

To advance the quality of life of all residents through a commitment to responsible growth, and value-driven municipal services that promote the relationships among economic vitality, environmental stewardship, and social equity.

Vision:

A sustainable and innovative community built through a legacy of planned, responsible growth and rural preservation.

Core Values:

PUBLIC SERVICE

- Fair treatment to all people.
 - Each customer is welcomed, and their input is wanted.
 - Difficult questions are not marginalized.
- Allow residents to interact directly with Township staff and officials.
- Decisions are made based on the value to our Township and residents.

SUSTAINABILITY

- Meet the needs of the present without compromising future generations.
 - Consider the environment through practices that reduce impacts.
 - Value-conscious decision-making.
 - Committing to quality fire and police protection.

INNOVATION

- Providing the best value-conscious technology currently available.
- Leverage new technologies and ways of doing business to increase accessibility and improve services.

PROFESSIONALISM

- Hire staff with strong core competencies within their given profession.
 - Commitment to continuous improvement to government operations.
- Dedicated to open communication to improve productivity and effectiveness.

INTEGRITY

- Decisions are made logically through the collection of evidence, facts, and public input.
 - When promises are made, we follow through.
 - We do not obfuscate – we say what we mean and do what we say.
 - Transparent governmental practices are of the highest priority.

FISCAL STEWARDSHIP

- Ensure that taxpayer investments are spent wisely, effectively and efficiently.

Memorandum & Request



Date: June 17, 2025
To: Township Board
From: Sierra Lucas, Paralegal
Subject: Budget Amendment - Contracted Services (Junk Removal)

Objectives

That the Board authorize a budget amendment for Contracted Services to support continued blight clean up services under contract for the year 2025.

From: GL 101-000-40000 Carryover
To: GL 207-301-96300 Contracted Services

Proposed Motion

MOTION: to approve a budget amendment in the amount of \$100,000.00 from Carryover to Contracted Services to provide blight clean up services for the remainder of 2025.

Background

Due to ongoing litigation concerning various blighted properties within the Township, it is necessary to continue utilizing contracted cleanup services through the remainder of the year. Attached are the contractor’s estimates and supporting photographs documenting the work being performed to bring each property into compliance.

Under the Township’s compliance and cleanup order, the Township or its authorized agents are permitted to enter the subject properties to remove all litter, junk, and debris. The costs incurred for these services shall be assessed to the respective properties as damages in accordance with MCL 600.8729. If any such amount remains unpaid for 30 days, it shall become a lien on the property and will be collected pursuant to MCL 600.8731.

Please see the below breakdown of costs for the five subject properties being addressed:

- Subject Property 1 is located on Drake Rd: Equipment, Labor, Dumpster/Disposal, & Vehicle Removal – Estimated Cost \$9,400.00.
- Subject Property 2 is located on N First St: Equipment, Labor, Dumpster/Disposal, Lawn Care, & Brush Removal– Estimated Cost \$9,590.00.
- Subject Property 3 is located on W Main St: Equipment, Labor, Dumpster/Disposal, Vehicle Removal & Tree Removal – Estimated Cost \$18,575.00.
- Subject Property 4 is located on Sixth St: Equipment, Labor, & Dumpster/Disposal – Estimated Cost \$5,325.00.

- Subject Property 5 is located on Boyce Dr: Equipment, Labor, Trucking, & Dumpster/Disposal – Estimated Cost \$55,000.00

Core Value(s)

Public Service



TOWNSHIP ATTORNEY'S OFFICE
7275 WEST MAIN STREET
KALAMAZOO, MI 49009-9334
PHONE: 269-375-7195
FAX: 269-233-5410

June 11, 2025

Ms. Marlene Dortch, Secretary
Federal Communications Commission
44 L Street, NE
Washington, DC 20554

Re: GN Docket 25-133

Dear Secretary Dortch,

Oshtemo Charter Township, a member public agency of the municipal consortium providing Public, Educational, and Government (PEG) Access services in Kalamazoo, County Michigan, respectfully submits this ex parte letter in support of the reply comments filed in this docket by the Alliance for Community Media and the National Association of Telecommunication Officers and Advisors. These comments support the essential role PEG Access plays in serving our communities.

PEG Access is a fundamental public interest obligation of cable companies, provided in exchange for the right to utilize public right-of-way for their commercial operations. The PEG Channels and community media access center operated by Public Media Network ensure that our residents have access to a noncommercial platform for civic discourse, public accountability, and community expression. Eliminating or weakening these obligations would not only violate the statutory framework of the Cable Act but would also dismantle a vital local, independent media infrastructure that directly serves our community's needs.

Each year, more than 1,000 hours of local content is broadcast, including gavel-to-gavel coverage of local government meetings. This programming provides critical access to information on the routine decisions that shape our community, coverage often overlooked by commercial media. PEG Access empowers residents to follow, engage with, and better understand public decision-making processes.

In addition to government coverage, Public Media Network equips residents, community journalists, nonprofit organizations, and our government agencies to create and distribute original content that informs and serves our community. Through media training programs, nonprofit public service announcements, arts and cultural programming, and community-produced shows, Public Media Network delivers diverse local content across cable and digital platforms. This work is rooted in the public trust and the core principle that every resident deserves access to information and the tools necessary to participate fully in civic life.

PEG Access remains vital to sustaining a healthy democracy and an informed, engaged public. Weakening these provisions would disproportionately silence underrepresented voices, reduce local transparency, and limit civic participation.

Congress outlined the enduring goal of serving community needs and interests when it articulated franchising rights and obligations in the Cable Act. That vision is still relevant to our residents today and will be in the future.

Very truly yours,

James W Porter

James W. Porter
Township Attorney
jposhtwp@oshtemo.org

cc: Office of Senator Gary Peters
Office of Senator Elissa Slotkin
Office of Representative

Memorandum



Date: June 12, 2025

To: Township Board

From: Sierra Lucas, Paralegal

Subject: Second Reading re Amendment to Ord 233: Public Sanitary Sewer Hardship Financing or Deferment Hardship

Objective

MOTION: to accept for second reading and adopt the text amendments to Ordinance No. 233: Public Sanitary Sewer Hardship Financing or Deferment Hardship.

Background

Staff recommended aligning the sewer hardship program limits with state minimum wage, as done with poverty exemptions. Setting limits by policy allows annual updates, ensures consistency, and scales by family size.

Information Provided

I have attached a copy of the draft ordinance for consideration.

Core Value(s)

Public Service, Sustainability, Fiscal Stewardship

OSHTEMO CHARTER TOWNSHIP ORDINANCE NO. 678

Adopted: _____

Effective: _____

OSHTEMO CHARTER TOWNSHIP ORDINANCE

An Ordinance to amend the Oshtemo Charter Township General Ordinance, Section 233.00 – Public Sanitary Sewer Hardship Financing or Deferment. This Ordinance repeals all Ordinances or parts of Ordinances in conflict.

THE CHARTER TOWNSHIP OF OSHTEMO
KALAMAZOO COUNTY, MICHIGAN
ORDAINS:

SECTION I. AMENDMENT OF SECTION 233.004 – QUALIFYING STANDARDS FOR HARDSHIP FINANCING OR HARDSHIP DEFERMENT. SECTION 233.004 IS HEREBY AMENDED TO ADD THE FOLLOWING:

B.) Hardship Financing. Property Owner(s) in Oshtemo Charter Township may enter into a Sewer Connection Installment Payment Agreement to finance their connection fees as provided in the Wastewater Services Ordinance, No. 208. In addition to the Property Owner(s)' right to enter into a Sewer Connection Installment Payment Agreement under Ordinance No. 208, the following individuals may request that the Private Plumbing Expenses be paid for by the Township and added to the Sewer Connection Installment Payment Agreement and be financed upon the same terms and the same interest rate offered under Ordinance No. 208, provided the Property Owner(s) meet the following income and assets limitations- established by the Township Board on an annual basis.

C.) Hardship Deferments. Property Owner(s) who enter into a Sewer Connection Installment Payment Agreement, pursuant to Ordinance No. 208, may qualify for a Deferment provided they meet the following Income and Asset limitations- established by the Township Board on an annual basis.

SECTION II. AMENDMENT OF SECTION 233.005 – APPLICATION. SECTION 233.005 IS HEREBY AMENDED TO ADD THE FOLLOWING:

- I. The Hardship Advisory Review Committee shall meet quarterly if needed and follow the policies and guidelines established under this Ordinance in granting or denying hardship financing or deferment.
- K. Property Owner(s) shall meet the income and asset limitation set annually by the Township Board to be granted hardship financing, deferment, or partial deferment of their sanitary sewer fees or private plumbing expenses.
- L. The Hardship Advisory Review Committee's recommendations regarding sanitary sewer connection fees or private plumbing expense fees for deferment will be done on

an annual basis along with the annual establishment of the income and asset limitations to qualify for financing or deferment

SECTION III. EFFECTIVE DATE AND REPEAL. All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed. This Ordinance shall take effect upon publication after adoption in accordance with State law.

DUSTY FARMER, CLERK
OSHTEMO CHARTER TOWNSHIP

Memorandum & Request



Date: June 24, 2025
To: Township Board
From: Jodi Stefforia, Planning Director
Subject: Brownfield Tax Increment Finance Policy - amendment

Objective

MOTION: Adopt amendments to the Brownfield Redevelopment Incentive Policy.

Background

The Brownfield Redevelopment Incentive Policy was adopted last month. In its subsequent application to two different types of brownfield projects, we realized that amendments are warranted regarding ‘Community Benefits Agreement’. The first change that you will see is the renaming of the section to *Community Reimbursement Agreement*.

In the first instance, we learned that unless the brownfield project is a housing project, tax increment capture goes back to the developer to reimburse for actual costs for environmental assessment, demolition, abatement, etc. necessary to facilitate redevelopment. There is no mechanism in the Act for the Township to collect tax capture for other activities so there is no opportunity for a Community Benefits Agreement.

In the other instance that also helped shape the proposed amendments, we learned that for housing projects the most appropriate way to participate in the tax increment revenues is to have the brownfield plan identify what development-benefitting project the Township will undertake, the cost, and year as tax increments will be paid to the Township incrementally on a reimbursement basis. For example, if we agree upon the Township building a segment of bike path to connect a new housing development’s path to an existing path down the road, we will indicate the build year and cost so that the number of years of reimbursement are included in the brownfield plan prepared by the developer for approval by the Township, KCBRA and County Commission (it would unlikely be reimbursed in a single year). If the Township’s project does not go forward, there would be no reimbursement necessary.

We hope the proposed changes make the policy more appropriate and easily administered and thank our private sector partners for helping make the policy the useful tool it was meant to be by the State legislature when the brownfield act was adopted/amended.

Core Values

Sustainability
Fiscal Stewardship
Professionalism
Integrity

OSHTEMO CHARTER TOWNSHIP
BROWNFIELD REDEVELOPMENT INCENTIVE POLICY

Adopted: _____

PURPOSE:

To establish guidelines for the administration of Brownfield Redevelopment in Oshtemo Charter Township, in cooperation with the Kalamazoo County Brownfield Redevelopment Authority (BRA) including tax increment financing tools and brownfield grant administration.

The Program will provide support for qualified public or private development and redevelopment projects located in the Township which would not occur without assistance through the Kalamazoo County BRA program. Projects are considered for recommendation based on the extent to which a project meets the goals of Oshtemo Charter Township as described in various plans, primarily including:

- a. Oshtemo Charter Township Comprehensive Master Plan, including Subarea Plans.
- b. Oshtemo Charter Township Housing Plan of 2023.

BACKGROUND:

In 1996, the State of Michigan Legislature approved Public Act 381, MCL 125.265 *et seq.* (the “Act”) to authorize municipalities to create Brownfield Redevelopment Authorities to promote the reuse and revitalization of properties. The Brownfield Redevelopment Program (the “Program”) provides for the utilization of certain tax increment revenues to pay for or reimburse the costs of Eligible Activities as defined in the Act. The County of Kalamazoo created the Kalamazoo County Brownfield Redevelopment Authority (the “Authority”) in 2002. This policy guides the administration of the Township’s review of any plans under the act.

ADMINISTRATION & EVALUATION:

1. Application

To be considered for a recommendation for approval, the applicant must submit a copy of the Part II application for brownfield funding filed with the Kalamazoo County Brownfield Redevelopment Authority (BRA) to the Township’s Planning Department and request a meeting with the department staff. During the meeting, staff will review the Township’s program criteria and review the proposed project with the applicant.

After the meeting, the Planning Department will provide the applicant with a summary of the project review and determine whether the application is complete.

Once the Planning Department confirms with the Kalamazoo County BRA Staff that the application is complete, the applicant will have the opportunity to supplement the

application with any additional information deemed relevant for the Township’s review. The Planning Department will then schedule a public hearing before the Township Board.

2. Project Review and Evaluation Criteria

- a. The Kalamazoo County BRA is authorized to utilize Tax Increment Financing of “eligible activities,” as defined in Section 2 of the Act, by utilizing incremental taxes generated by and captured from the redevelopment of eligible property to reimburse developers and property owners for those costs.
- b. Projects will be evaluated for support by the Township Board on the investment criteria enumerated in Section 3 below subject to all terms of this policy and based on the following schedule:

PROJECT EVALUATION	LEVEL OF INCENTIVE
<i>Base Level of Support (Meets project eligibility criteria, but does not meet any Township Investment Criteria)</i>	<i>Qualifies for up to ten years of local tax capture to recover eligible expenses.</i>
<i>Meets Two Township Investment Criteria</i>	<i>Eligible for reimbursement of up to 15 years of local tax capture.</i>
<i>Meets Three Township Investment Criteria</i>	<i>Eligible for up to 20 years of local tax capture.</i>
<i>Meeting Four Township Investment Criteria</i>	<i>Eligible for up to 25 years of local tax capture.</i>

- c. Projects seeking reimbursement for Housing Development Activities will be evaluated, in part, based upon efforts to secure funding assistance beyond tax abatement incentives and/or beyond reimbursement of eligible expenses through tax increment financing. Please review Section 4 of this document for special considerations regarding affordable housing developments.
- d. Community ~~Benefits-Reimbursement~~ Agreement. For Housing Development Activities, Applicant offers to enter into a Community ~~Benefits-Reimbursement~~ Agreement whereby the ~~applicant reimburses the~~ Township is reimbursed via the Brownfield Plan for lost tax increment where funds are put toward for -agreed-upon public infrastructure construction and/or maintenance activities related-benefitting to the development such as but not limited to non-motorized, street network connectivity, transit, street lights, and infrastructure easements.

3. Investment Criteria

The Township Investment Criteria described below have been identified in various plans developed with input from the community to incentivize outcomes desired by Oshtemo Charter Township and the community. These criteria shall be applied at the sole discretion of the Township Board and are not intended to be compulsory for the applicant. Unless otherwise indicated, each investment criterion may be qualified for only once.

- a. **Sustainable Development:** The development provides sustainable development amenities such as LEED recognized energy-efficient buildings, solar energy panels, EV charging infrastructure, geothermal heating and/or cooling, and green infrastructure such as permeable pavement, raingardens and bioswales.
- b. **Public Infrastructure:** The developer sets forth a plan to design and construct sewer, water, road and/or storm sewer infrastructure in accordance with the Township's existing development plans and needs – provides for future extension of public infrastructure to join properties in accordance with Township ordinances – grants all necessary easements to the Township to facilitate operation and maintenance of public infrastructure in the Township. Infrastructure improvements required and/or requested by the Township to improve the overall infrastructure system, but not needed for the development, also qualify.
- c. **Non-motorized Facilities:** Creation of publicly accessible walking paths and/or trails that are not part of the site plan requirement and that link up to an outside trail network as identified on the Township's Non-Motorized Plan qualify. Extension of sidewalks in the right of way which are outside of the required installation area, and which eliminate gaps in the sidewalk network also qualify.
- d. **Housing Development Activities:** Project includes "Housing Development Activities," as defined in Section 2(x) of the Act, and provides income-qualified housing. Details are provided in Section 4 of this Policy. If the development is a for-rent dwelling unit, rent control is provided as a component of the project. For mixed-use projects, a majority of the gross building square footage must be dedicated to housing to qualify for this investment criterion.
- e. **Diversity of Housing Type:** Provides a housing type (single-family attached, single-family detached, cottage courts, live-work, townhomes, three/four family, or multi-family) that is less than 20% of the existing housing type in the subject census block group, according to the most recent decennial census, or if the census data is more than five years old, according to the most recent American Community Survey data. Applicant to provide documentation if claiming this criterion for review and verification by the Planning Department.
- f. **Accessibility / Visitability:** Provides a housing development where at least 10% of the dwelling units meet or exceed ADA Accessibility Standards. Alternately, at least 75% of the units meet or exceed the following Visitability Standards:
 - i. no-step entry.
 - ii. barrier free parking, with ramps if needed.
 - iii. barrier free entry door.

- iv. barrier free half-bath on first floor.
- v. accessible electrical switches at reachable heights.
- vi. accessible route through first floor living space.

Applicants who meet both accessibility and visitability requirements will have met two investment criteria. For mixed-use projects, a majority of the gross building square footage must be dedicated to housing to qualify for this investment criterion.

- g. **Activation in Designated Sub-Areas or Special Study Areas of Oshtemo:** Provides major activation or delivery of plan goals/objectives on parcel(s) located in designated Comprehensive Master Plan subareas or special study areas as determined by the Planning Director.
- h. **Promote Utilization of Multimodal Transportation:** For projects located within 500 feet of a permanent covered bus shelter, offer transit passes to each residential unit and employee for the first three years of occupancy **or, if not within 500 feet of a permanent covered bus shelter**, project provides land (by conveyance or easement) for, and/or finances improvements related to a covered/sheltered public transit stop, shelter pad and accessible route.
- i. **Job Creation:** Provides the greater of 10 FTE non-construction jobs or a 25% increase in the number of FTE non-construction jobs for non-residential developments over and above existing in-state operations or 50 FTE jobs, whichever is less, over the next three years, with annual wage/salary of the new jobs more than twice the current State of Michigan minimum wage at the time of hiring. Applicant to provide documentation if claiming this criterion.
- j. **Environmental/Blight Cleanup:** The plan provides for the cleanup and redevelopment of environmental contamination as defined in the Natural Resources Environmental Protection Act (NREPA) and/or blight as defined in Public Act 381 of 1996. If the development cleans up environmental contamination and eliminates blight, it will be eligible for two investment criteria.
- k. **Functional Obsolescence:** The plan provides for the redevelopment of a functionally obsolete facility as defined by MCL 125.2652(u). Provides activation of parcel(s) identified by or targeted by the Oshtemo Charter Township for environmental clean-up or redevelopment (e.g., buildings vacant or underutilized for an extended period of time as determined by the Township Board etc.).
- l. **Public Space Improvements:** Adds publicly accessible open space, public plaza, community garden, pocket park or public art. public space improvements that reference the needs of the community as articulated in an approved Oshtemo Charter Township plan. Public space improvements must be substantial, and the applicant must justify the proposal for their consideration as an investment criterion.
- m. **Additional Green Space:** Provides an extra 5% of open green space within the development in addition to that required under the Township's zoning ordinance.

- n. **Childcare Facilities:** Includes the development of a State of Michigan licensed child daycare center as outlined in MCL 722.111(f)(iv).
- p. **Total Investment:** Total investment equates to a minimum taxable value increase of \$1 million or more upon completion. If the minimum taxable value increases to \$5 million, the project will qualify for one extra investment criteria.

4. Special Considerations for Affordable Housing Developments

The passage of Public Act 90 of 2023 established new opportunities to support housing development using the Brownfield program by broadening definitions of both eligible property and eligible activity specific to housing projects. In addition to all existing criteria that qualify property as eligible under the Act, a Housing Property is also eligible property.

Housing Property is defined as either of the following:

- a. A property on which one or more units of residential housing are proposed to be constructed, rehabilitated, or otherwise designed to be used as a dwelling, or
- b. One or more units of residential housing proposed to be constructed or rehabilitated and located in a mixed-use project.

For projects where property qualifies as Housing Property, the Brownfield Plan Amendment may include, in addition to all other eligible activity costs, the costs of Housing Development Activities, which are defined as:

- a. Reimbursement provided to owners of rental housing units for qualified rehabilitation.
- b. Costs for infrastructure available for public use and safety improvements necessary for housing projects.
- c. Costs of demolition and renovation of existing buildings and site preparation, to the extent necessary to accommodate an income-qualified purchaser household(s) or income qualified renting household(s).
- d. Temporary household relocation costs for an income-qualified household for a period not to exceed one year.
- e. Acquisition costs for blighted or obsolete rental units, to the extent the acquisition would promote rehabilitation or adaptive reuse of the blighted or obsolete rental unit to accommodate an income-qualified renting household. These costs shall be prorated based on the percentage of units leased to income-qualified households.
- f. Reimbursement provided to a developer to fill a financing gap associated with the development of housing units priced for income-qualified households.

Criteria for Projects that Include Income-Qualified Apartments:

- a. To apply for eligible Housing Development Activities, projects must include rental units that will be leased at rates that are at, or below, the rental rate for households up to 120% Area Median Income (AMI).
- b. Units must be leased to households with income at, or below, the applicable AMI level based on household size, not to exceed 120% AMI as shown in the then current annual MSHDA rent and income limits chart for Kalamazoo County.
- c. At least 20% of all unit types (i.e., studios, one-bedroom units, etc.) shall be rent or income restricted to households with an average AMI of less than 100% , with greater percentages encouraged. These units must serve an average household AMI of 100% or less, based on units leased. For example, a 100-unit development would qualify if it leased to 15 households that are 90% of AMI and 10 households that are 110% of AMI. Projects serving an average household AMI of 80% for the duration of the capture period shall receive an extra investment criteria point.
- d. Rents for income-qualified units will be provided annually by the BRA and will be based on the “rent by bedroom,” less applicable utility allowance(s), all as provided by MSHDA.
- e. Rent and income controls must be in place for a minimum of 10 years.
- f. A calculation of the potential rent loss is required and shall follow the MSHDA-provided calculation.

Criteria for Projects that Include Income and Sale Price Restricted Homeownership Units:

- a. Projects must be proposed by a developer; individual homebuyers are not eligible.
- b. Township support will include, but may not be limited to, a potential development loss subsidy in an amount necessary to make the home affordable to an income qualified purchaser household using the MSHDA-provided calculation.
- c. The potential development loss is the difference between the total development cost and the amount an income-qualified household can afford based on household income using the MSHDA-provided calculation.
- d. Income-qualified households are those whose household income does not exceed 120% of the area median income based on household size.
- e. The affordability requirement will run with the land and the subsidy will be forgiven in 10% equal increments over a ten year period.

5. Compliance and Reporting

- a. Compliance requirements will be detailed in a project's Development/Reimbursement Agreement with the Kalamazoo County BRA, a copy of which will be provided to the Township.
- b. Annual Reporting will be due by/before June 30 for the previous year and shall be consistent with the MEDC, MSHDA, and Public Act 381 of 1996 reporting requirements as applicable.
- c. A project completion survey must be submitted in accordance with the requirements of the Kalamazoo County BRA for reimbursement of eligible activity costs.

The project must be built, operated, and maintained in compliance with all applicable Township ordinances, State codes, including certification of compliance with current Michigan Building and Residential Codes.

6. Default

Default terms and/or conditions will be detailed in the Development and/or Reimbursement Agreement with the Kalamazoo County BRA.

7. Waiver

The Township Board may waive this policy, or any portion of it, when it is determined to be in the best interest of the Township. This policy does not apply to developments sponsored by the Oshtemo Charter Township and/or on Township property. All aspects of the policy are subject to the restrictions and requirements Public Act 381 of 1996 as amended.

Inquiries concerning this policy can be directed to the Planning Department (269) 216-5223, or the Office of the Clerk (269) 216-5224 at the Township Hall, 7275 West Main St., Kalamazoo, Michigan 49009.

BROWNFIELD REDEVELOPMENT INCENTIVE POLICY

MOTION TO APPROVE BOARD-APPROVED POLICY:

Motion was made by _____ and seconded by _____, to adopt the foregoing Policy by Board Resolution.

The following voted "Aye":

The following voted "Nay":

The following were Absent:

The following Abstained:

The Supervisor declared the motion carried and the Policy Resolution duly adopted.

Dusty Farmer, Clerk
Oshtemo Charter Township

CERTIFICATE

STATE OF MICHIGAN)
) ss.
COUNTY OF KALAMAZOO)

I, Dusty Farmer, the duly appointed and acting Clerk of the Township of Oshtemo, certify that the foregoing constitutes a true and complete copy of a Resolution adopted at a regular meeting of the Oshtemo Charter Township Board held on _____, 2025, which meeting was preceded by required notices under the Michigan Open Meetings Act, being 1976 PA 267; that a quorum of the Board was present and voted in favor of said Resolution; and that minutes of said meeting were kept and will be or have been made available as required by said Open Meetings Act.

IN WITNESS WHEREOF, I have hereto affixed my official signature on this ____ day of _____, 2025.

Dusty Farmer, Clerk
Oshtemo Charter Township

Memorandum



Date: June 24, 2025
To: Township Board
From: Jodi Stefforia, Planning Director
Subject: Zoning Ordinance Text Amendments – First Reading Ordinance 679

Objective

MOTION: Accept for first reading and set for second reading and adoption Ordinance 679.

Background

Several times a month and sometimes a week, the Planning Department fields inquiries from residents interested in establishing an accessory dwelling unit (ADU) on their property, typically for an elderly family member. Most of our neighboring communities allow for ADUs; the draft ordinance prepared by Staff and the Planning Commission is modeled on those communities' tested/vetted policies. The Planning Commission worked through a couple drafts of the ordinance before finalizing it and setting the public hearing. Topics debated included how many individuals may reside in an ADU, placement, size and appearance of the unit as well as use as a short term rental.

Essentially, an ADU is allowed by right in the residential and village commercial districts on properties with a one or two family home, limited to 3 individuals meeting the definition of family, and a gross floor area of 350 to 900 square feet. The ADU must be aesthetically compatible with other residences in the area. The Planning Commission agreed to limit rental terms to not less than 180 days a year with a commitment to revisit this limit in the future.

At the end of the ordinance is the chart from Section 57.100.D to reinstate the maximum square footage for properties larger than 5 acres that was deleted with adoption of Ordinance 674 earlier this year as well as language clarifying who may seal plans submitted for site plan review or as record drawings (as-builts) which was adopted earlier this year.

The public hearing on the proposed amendments was held on May 22, 2025. The Planning Commission recommends adoption of the zoning ordinance amendments reflected in Ordinance 679.

Information Provided

Recommendation
Ordinance 679
Redline version of changes
May 22, 2025 Planning Commission Minutes (excerpts)

Core Values

Public Service.
Sustainability.

OSHTEMO CHARTER TOWNSHIP PLANNING COMMISSION

RECOMMENDATION OF THE OSHTEMO CHARTER TOWNSHIP PLANNING COMMISSION RESULTING FROM A PUBLIC HEARING CONDUCTED ON THURSDAY, MAY 22, 2025

The Oshtemo Charter Township Planning Commission hereby recommends APPROVAL of the adoption of Ordinance 679, an

SEE ATTACHMENT

Meeting minutes (excerpts) from May 22, 2025, Public Hearing are attached to this Recommendation.

OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION

Date: June 18, 2025

By: *Jodi Stefforia*
Township Planning Director

Final Action by Oshtemo Charter Township Board

_____ APPROVED _____

_____ DENIED _____

_____ REFERRED BACK TO PLANNING COMMISSION

DRAFT OSHTEMO CHARTER TOWNSHIP ORDINANCE NO. 679

Adopted:

Effective:

OSHTEMO CHARTER TOWNSHIP ORDINANCE

An Ordinance to amend the Oshtemo Charter Township Zoning Ordinance: amendment of Article 2 – Section 2.2, Article 4 – Section 4.30, Article 5 – Section 5.30, Article 6 – Section 6.30, Article 7 – Section 7.30, Article 8 – Section 8.30, Article 19 – Section 19.30, Article 48 – Section 48.160, Article 57 – Section 57.100, Article 64 – Section 64.60 & Section 64.90. This Ordinance repeals all Ordinances or parts of Ordinances in conflict.

THE CHARTER TOWNSHIP OF OSHTEMO
KALAMAZOO COUNTY, MICHIGAN
ORDAINS:

SECTION ONE: AMENDMENT OF ARTICLE 2: DEFINITIONS, SECTION 2.20, IS HEREBY AMENDED TO ADD THE FOLLOWING:

Dwelling, accessory – An attached or detached dwelling unit secondary to the principal dwelling unit(s) on a property.

SECTION TWO: AMENDMENT OF ARTICLE 4 – AG: AGRICULTURAL DISTRICT, SECTION 4.30 – PERMITTED USES WITH CONDITIONS, IS HEREBY AMENDED AS FOLLOWS:

E. Accessory Dwelling Unit.

SECTION THREE: AMENDMENT OF ARTICLE 5 - RR: RURAL RESIDENTIAL DISTRICT, SECTION 5.30 – PERMITTED USES WITH CONDITIONS, IS HEREBY AMENDED AS FOLLOWS:

F. Accessory Dwelling Unit

SECTION FOUR: AMENDMENT OF ARTICLE 6 - R-1: RESIDENCE DISTRICT, SECTION 6.30 – PERMITTED USES WITH CONDITIONS, IS HEREBY AMENDED AS FOLLOWS:

C. Accessory Dwelling Unit

SECTION FIVE: AMENDMENT OF ARTICLE 7- R-2: RESIDENCE DISTRICT, SECTION 7.30 – PERMITTED USES WITH CONDITIONS, IS HEREBY AMENDED AS FOLLOWS:

C. Accessory Dwelling Unit

SECTION SIX: AMENDMENT OF ARTICLE 8 – R-3: RESIDENCE DISTRICT, SECTION 8.30 – PERMITTED USES WITH CONDITIONS, IS HEREBY AMENDED AS FOLLOWS:

D. Accessory Dwelling Unit

SECTION SEVEN: AMENDMENT OF ARTICLE 19 - VC: VILLAGE COMMERCIAL DISTRICT, SECTION 19.30 – PERMITTED USES WITH CONDITIONS, IS HEREBY AMENDED AS FOLLOWS:

C. Accessory Dwelling Unit

SECTION EIGHT: AMENDMENT OF ARTICLE 48 – CONDITIONS FOR SPECIFIC PERMITTED USES, SECTION 48.160 – ACCESSORY DWELLING UNITS, IS HEREBY AMENDED TO ADD THE FOLLOWING:

- A. Intent. It is the intent of this section to allow for Accessory Dwelling Units within or upon properties with a one or two- family home thereon to allow homeowners to have a supplemental source of income with a long-term tenant as well as other nontangible benefits to older residents such as companionship or a live-in caretaker. It is recognized that ADUs provide an opportunity for affordable housing for young and old households as well as a way for family members to reside nearby with independence. It is further recognized that appropriate limitations are necessary so that ADUs are a compatible and harmonious use in the residential areas of the Township.
- B. The following provisions shall apply to all ADUs:
1. An ADU may be established on a property with either an existing or a new one- or two-family dwelling unit. For the purposes of this section, an ADU attached or detached to a two- family home shall not be considered a three-family dwelling.
 2. Only one (1) ADU allowed per property.
 3. No more than three individuals, satisfying the definition of a family as defined in this ordinance, may reside in an ADU.
 4. An ADU shall not have a gross floor area less than 350 square feet nor greater than 900 square feet, including bathroom, kitchen, and sleeping area, but in no circumstances shall it exceed the total square footage of the principal dwelling.
 5. Setbacks:
 - a. An attached ADU shall be subject to the respective zoning district setback requirements for a primary structure.
 - b. A detached ADU shall be subject to the respective zoning district setback requirements for an accessory building.
 6. The primary dwelling or the ADU must be declared the principal residence of the owner of the property. A deed restriction stating that the property is so restricted shall be provided to the Township by the property owner in a format suitable for recording with the Kalamazoo County Register of Deeds prior to Certificate of Occupancy.
 7. The ADU and modifications to an existing residence for an ADU shall be of similar or better in workmanship as the principal dwelling, shall emulate and not detract from the

character and appearance of the principal residence and shall be aesthetically compatible in appearance with other residences in the area.

8. Mobile homes, trailers on wheels, recreational vehicles, or similar structures or conveyances shall not be considered an ADU for the purposes of this section.
 9. Neither the primary dwelling nor the ADU shall be used for a short-term rental (less than 180 days).
 10. An ADU shall be connected to a water supply and sanitary facilities. When the ADU will be served by a well and/or septic system, written verification of an existing system's adequacy to serve the ADU and/or a permit from the Kalamazoo County Environmental Health Department for new or replacement well and/or septic system shall be provided to the Township.
 11. The principal residence and the ADU shall share the same vehicular access to the property. A parking area with an improved surface shall be provided for both the principal residence and the ADU and may be on the driveway.
 12. The ADU shall be properly maintained at all times pursuant to the International Property Maintenance Code and shall at no time fall into disrepair such that it detracts from the appearance of the property or nearby properties.
- C. Unless waived by the Planning Commission, the following additional provisions shall apply to detached ADUs that are neither structurally attached to/within the principal dwelling nor in the principal accessory building (garage) serving the residence:
1. The ADU must be located in compliance with Section 57.100.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.
 3. The height of a standalone ADU shall not exceed 15 feet and in no circumstances shall it exceed the height of the principal dwelling.
 4. The building coverage limitations of the zoning district in which the ADU is located shall be satisfied.
- D. Applications to establish an ADU shall be made to the Planning and Zoning Department consisting of but not limited to the following:
1. Site plan (scaled drawings) showing the following:
 - c. Location of all existing and proposed structures on the property.
 - d. Setbacks of the proposed ADU from all property lines and structures.
 - e. Designated parking area for the ADU and principal dwelling.
 - f. Elevation drawings, where necessary.
 2. Floor plan, elevations, and building plans showing the following:
 - a. Kitchen, bathroom, sleeping area, entry stairs, and gross square footage.
 - b. Connecting wall or floor to the principal residence, where necessary.
 - c. Elevations including windows, doors, porches, walls, and other exterior features.
 3. A Deed Restriction by the owner of record acknowledging the following:
 - a. One of the two dwellings will be occupied by the owner of record.

- b. The ADU cannot be sold separate from the principal dwelling unless removed from the property or the property is subdivided in compliance with all ordinance requirements.
- 4. An affidavit by the owner of record indicating the following:
 - a. Which of the dwellings will be occupied by the owner of record.

All ADU standards of Oshtemo Charter Township shall be adhered to at all times.

SECTION NINE: AMENDMENT OF ARTICLE 57 – MISCELLANEOUS PROTECTION REQUIREMENTS, SECTION 57.100 – ACCESSORY BUILDINGS SERVING A PRIMARY RESIDENCE, IS HEREBY AMENDED AS FOLLOWS:

A. Applicability:

1.) Accessory buildings shall be permitted in all Agricultural and Residential zoning districts; which include “AG” Agricultural District, “RR” Rural Residential District, “R-1” Residence District, “R-2” Residence District, “R-3” Residence District, “R-4” Residence District, “R-5” Residence District, “R-C” Residential Conservation District and the VC, Village Commercial District.

B. 3.) Be used for human habitation, except as otherwise allowed as an accessory dwelling unit.

D. Size restrictions for all accessory buildings:

1. Subject to the lot coverage limitations listed in Section 50.50, the maximum allowable square footage of accessory buildings on lots, parcels, or building sites as measured by the combined gross floor area of all detached accessory structures which are located on the property, shall be limited as follows:

Property area	Maximum cumulative square footage of all detached accessory structures on a property
0.25 acres or less	840 square feet
More than 0.26 acres but not more than 0.50 acres	1,080 square feet
More than 0.50 acres but not more than 1.0 acre	1,320 square feet
More than 1 acre but not more than 2 acres	2,000 square feet
More than 2 acres but not more than 3 acres	3,000 square feet
More than 3 acres but not more than 5 acres	4,000 square feet
More than 5 acres but not more than 8 acres	5,000 square feet

More than 8 acres but not more than 11 acres	6,000 square feet
More than 11 acres	7,000 square feet

SECTION TEN: AMENDMENT OF ARTICLE 64 – SITE PLAN REVIEW, SECTION 64.60 – APPLICATION PROCEDURE, IS HEREBY AMENDED AS FOLLOWS:

General Requirements:

C. 1.) (D)

Seals of the architect, engineer, surveyor, and/or landscape architect shall be applied only to those sections of the plan set for which they are licensed and responsible for preparing, unless the party sealing the document submits an affidavit attesting to services performed in the field outside of their primary practice, and that such work was merely incidental to the overall architecture or engineering project, specifying the services covered by the affidavit.

SECTION ELEVEN: AMENDMENT OF ARTICLE 64 – SITE PLAN REVIEW, SECTION 64.90 – CONFORMITY TO APPROVED SITE PLAN, IS HEREBY AMENDED AS FOLLOWS:

D. At least one complete set of record construction drawings (as built), shall be signed by a licensed professional engineer with expertise in civil or construction engineering, and submitted to the Township or its designee at the time of application for a certificate of occupancy, or in the case of residential developments, before a building permit may be issued. These drawings shall indicate any changes approved by the Township to the original site plan. Additionally, the correct location, size, and other relevant details of any pre-existing utilities or facilities shall be specified.

SECTION TWELVE: REPEAL OF CONFLICTING ORDINANCES & EFFECTIVE DATE:

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed. This Ordinance shall take effect upon publication after adoption.

DUSTY FARMER, CLERK
OSHTEMO CHARTER TOWNSHIP

Final / Public Hearing Draft – Accessory Dwelling Units (ADUs) + Accessory Buildings + Sealed Plans (May 2025)

Note: language has been drafted and revised per earlier drafts discussion to provide for accessory dwelling units (ADUs) in the various residential district and the Village Commercial and Agricultural Districts as a *Permitted Use with Conditions*. Conditions have been drafted following review of provisions found in the ordinances of other communities, research, and analysis/knowledge of local conditions and Planning Commission discussion.

New language is in red. Following the ADU language are two amendments addressing recent ordinance changes 1) regarding square footage of accessory buildings addressed in Section 57.100.D and 2) modify recent changes as to who may submit/seal plans for review or as record drawings.

1. Amend Section 2.20 to add definition of Accessory Dwelling Unit.

Dwelling, accessory – An attached or detached dwelling unit secondary to the principal dwelling unit(s) on a property.

2. List zoning districts by section where *Accessory Dwelling Unit* is added as ‘Permitted Use With Conditions’

Section	District
4.30.E	AG: Agricultural District
5.30.F	RR: Rural Residential District
6.30.C	R-1: Residential District
7.30.C	R-2: Residential District
8.30.D	R-3: Residential District
19.30.C	VC: Village Commercial

3. Add Accessory Dwelling Unit conditions in Section 48 – Conditions for Specific Permitted Uses

Section 48.160

- A. Intent. It is the intent of this section to allow for Accessory Dwelling Units within or upon properties with a one or two- family home thereon to allow homeowners to have a supplemental source of income with a long-term tenant as well as other nontangible benefits to older residents such as companionship or a live-in caretaker. It is recognized that ADUs provide an opportunity for affordable housing for young and old households as well as a way for family members to reside nearby with independence. It is further recognized that appropriate limitations are necessary so that ADUs are a compatible and harmonious use in the residential areas of the Township.
- B. The following provisions shall apply to all ADUs:
1. An ADU may be established on a property with either an existing or a new one- or two- family dwelling unit. For the purposes of this section, an ADU attached or detached to a two- family home shall not be considered a three-family dwelling.
 2. Only one (1) ADU allowed per property.
 3. No more than three individuals, satisfying the definition of a family as defined in this ordinance, may reside in an ADU.
 4. An ADU shall not have a gross floor area less than 350 square feet nor greater than 900 square feet, including bathroom, kitchen, and sleeping area, but in no circumstances shall it exceed the total square footage of the principal dwelling.
 5. Setbacks:
 - a. An attached ADU shall be subject to the respective zoning district setback requirements for a primary structure.
 - b. A detached ADU shall be subject to the respective zoning district setback requirements for an accessory building.
 6. The primary dwelling or the ADU must be declared the principal residence of the owner of the property. A deed restriction stating that the property is so restricted shall be provided to the Township by the property owner in a format suitable for recording with the Kalamazoo County Register of Deeds prior to Certificate of Occupancy.
 7. The ADU and modifications to an existing residence for an ADU shall be of similar or better in workmanship as the principal dwelling, shall emulate and not detract from the character and appearance of the principal residence and shall be aesthetically compatible in appearance with other residences in the area.
 8. Mobile homes, trailers on wheels, recreational vehicles, or similar structures or conveyances shall not be considered an ADU for the purposes of this section.
 9. Neither the primary dwelling nor the ADU shall be used for a short-term rental (less than 180 days).
 10. An ADU shall be connected to a water supply and sanitary facilities. When the ADU will be served by a well and/or septic system, written verification of an existing system's adequacy to serve the ADU and/or a permit from the Kalamazoo County Environmental Health Department for new or replacement well and/or septic system shall be provided to the Township.

11. The principal residence and the ADU shall share the same vehicular access to the property. A parking area with an improved surface shall be provided for both the principal residence and the ADU and may be on the driveway.
 12. The ADU shall be properly maintained at all times pursuant to the International Property Maintenance Code and shall at no time fall into disrepair such that it detracts from the appearance of the property or nearby properties.
- C. Unless waived by the Planning Commission, the following additional provisions shall apply to detached ADUs that are neither structurally attached to/within the principal dwelling nor in the principal accessory building (garage) serving the residence:
1. The ADU must be located in compliance with Section 57.100.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.
 3. The height of a standalone ADU shall not exceed 15 feet and in no circumstances shall it exceed the height of the principal dwelling.
 4. The building coverage limitations of the zoning district in which the ADU is located shall be satisfied.
- CI. Applications to establish an ADU shall be made to the Planning and Zoning Department consisting of but not limited to the following:
1. Site plan (scaled drawings) showing the following:
 - c. Location of all existing and proposed structures on the property.
 - d. Setbacks of the proposed ADU from all property lines and structures.
 - e. Designated parking area for the ADU and principal dwelling.
 - f. Elevation drawings, where necessary.
 2. Floor plan, elevations, and building plans showing the following:
 - a. Kitchen, bathroom, sleeping area, entry stairs, and gross square footage.
 - b. Connecting wall or floor to the principal residence, where necessary.
 - c. Elevations including windows, doors, porches, walls, and other exterior features.
 3. A Deed Restriction by the owner of record acknowledging the following:
 - a. One of the two dwellings will be occupied by the owner of record.
 - b. The ADU cannot be sold separate from the principal dwelling unless removed from the property or the property is subdivided in compliance with all ordinance requirements.
 4. An affidavit by the owner of record indicating the following:
 - a. Which of the dwellings will be occupied by the owner of record.
 - b. All ADU standards of Oshtemo Charter Township shall be adhered to at all times.

4. Amend Section 57.100.A and 57.100.B. Accessory Buildings Serving a Primary Residence

A. Applicability:

1. Accessory buildings shall be permitted in all Agricultural and Residential zoning districts; which include "AG" Agricultural District, "RR" Rural Residential District, "R-1" Residence District, "R-2" Residence District, "R-3" Residence District, "R-4" Residence District, "R-5" Residence District, "R-C" Residential Conservation District and the VC, Village Commercial District.
2. All accessory buildings, unless otherwise expressly outlined by this Section, shall meet all the requirements specified herein.
3. Non-commercial accessory buildings used for the keeping of livestock or honeybees shall follow the requirements specified in Section 57.80.
4. All accessory buildings exceeding 200 square feet shall require plan review and approval by the Planning Director or their designee.
5. Any nonconforming accessory buildings shall be subject to the requirements specified in Section 63.40.

B. Restrictions. No accessory building shall:

1. Be constructed on any property prior to the construction of the principal building, unless building permits are obtained for both structures concurrently. All detached accessory buildings must be located on the same property where the principal permitted use is located. Exception of this clause can be granted by the Planning Director or their designee for vacant parcels serving an agricultural purpose that meet the requirements of Section 4.10.
2. Be constructed to encroach into a public utility easement.
3. Be used for human habitation, except as otherwise allowed as an accessory dwelling unit.
4. Be used for purposes other than those customarily incidental to the permitted principal use of the property.
5. Be used for any business use or home occupation, unless approval is granted by the Planning Commission pursuant to Sections 48.60 or 49.120.

5. Amend Section 57.100.D to restore language struck with recent amendment.

D. Size restrictions for all accessory buildings:

1. Subject to the lot coverage limitations listed in Section 50.50, the maximum allowable square footage of accessory buildings on lots, parcels, or building sites as measured by the combined gross floor area of all detached accessory structures which are located on the property, shall be limited as follows:

Property area	Maximum cumulative square footage of all detached accessory structures on a property
0.25 acres or less	840 square feet
More than 0.26 acres but not more than 0.50 acres	1,080 square feet
More than 0.50 acres but not more than 1.0 acre	1,320 square feet
More than 1 acre but not more than 2 acres	2,000 square feet
More than 2 acres but not more than 3 acres	3,000 square feet
More than 3 acres but not more than 5 acres	4,000 square feet
More than 5 acres but not more than 8 acres	5,000 square feet
More than 8 acres but not more than 11 acres	6,000 square feet
More than 11 acres	7,000 square feet

6. Amend Section 64.60.c.1.d and Section 64.90.D for clarity

64.60.C. (1) (d)

~~Seals of the architect, engineer, surveyor and/or landscape architect for only those sections of the plan set in which they are licensed and responsible to prepare. The Planning Director shall have the authority to waive or modify this requirement.~~

Seals of the architect, engineer, surveyor, and/or landscape architect shall be applied only to those sections of the plan set for which they are licensed and responsible for preparing, unless the party sealing the document submits an affidavit attesting to services performed in the field outside of their primary practice, and that such work was merely incidental to the overall architecture or engineering project, specifying the services covered by the affidavit.

64.90.D.

~~At least one complete set of record construction drawings signed by a licensed civil engineer shall be submitted to the Township or its designee at the time of application for a Certificate of Occupancy or, in the case of residential developments before a Building Permit may be issued.~~

~~These drawings shall indicate any changes approved by the Township to the original Site Plan. Additionally, the correct location, size, etc. of any preexisting utilities or facilities shall be specified.~~

At least one complete set of record construction drawings (as built), shall be signed by a licensed professional engineer with expertise in civil or construction engineering, and submitted to the Township or its designee at the time of application for a certificate of occupancy, or in the case of residential developments, before a building permit may be issued. These drawings shall indicate any changes approved by the Township to the original site plan. Additionally, the correct location, size, and other relevant details of any pre-existing utilities or facilities shall be specified.

MAY 22, 2025 PLANNING COMMISSION MINUTE (EXCERPTS)

Special Exception Use: Nelson Home Occupation (2100 S 4th Street, Parcel 3905-29-280-016)

Zoning Ordinance Text Amendments Public Hearings

A meeting of the Oshtemo Charter Township Planning Commission was held Thursday, May 22, 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 6:30 p.m.)

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

Also present were Jodi Stefforia, Planning Director; James Porter, Township Attorney; Colten Hutson, Zoning Administrator, Leeanna Harris, Planning and Zoning Administrator; Jennifer Wood, Recording Secretary; and approximately 13 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.

One person came forward to speak.

ZONING ORDINANCE TEXT AMENDMENTS PUBLIC HEARINGS

Ms. Stefforia handed out a couple additional changes that were not in the packets distributed. Ms. Stefforia presented her memo, dated May 22, 2025, which is hereby incorporated into the record. The changes are to add clarity. No substantive changes were made between the final drafts and the versions reviewed in March, however.

Accessory Dwelling Units (ADUs)

The Commission discussed language regarding an accessory dwelling unit in a detached structure. It is recommended to remove the word “architecturally” and instead have it read “shall be aesthetically compatible in appearance”.

Additionally, under subsection C, it was noted that while accessory buildings are allowed a height of 30 feet, ADUs are currently limited to 15 feet. This needs to be adjusted if the ADU is being placed in a structure that can legally be taller. The Commission agreed that this inconsistency should be corrected.

Vice Chair Everett inquired who determines what is aesthetically compatible. Ms. Stefforia advised that the Planning Department would review on a case by case basis; if there are questions, they can be brought to the Planning Commission for input.

Mr. Jefferies reviewed the changes and expressed support, stating the revisions looked good.

Parking

Parking standards in rural areas were reviewed. The revised language allows parking in the front yard as long as it is on an improved surface, such as gravel or pavement. In neighborhoods, parking must occur on a designated driveway.

Transportation and Mobility

Under the Transportation and Mobility section, no changes were made.

Vice Chair Everett raised a question regarding accessory building size limits. Ms. Stefforia confirmed that language allowing larger buildings based upon acreage was being added back into the ordinance. When Vice Chair Everett asked whether this addressed the concern raised in a recent meeting, Ms. Stefforia responded affirmatively, noting that the language had been reinserted to ensure clarity and resolve the issue.

Vice Chair Everett opened the public hearing.

Two persons addressed the Commission. One had a question about the ADU square footage, the other thanked the Commission for their consideration of these changes.

Vice Chair Everett closed the public hearing.

Vice Chair Everett asked if the Commission had any additional comments or discussion.

Mr. A. Smith made a motion to forward the Accessory Dwelling Unit changes, the parking changes, and the access management changes to the Township Board for their consideration. 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. There were none.

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:37 p.m.

Minutes Prepared: May 23, 2025

Minutes Approved: June 12, 2025

Memorandum



Date: June 24, 2025
To: Township Board
From: Jodi Stefforia, Planning Director
Subject: Zoning Ordinance Text Amendments – First Reading Ordinance 680

Objective

MOTION: Accept for first reading and set for second reading and adoption Ordinance 680.

Background

The Planning Department and Planning Commission took a comprehensive review of Article 52 – Off-Street Parking of Motor Vehicles to look for opportunities to reduce the amount of pavement in new developments and to allow for the retrofitting of existing sites. Based upon experience in reviewing plans and interacting with developers/site designers regularly, the Planning Department proposes going to parking maximums for non-residential uses, an update to parking values by use, and a reduction in space and aisle size mandates.

Flexibility to deviate from the new maximums – quantity and size – is maintained. The reviewing body can work with a developer that demonstrates that wider aisles and/or more (or less) parking spaces are needed for their customer base. Criteria to be considered by the reviewing body have been added so that any deviation is thoroughly evaluated. In our professional opinion, the provision of parking spaces, width of drive aisles, etc. cannot entirely be left for the developer to determine; we do need minimum requirements to ensure the safe and adequate provision of off-street parking in the non-residential areas. Other ordinance sections were studied for consistency. Section 48.100.D – which addresses drive aisles in multi-family developments – is included for amendment.

The public hearing on the proposed amendments was held on May 22, 2025. The Planning Commission recommends adoption of the zoning ordinance amendments reflected in Ordinance 680.

Information Provided

Recommendation
Ordinance 680
Redline version of changes
May 22, 2025 Planning Commission Minutes (excerpts)

Core Values

Public Service.
Sustainability.

OSHTEMO CHARTER TOWNSHIP PLANNING COMMISSION

RECOMMENDATION OF THE OSHTEMO CHARTER TOWNSHIP PLANNING COMMISSION RESULTING FROM A PUBLIC HEARING CONDUCTED ON THURSDAY, MAY 22, 2025

The Oshtemo Charter Township Planning Commission hereby recommends APPROVAL of the adoption of Ordinance 680, an

SEE ATTACHMENT

Meeting minutes (excerpts) from May 22, 2025, Public Hearing are attached to this Recommendation.

OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION

Date: June 18, 2025

By: *Jodi Stefforia*
Township Planning Director

Final Action by Oshtemo Charter Township Board

_____ APPROVED _____

_____ DENIED _____

_____ REFERRED BACK TO PLANNING COMMISSION

DRAFT OSHTEMO CHARTER TOWNSHIP ORDINANCE NO. 680

Adopted:

Effective:

OSHTEMO CHARTER TOWNSHIP ORDINANCE

An Ordinance to amend the Oshtemo Charter Township Zoning Ordinance: amendment of Article 48 – Section 48.100, Article 52 – Section 52.30, Article 52 – Section 52.50, Article 52 – Section 52.60, Article 52 – Section 52.70, Article 52 – Section 52.80, Article 52 – Section 52.90, Article 52 – Section 52.100, Article 52 - Section 52.105, Article 52 – Section 52.110, Article 52 – Section 52.120, Article 52 – Section 52.130, Article 52 – Section 52.140.. This Ordinance repeals all Ordinances or parts of Ordinances in conflict.

THE CHARTER TOWNSHIP OF OSHTEMO
KALAMAZOO COUNTY, MICHIGAN
ORDAINS:

SECTION ONE: AMENDMENT OF ARTICLE 48: CONDITIONS FOR SPECIFIC PERMITTED USES, SECTION 48.100 - MULTIPLE-FAMILY DWELLINGS, IS HEREBY AMENDED AS FOLLOWS:

D. All two-way interior drives within a multiple-family dwelling development shall be paved with asphalt or a similar hard surface so as to have a paved driving surface with a minimum width of 20 feet, but no greater than 24 feet wide; exclusive of any area used for parking. All one-way interior drives within a multiple-family development shall also be paved with asphalt or a similar hard surface so as to have a paved driving surface with a minimum width of 16 feet, but no greater than 20 feet wide, exclusive of any area used for parking. When an interior drive would service as a connecting link between different land ownerships or different public roads, either currently or within the foreseeable future, it shall, regardless of whether it is a public or private road, be constructed in accordance with the public road specifications of the Road Commission of Kalamazoo County and be located upon a reserved right-of- way of not less than 66 feet in width.

SECTION TWO: AMENDMENT OF ARTICLE 52 – OFF-STREET PARKING OF MOTOR VEHICLES, SECTION 52.30 – AGRICULTURAL AND RESIDENTIAL ZONES, IS HEREBY AMENDED AS FOLLOWS:

Parking of motor vehicles in the agricultural or residential zones, except those used for farming or recreational purposes, shall be limited to passenger vehicles, and not more than one commercial vehicle of the light delivery type not to exceed two-ton rated load carrying capacity. One and two-family dwellings and farms shall be exempt from the off-street parking requirements that follow.

SECTION THREE: AMENDMENT OF ARTICLE 52 - OFF-STREET PARKING OF MOTOR VEHICLES, SECTION 52.50 – OFF-STREET PARKING AND SITE CIRCULATION REQUIREMENTS, IS HEREBY AMENDED AS FOLLOWS:

Requirements for all parking spaces, parking lots, and drive aisles, unless expressly exempted, shall be as follows:

- (A) Space size. Each automobile parking space shall not have a width less than 9.5 feet or a length less than 18 feet, nor be larger than 200 total square feet, exclusive of driveway and aisle space. Automobile spaces, other than parallel parking spaces, that abut sidewalk shall be measured from the face of curb or the sidewalk and the sidewalk shall be 7 feet in width to accommodate vehicle overhang.
- (B) Parking aisles. Aisles for two-way traffic shall be a minimum of 20 feet wide, but no greater than 24 feet wide; aisles for one-way traffic shall be a minimum of 16 feet wide, but no greater than 20 feet wide. Consideration will be given to alternate widths for one-way aisles in conjunction with angled parking other than 75 to 90 degrees.
- (C) Circulation aisles. Internal site circulation shall not primarily occur within or impact use of the public right-of-way. Aisles for the general vehicular circulation of the public for two-way traffic shall be a minimum of 20 feet wide, but no greater than 24 feet wide; aisles for one-way traffic shall be a minimum of 16 feet wide, but no greater than 20 feet wide. One 26-foot-wide aisle is permitted when designated as the fire lane through site plan review.
- (D) Pavement. Reference Transportation and Mobility Ordinance. Use of permeable materials, similar to a paved surface, is encouraged in the appropriate setting.
- (E) Accessible accommodations. Any new, resurfaced, or relocated barrier free parking spaces or accessible loading aisles between said spaces shall be designed and constructed in accordance with the most recent Americans with Disabilities Act design standards. Barrier free parking spaces, accessible loading aisles between said spaces, and ramps shall be constructed of aggregate cement concrete or a similar, pre-approved hard surface alternate, subject to Township Staff approval. Flexible paving is not allowed.
- (F) Bicycle parking. Reference Transportation and Mobility Ordinance.
- (G) Reserved.
- (H) Reserved.

SECTION FOUR: AMENDMENT OF ARTICLE 52 - OFF-STREET PARKING OF MOTOR VEHICLES, SECTION 52.60 – LOADING AND UNLOADING, IS HEREBY AMENDED AS FOLLOWS:

Space for all necessary loading and unloading operations must be provided in addition to the required off-street parking space. All loading and unloading operations must be carried on entirely within the side or rear yard of the lot, parcel or building site, on a paved surface and shall not interfere with pedestrian or vehicular movement.

SECTION FIVE: AMENDMENT OF ARTICLE 52 - OFF-STREET PARKING OF MOTOR VEHICLES, SECTION 52.70 (AMENDED TITLE) – MIXED USES IN THE SAME BUILDING OR COMMON PARKING FACILITIES, IS HEREBY AMENDED AS FOLLOWS:

In the case of mixed uses in the same building or common parking facilities for several uses in the same

vicinity, the maximum parking space requirement is the sum of the individual requirements for each use at the same time of day. The maximum requirement will be less than the total individual requirements if the peak needs for the uses occur at distinctly different times of the day.

SECTION SIX: AMENDMENT OF ARTICLE 52 – OFF-STREET PARKING OF MOTOR VEHICLES, SECTION 52.80 (AMENDED TITLE) – ACCESS MANAGEMENT, IS HEREBY AMENDED AS FOLLOWS:

Access management shall be as referenced in the Transportation and Mobility Ordinance and Access Management Plan.

SECTION SEVEN: AMENDMENT OF ARTICLE 52 – OFF-STREET PARKING OF MOTOR VEHICLES, SECTION 52.90 – DRIVE THROUGH WINDOWS, IS HEREBY AMENDED AS FOLLOWS:

Design of drive-through stacking spaces shall be as referenced in the Transportation and Mobility Ordinance. Stacking spaces shall not be considered parking spaces.

SECTION EIGHT: AMENDMENT OF ARTICLE 52 – OFF-STREET PARKING OF MOTOR VEHICLES, SECTION 52.100 (AMENDED TITLE) – REQUIRED RESIDENTIAL PARKING

52.100 Minimum Required Parking Spaces	
Land Use	Minimum Number of spaces Per Unit of Measure
Residential	
Three or four-family	1.5 per dwelling unit
Multi-family	1.5 per dwelling unit
Retirement/Elderly housing	1.5 per dwelling unit, plus 1 per employee on largest shift
Manufactured Housing Community	In accordance with Section 49.150.G, accessory uses calculated separately
Nursing Homes/Assisted Living	1 per each 2 beds, plus 1 per employee on largest shift

SPACES, IS HEREBY AMENDED AS FOLLOWS:

SECTION NINE: AMENDMENT OF ARTICLE 52 – OFF-STREET PARKING OF MOTOR VEHICLES, SECTION 52.105 (ADDED SECTION) – REQUIRED NON-RESIDENTIAL PARKING SPACES, IS HEREBY AMENDED AS FOLLOWS:

Land Use	Maximum Number of spaces Per Unit of Measure
Office	
General Office (i.e. Medical or Dental Facility, Veterinary Office, Bank, etc.)	1 per each 150 s.f. of net floor area
Business & Commercial	
Retail sales in an individual establishment with a gross floor area over 100,000 square feet	1 per each 250 s.f. of gross floor area

Retail Sales (except as otherwise specified herein)	1 per each 150 s.f. of gross floor area
Automotive or Vehicle Service; Car Wash	3 spaces per bay, plus 1 per each 300 s.f. of gross floor area
Vehicle Fueling Station	1 per fuel pump, plus amount required for accessory uses
Personal Services including Dry Cleaners, Shoe Repair, Beauty Salon, or Barber Shop	1 per each 300 s.f. of gross floor area with a minimum of 4 spaces required
Motel/Hotel	1 per each guest room, plus 1 per each employee on largest shift, plus amount required for accessory uses
Eating and/or Drinking Establishment	1 per each 70 s.f. of net floor area plus 1 per each employee on the largest shift OR 1 per each 3 persons allowed within the maximum occupancy load as established by the Township Fire Marshal plus 1 per each employee on the largest shift, whichever is greater
Showrooms for Furniture, Appliances, Household Equipment, Motor Vehicle, and Machinery Sales	1 per each 400 s.f. of gross floor area
Wine Tasting Room, Winery, Craft Food and Beverage Production Facility	For those portions of the facility dedicated to retail sales and services, 1 space per 150 s.f. of gross floor area For those portions of the facility dedicated to manufacturing, assembly, processing, warehousing, distribution, and/or similar operations, 1.5 spaces per each 1,000 s.f. of net floor area OR 1 per employee on largest shift, whichever is greater
Industrial	
General Industrial or Manufacturing	1.5 per each 1,000 s.f. of net floor area plus the required parking devoted to other uses OR one per employee, whichever is greater, plus parking necessary for general operations (trucks, trailers, etc.)
Warehouse or Distribution/Fulfillment Center	1 per each 1,500 s.f. of net floor area plus the required parking devoted to other uses OR one per employee, whichever is greater, plus parking necessary for general operations (trucks, trailers, etc.)
Institutional	
Houses of Worship	1 per each 3 seats or 6 feet of pew in the main place of assembly, whichever is greater, plus 1 per employee, plus amount required for accessory uses
Day Care Center	1 per each employee, plus 1 for each 5 children
Elementary & Middle Schools	1 per each staff member, plus 1 for each 3 seats or 6 feet of bench of the maximum seating capacity for the indoor place of assembly having the greatest seating capacity, whichever is greater
High Schools	1 per each staff member, plus 1 for each 4 students, plus 1 per each 3 seats or 6 feet of bench of the maximum seating capacity

	for the indoor place of assembly having the greatest seating capacity, whichever is greater
Recreation & Entertainment	
Meeting rooms, Assembly & Convention Halls; Private clubs and Lodges	1 space per each 3 persons allowed within the maximum occupancy load as established by the Township Fire Marshal
Health and Exercise Center	1 per each 200 s.f. of net floor area, plus 1 per each employee on the largest shift
Participant entertainment (i.e. roller/ice skating rink, bowling alley, mini golf course, etc.)	1 space per for each 3 persons allowed within the maximum occupancy load as established by the Township Fire Marshal, plus 1 per each employee at largest shift
Spectator entertainment (i.e. theaters, sports arena, auditoriums, etc.)	1 per 3 fixed seats or 6 feet of bench, plus 1 per each employee at largest shift

SECTION TEN: AMENDMENT OF ARTICLE 52 – OFF-STREET PARKING OF MOTOR VEHICLES, SECTION 52.110 – OTHER USES, IS HEREBY AMENDED AS FOLLOWS:

- A. Commercial center. Parking shall be calculated based on a definitive breakdown of the uses within the center as presented by the developer. If no definitive breakdown is presented, parking shall be calculated assuming that one-half of the square footage of the center will be used for retail sales and one-half for restaurant use.
- B. Accessory uses. Accessory uses may require additional parking as determined by the Planning Director.
- C. Other. For those uses not specifically mentioned, or for an existing developed property, the requirement for off-street parking facilities will be based upon uses similar in terms of parking demand as determined by the Planning Director.

SECTION ELEVEN: AMENDMENT OF ARTICLE 52 – OFF-STREET PARKING OF MOTOR VEHICLES, SECTION 52.115 (ADDED AS A RELOCATION FROM 52.140) – DEVIATION, IS HEREBY AMENDED AS FOLLOWS:

Upon application, the reviewing body is hereby given the right to grant a deviation where there are practical difficulties or unnecessary hardship in the way of carrying out strict compliance, or based upon documented evidence of actual use and demand provided by the applicant, and where said deviation is found to be in keeping with the spirit and intent of this Article, when the following is requested:

- A. Additional parking allowance than would be allowed according to parking maximums.
- B. Reduced or increased parking space size.
- C. Reduced or increased circulation aisle widths.
- D. Reduced or increased drive aisle widths.

The reviewing body shall also consider impacts on the property and surrounding properties such as:

- A. Overall site circulation
- B. Access to public rights-of-way,
- C. Public safety,
- D. Volume of traffic,

- E. Visibility,
- F. Location of nonmotorized traffic,
- G. Grade and slope of the drive,
- H. Natural features,
- I. Other site considerations which may impact general circulation,
- J. Written approval from the Oshtemo Fire Marshal.

SECTION TWELVE: AMENDMENT OF ARTICLE 52 – OFF-STREET PARKING OF MOTOR VEHICLES, SECTION 52.120 (AMENDED TITLE) – UNDERUTILIZED PARKING AREAS/EXCESS PAVEMENT, IS HEREBY AMENDED AS FOLLOWS:

As a means of avoiding greater amounts of parking spaces and impermeable surface than are essential to serve a particular use while still ensuring site adequacy, removal and replacement or restoration with one of the techniques below may be required by the reviewing body as a part of site plan review and approval for underutilized parking areas or areas with excess pavement:

- A. Green infrastructure, such as lawn areas, plants, or trees.
- B. Low-impact development techniques, such as rain gardens, bioswales, bioretention, or permeable pavement.
- C. Pre-settlement native vegetation such as oak savanna, prairie, and oak, beech, and maple forests.
- D. Design features that improve delineation of parking areas and drive aisles such as islands, bulb-outs, and curbing.

SECTION THIRTEEN: AMENDMENT OF ARTICLE 52 – OFF-STREET PARKING OF MOTOR VEHICLES, SECTION 52.130 (AMENDED TITLE) – OFF-STREET PARKING, OR STORAGE, IS HEREBY AMENDED AS FOLLOWS:

Front yard. Off-street parking or storage of vehicles, motor homes, recreational vehicles, boats, snowmobiles, camping trailers, or other similar equipment shall be prohibited in the front yard between buildings and the abutting public or private street right-of-way or easement in all residential zoning districts. This prohibition shall be subject to the following exceptions:

- A. Such parking in the front yard shall be permitted within private driveways not exceeding 30 feet in width provided such driveways have an improved gravel or paved surface, are for the principal purpose of access to a garage or entryway to a dwelling or other permitted use and are not for the principal purpose of off-street parking or storage.
- B. For unplatted parcels, such parking is permitted in the front yard, outside the required setback area, provided it is within the driveway or on an improved gravel or paved surface.

Side and rear yard. Off-street parking or storage of vehicles, motor homes, recreational vehicles, boats, snowmobiles, camping trailers, or other similar equipment longer than 20 feet shall be prohibited in side and rear yard setback areas on all residential lots or building sites in the residential zoning districts, with the exception of the Agricultural and Rural Residential zoning district.

SECTION FOURTEEN: AMENDMENT OF ARTICLE 52 – OFF-STREET PARKING OF MOTOR VEHICLES, SECTION 52.135 (RELOCATED/BREAKOUT FROM 52.130 AS NEW

SUBSECTION) – OFF-STREET PARKING FOR SALES, IS HEREBY AMENDED AS FOLLOWS:

Not more than two vehicles, boats, snowmobiles, camping trailers or similar equipment, in any combination, and owned by the property's occupant may be placed for sale on a lot, parcel or building site. Said items may be placed for a period of no longer than 30 days in a calendar year per item. All said vehicles, boats, snow mobiles, camping trailers or similar equipment shall not be displayed in any portion of the public right-of-way or private street easement.

SECTION FIFTEEN: REPEAL OF CONFLICTING ORDINANCES & EFFECTIVE DATE:

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed. This Ordinance shall take effect upon publication after adoption.

DUSTY FARMER, CLERK
OSHTEMO CHARTER TOWNSHIP

Final / Public Hearing Draft – Amendments to 52: Off-Street Parking of Motor Vehicles, related language in Section 48.100 & amendments due to Transportation and Mobility Ordinance adoption (May 2025)

NOTE: A series of amendments to update the parking requirements are proposed for consideration. Staff is proposing for the Township to move to parking *maximums* and away from parking *minimums*. We are also proposing to reduce parking/drive aisle width requirements. Reducing the amount of overall pavement is environmentally friendly, makes better use of non-residential properties and lowers development costs.

New language is in red; language to be eliminated has ~~strikethrough~~ emphasis.

1. Amend: Section 52.30 Agricultural and Residential Zones

Parking of motor vehicles in the agricultural or residential zones, except those used for farming or recreational purposes, shall be limited to passenger vehicles, and not more than one commercial vehicle of the light delivery type not to exceed ~~two-one~~ ton rated load carrying capacity. **One and two- family dwellings and farms shall be exempt from the off-street parking requirements that follow.**

2. Amend: Section 52.50 Off-Street Parking and Site Circulation Requirements (various subsections)

Requirements for all parking spaces, parking lots, and drive aisles, ~~(except those for single and two- family dwellings, for mobile homes or single or two family dwellings in a mobile home subdivision, or for farms)~~ **unless expressly exempted**, shall be as follows:

- (A) Space size. Each automobile parking space shall not **have a width less than 9.5 feet or a length less than 18 feet**, nor be larger than 200 **total** square feet, ~~be less than 200 square feet nor less than ten feet wide~~ exclusive of driveway and aisle space. ~~For parking lots with over 100 spaces, minor adjustments of the dimensions prescribed in this Section may be authorized by the reviewing body for up to 25 percent of the required spaces, provided the design remains consistent with generally recognized design standards for off-street parking facilities.~~ **Automobile spaces, other than parallel parking spaces, that abut sidewalk shall be measured from the face of curb or the sidewalk and the sidewalk shall be 7 feet in width to accommodate vehicle overhang.**
- (B) Parking aisles ~~width~~. Aisles **for two-way traffic** shall be **a minimum of 24 20 feet wide, but no greater than 24 feet wide;** ~~for two-way traffic and 20~~ aisles **for one-way traffic shall be a minimum of 16 feet wide, but no greater than 20 feet wide.** ~~for one-way traffic~~ Consideration will be given to alternate widths for one-way aisles in conjunction with angled parking other than 75 to 90 degrees.
- (C) Circulation aisles ~~width~~. **Internal site circulation shall not primarily occur within or impact use of the public right-of-way.** Aisles for the general vehicular circulation of the public **for two-way traffic shall be a minimum of 24 20 feet wide, but no greater than 24 feet wide;** ~~for two-way traffic and~~ aisles **for one-way traffic shall be a minimum of 16 20-foot wide, but no greater than 20 feet wide.** ~~for one-way traffic.~~ **One 26-foot-wide aisle is permitted**

~~when designated as the fire lane through site plan review.~~ The reviewing body may grant, upon request, reduced widths for circulation aisles. The reviewing body will consider the following before making a determination ~~if~~ of drive aisles may be reduced:

- ~~1. Overall site circulation,~~
- ~~2. Access to public rights-of-way,~~
- ~~3. Public safety,~~
- ~~4. Volume of traffic,~~
- ~~5. Visibility,~~
- ~~6. Location of nonmotorized traffic,~~
- ~~7. Grade and slope of the drive,~~
- ~~8. Other site considerations which may impact general circulation,~~

- (D) Pavement. **Reference Transportation and Mobility Ordinance.** ~~All off street parking facilities including private drives thereto, shall be constructed of materials which will have a paved surface resistant to erosion. Use of permeable materials, similar to a paved surface, is encouraged in the appropriate setting.~~
- (E) Accessible accommodations. **Any new, resurfaced, or relocated barrier** free parking spaces or accessible loading aisles between said spaces shall be designed and constructed in accordance with the **most recent** Americans with Disabilities Act **design standards** of 1990, ~~using the 2010 or most recent design standards.~~ Barrier free parking spaces, accessible loading aisles between said spaces, and ramps shall be constructed of aggregate cement concrete or a similar, pre-approved hard surface alternate, subject to Township Staff approval. Flexible paving is not allowed.
- (F) Bicycle parking. **Reference Transportation and Mobility Ordinance.** ~~Provision of parking facilities for bicycles is strongly encouraged and may be required as part of a Special Use approval.~~
- (G) ~~Maximum number of spaces. To minimize excessive areas of pavement which detract from the aesthetics of an area and contribute to high rates of storm water runoff, no parking lot shall have parking spaces totaling more than 110% of the minimum parking space requirements except as may be approved by the reviewing body. Reserved.~~
- (H) ~~Additional parking allowance. In granting any additional space, the reviewing body shall determine that the parking is necessary based upon documented evidence of actual use and demand provided by the applicant. The reviewing body shall also consider impacts on the property and surrounding properties including any natural features thereon. Use of pervious pavement is encouraged. This allowance shall apply only to those parcels, lots or building sites with a minimum of 50 parking spaces as required by Sections 52.70 and 52.100.~~

3. Amend: Section 52.60 LOADING AND UNLOADING

~~Space for all necessary loading and unloading operations for any commercial, industrial or other use must be provided in addition to the required off-street parking space. All loading and~~

unloading operations must be carried on entirely within the side or rear yard of the lot, parcel or building site, on a paved surface and shall not interfere with pedestrian or vehicular movement.

4. Amend: Section 52.70 MIXED USES IN THE SAME BUILDING OR JOINT USE OF FACILITIES

Amend: Title and language of section: **MIXED USES IN THE SAME BUILDING OR JOINT USE OF COMMON PARKING FACILITIES**

In the case of mixed uses in the same building or common parking facilities for several uses in the same vicinity, the **maximum** total parking space requirement is the sum of the individual requirements for each use at the same time of day. The **maximum** joint requirement will be less than the total individual requirements if the peak needs for the uses occur at distinctly different times of the day.

5. Amend: Section 52.80 SHARED ACCESS REDUCTION

Amend title and language of Section: **52.80 ACCESS MANAGEMENT**

Access management shall be as referenced in the Transportation and Mobility Ordinance and Access Management Plan.

~~A. When a frontage road or service drive is established on a parcel, lot, or building site, the total number of parking spaces required shall be reduced by ten percent.~~

~~B. When a cross parking arrangement or agreement has been reached (and written evidence thereof in existence) regarding two or more parcels, lots, or building sites, the number of parking spaces required for each of the parcels, lots, or building sites in question shall be reduced by ten percent.~~

6. Amend: Section 52.90 DRIVE THROUGH WINDOWS

Design of drive-through stacking spaces shall be as referenced in the Transportation and Mobility Ordinance. ~~A minimum of five 10-foot by 20-foot stacking spaces, measured from each individual point of service, for food service establishments and a minimum of three 10-foot by 20-foot stacking spaces per window for all other drive-through establishments for vehicles awaiting service shall be on-site and designed and located so as not to block or impede pedestrian and/or vehicle circulation on the site or on any adjacent sidewalk or street. Stacking spaces shall not be considered parking spaces.~~

7. Amend: Section 52.100 MINIMUM REQUIRED PARKING SPACES

Rename title of section: **Section 52.100 REQUIRED RESIDENTIAL PARKING SPACES**

52.100 MINIMUM REQUIRED RESIDENTIAL PARKING SPACES

52.100 Minimum Required Parking Spaces	
Land Use	Minimum Number of spaces Per Unit of Measure
A. Residential	
1. One family	2 per dwelling unit
2. Two, Three or four-family	1.5-2.5 per dwelling unit
3. Multi-family	1.5-2.5 per dwelling unit
4. Retirement Community/Elderly housing	1.5 per dwelling unit, plus 1 per employee on largest shift
5. Manufactured Housing Community	In accordance with Section 49.1520.G, accessory uses calculated separately
Nursing Homes/Assisted Living	1 per each 2 beds, plus 1 per employee on largest shift

ADD: Section 52.105 REQUIRED NON-RESIDENTIAL PARKING SPACES

Section 52.105 REQUIRED NON-RESIDENTIAL PARKING SPACES

52.100- 52.105 Minimum Maximum Required Parking Spaces	
Land Use	Minimum-Maximum Number of spaces Per Unit of Measure
B. Office	
1. Business & General Office (i.e. Medical or Dental Facility, Veterinary Office, Bank, etc.)	1 per each 150 s.f. of net floor area
1. Banks, Credit Unions	1 per each 150 s.f. of net floor area
2. Medical, Dental Offices, & Clinics	1 per each 150 s.f. of net floor area
3. Veterinary Offices & Clinics	1 per each 150 s.f. of net floor area excluding boarding areas
C. Business & Commercial	
Retail sales in an individual establishment with a gross floor area over 100,000 square feet	1 per each 250 s.f. of gross floor area
1 Retail Sales (except as otherwise specified herein)	1 per each 150 s.f. of gross net floor area
2 Automotive or Vehicle Service; Car Wash Repair Shops & Service Stations	3-2 spaces per bay, plus 1 per each 300 s.f. of gross net floor area
3 Vehicle Fueling Station	1 per fuel pump, plus amount required for accessory uses
1 Beauty Salon or Barber Shop	1 per each 100 s.f. of net floor area or 3 for each workstation, whichever is greater
4 Personal Services including Dry Cleaners, Shoe Repair, Beauty Salon, or Barber Shop	1 per each 300 s.f. of gross net floor area with a minimum of 4 spaces required
5 Motel/Hotel	1 per each guest room, unit plus 1 per for each employee on largest shift, plus amount required for accessory uses

6 Eating and/or Drinking Establishment Restaurants, Brewpub, Microbrewery	1 per each 70 s.f. of net floor area plus 1 per each employee on the largest shift OR 1 per each 3 persons allowed within the maximum occupancy load as established by the Township Fire Marshal building code plus 1 per each employee on the largest shift, whichever is greater-
7 Showrooms for Furniture, Appliances, Household Equipment, Motor Vehicle, and Machinery Sales	1 per each 400 s.f. of gross net floor area used for sales and/or display
8 Wine Tasting Room, Winery, Craft Food and Beverage Production Facility	For those portions of the facility dedicated to retails sales and services, 1 space per 150 s.f. of gross net floor area shall be required For those portions of the facility dedicated to manufacturing, assembly, processing, warehousing, distribution, and/or similar operations, 1.5 spaces per each 1,000 s.f. of net floor area OR one 1 per employee on largest shift, whichever is greater, shall be required.
D. Industrial	
General Industrial or Manufacturing Manufacturing, Assembly, Processing & Research Facilities	1.5 per each 1,000 s.f. of net floor area plus the required parking devoted to other uses OR one per employee, whichever is greater, plus parking necessary for general operations (trucks, trailers, etc.)
2. Warehouse or and Distribution/ Fulfillment Center Facilities	1 per each 1,500 s.f. of net floor area plus the required parking devoted to other uses OR one per employee, whichever is greater, plus parking necessary for general operations (trucks, trailers, etc.)
E. Institutional	
1. Houses of Worship	1 per each 3 seats or 6 feet of pew in the main place of assembly, whichever is greater, plus 1 per employee, plus amount required for accessory uses
2. Day Care Centers	1 per each employee, plus 1 for each 5 children
3. Elementary & Middle Schools	1 per each staff member, plus 1 for each 3 seats or 6 feet of bench of the maximum seating capacity for the indoor place of assembly having the greatest seating capacity, whichever is greater
4. High Schools	1 per each staff member, plus 1 for each 4 students, plus 1 per each 3 seats or 6 feet of bench of the maximum seating capacity for the indoor place of assembly having the greatest seating capacity, whichever is greater
5. Nursing Homes/Assisted Living	1 for each 2 beds plus 1 for each employee
6. Movie Theaters, Theaters, Stadiums, Sports Arena, Auditoriums (with fixed seating)	1 for each 3 seats or 6 feet of bench
7. Meeting rooms, Assembly & Convention Halls (without fixed seating)	1 space for each 3 persons allowed within the maximum occupancy load as established by the Township building code

F. Recreation & Entertainment	
1. Bowling Alleys	5 per lane
Meeting rooms, Assembly & Convention Halls; 2. Private clubs and Lodges	1 space per for each 3 persons allowed within the maximum occupancy load as established by the Township building code, Fire Marshal
3. Golf Driving Ranges	1.5 per tee
4. Par 3 and Miniature Golf	2 per hole plus 1 per 2 employees on the largest shift
5. Golf Courses	6 per hole plus 1 per employee
6. Health and Exercise Fitness Center	1 per each 200 s.f. of net floor area, plus 1 per each employee on the largest shift
Participant entertainment (i.e. 7. roller/ice skating rink, bowling alley, mini golf course, etc.)	1 space per for each 3 persons allowed within the maximum occupancy load as established by the Township building code, plus 1 per each employee at largest shift
Spectator entertainment (i.e. theaters, sports arena, auditoriums, etc.)	1 per 3 fixed seats or 6 feet of bench, plus 1 per each employee at largest shift

8. Amend: Section 52.110 OTHER USES

- (A) Commercial center. Parking shall be calculated based on a definitive breakdown of the uses within the center as presented by the developer. If no definitive breakdown is presented, parking shall be calculated assuming that one-half of the square footage of the center will be used for retail sales and one-half for restaurant use.
- (B) Accessory uses. Accessory uses shall may require additional parking as determined by the Planning Director.
- (C) Other. For those uses not specifically mentioned, or for an existing developed property, the requirement for off-street parking facilities shall will be based upon uses similar in terms of parking demand as determined by the Township Planning Director.

9. Add as a Relocation from 52.140: Section 52.115 DEVIATION

Upon application, the reviewing body is hereby given the right to grant a deviation where there are practical difficulties or unnecessary hardship in the way of carrying out strict compliance, or based upon documented evidence of actual use and demand provided by the applicant, and where said deviation is found to be in keeping with the spirit and intent of this Article, when the following is requested:

- A. Additional parking allowance than would be allowed according to parking maximums.
- B. Reduced or increased parking space size.
- C. Reduced or increased circulation aisle widths.
- D. Reduced or increased drive aisle widths.

The reviewing body shall also consider impacts on the property and surrounding properties such as:

- a. Overall site circulation,
- b. Access to public rights-of-way,
- c. Public safety,

- d. Volume of traffic,
- e. Visibility,
- f. Location of nonmotorized traffic,
- g. Grade and slope of the drive,
- h. Natural features,
- i. Other site considerations which may impact general circulation,
- j. Written approval from the Oshtemo Fire Marshal.

10. Amend: Section 52.120 DEFERRED PARKING (NON-RESIDENTIAL USES)

Amend title of section: **52.120 DEFERRED PARKING (NON-RESIDENTIAL USES) UNDERUTILIZED PARKING AREAS/EXCESS PAVEMENT**

As a means of avoiding greater amounts of parking spaces and impermeable surface than are essential to serve a particular use while still ensuring site adequacy, removal and replacement or restoration with one of the techniques below may be required by the reviewing body as a part of site plan review and approval for underutilized parking areas or areas with excess pavement:

- A. Green infrastructure, such as lawn areas, plants, or trees.
- B. Low-impact development techniques, such as rain gardens, bioswales, bioretention, or permeable pavement.
- C. Pre-settlement native vegetation such as oak savanna, prairie, and oak, beech, and maple forests.
- D. Design features that improve delineation of parking areas and drive aisles such as islands, bulb- outs, and curbing.

~~As a means of avoiding greater amounts of parking spaces and impermeable surface than are reasonably needed to serve a particular use while still ensuring site adequacy, the reviewing body may allow deferred construction of the required number of spaces for any non-residential use if the following conditions are satisfied:~~

- ~~A. The applicant submits a Site Plan including the design and layout of all required parking areas including areas proposed for deferred parking. Such deferred parking area shall not include areas required for setbacks, landscaping or greenspace, or land otherwise unsuitable for parking due to environmental or physical conditions.~~
- ~~B. The applicant demonstrates, to the satisfaction of the reviewing body, that a reduced number of parking spaces will meet the parking needs due to the nature, size, density, location, or design of the proposed development. Pedestrian access and use may be considered.~~
- ~~C. And any other factors reasonably related to the need for parking for the proposed development as determined by the reviewing body.~~
- ~~D. At any time, subsequent to approval, the Township may require the construction of additional parking spaces based on review of the parking needs by the Planning Director.~~

11. Amend: Section 52.130 OFF-STREET PARKING, STORAGE, OR SALES

Amend section title: Section **52.130 OFF-STREET PARKING, OR STORAGE, OR SALES**

Front yard. Off-street parking or storage of vehicles, motor homes, recreational vehicles, boats, snowmobiles, camping trailers, or other similar equipment shall be prohibited in the required setback areas between buildings and the abutting public or private street right-of-way or easement **in all residential zoning districts** ~~on all residential lot, parcel or building sites, in an "AG", "RR", "R 1", "R 2", "R 3", "R 4", or R-C zoning district classifications, where residences or buildings are located within 200 feet of one another.~~ This prohibition shall be subject to the following exception:

(A) Such parking shall be permitted within private driveways not exceeding **30** ~~22~~ feet in width located within such setback areas, provided such driveways **have an improved gravel or paved surface**, are for the principal purpose of access to a garage or entryway to a dwelling or other permitted use and are not for the principal purpose of off-street parking or storage.

(B) ~~Not more than two vehicles, boats, snowmobiles, camping trailers or similar equipment, in any combination, and owned by the property's occupant may be placed for sale on a lot, parcel or building site. Said items may be placed for a period of no longer than 90 days in a calendar year per item. All said vehicles, boats, snow mobiles, camping trailers or similar equipment shall not be displayed in any portion of the public right-of-way or private street easement.~~

Side and rear yard. Off-street parking or storage of vehicles, motor homes, recreational vehicles, boats, snowmobiles, camping trailers, or other similar equipment longer than 20 feet shall be prohibited in side and rear yard setback areas on all residential lots or building sites in the residential zoning districts, with the exception of the Agricultural and Rural Residential zoning district.

12. Relocate/Breakout from 52.130 as a new subsection 52.135:

Section 52.135 OFF-STREET PARKING FOR SALES

Not more than two vehicles, boats, snowmobiles, camping trailers or similar equipment, in any combination, and owned by the property's occupant may be placed for sale on a lot, parcel or building site. Said items may be placed for a period of no longer than ~~90 days~~ **30 days** in a calendar year per item. All said vehicles, boats, snow mobiles, camping trailers or similar equipment shall not be displayed in any portion of the public right-of-way or private street easement.

13. Relocate deviation section in new subsection 52.115 and Delete 52.140 in its entirety

14. Amendment to Section 48.100.D Multiple-Family Dwellings re: parking

Section 48.100.D

All two-way interior drives within a multiple-family dwelling development shall be paved with asphalt or a similar hard surface so as to have a paved driving surface with a minimum width of ~~21 feet~~ **20 feet, but no greater than 24 feet wide**; exclusive of any area used for parking. All one-

way interior drives within a multiple-family development shall also be paved with asphalt or a similar hard surface so as to have a paved driving surface with a minimum width of ~~13 feet~~ **16 feet, but no greater than 20 feet wide**, exclusive of any area used for parking. When an interior drive would service as a connecting link between different land ownerships or different public roads, either currently or within the foreseeable future, it shall, regardless of whether it is a public or private road, be constructed in accordance with the public road specifications of the ~~Kalamazoo County~~ Road Commission **of Kalamazoo County** and be located upon a reserved right-of- way of not less than 66 feet in width.

MAY 22, 2025 PLANNING COMMISSION MINUTES (EXCERPTS)

Special Exception Use: Nelson Home Occupation (2100 S 4th Street, Parcel 3905-29-280-016)

Zoning Ordinance Text Amendments Public Hearings

A meeting of the Oshtemo Charter Township Planning Commission was held Thursday, May 22, 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 6:30 p.m.)

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

Also present were Jodi Stefforia, Planning Director; James Porter, Township Attorney; Colten Hutson, Zoning Administrator, Leeanna Harris, Planning and Zoning Administrator; Jennifer Wood, Recording Secretary; and approximately 13 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.

One person came forward to speak.

ZONING ORDINANCE TEXT AMENDMENTS PUBLIC HEARINGS

Ms. Stefforia handed out a couple additional changes that were not in the packets distributed. Ms. Stefforia presented her memo, dated May 22, 2025, which is hereby incorporated into the record. The changes are to add clarity. No substantive changes were made between the final drafts and the versions reviewed in March, however.

Accessory Dwelling Units (ADUs)

The Commission discussed language regarding an accessory dwelling unit in a detached structure. It is recommended to remove the word “architecturally” and instead have it read “shall be aesthetically compatible in appearance”.

Additionally, under subsection C, it was noted that while accessory buildings are allowed a height of 30 feet, ADUs are currently limited to 15 feet. This needs to be adjusted if the ADU is being placed in a structure that can legally be taller. The Commission agreed that this inconsistency should be corrected.

Vice Chair Everett inquired who determines what is aesthetically compatible. Ms. Stefforia advised that the Planning Department would review on a case by case basis; if there are questions, they can be brought to the Planning Commission for input.

Mr. Jefferies reviewed the changes and expressed support, stating the revisions looked good.

Parking

Parking standards in rural areas were reviewed. The revised language allows parking in the front yard as long as it is on an improved surface, such as gravel or pavement. In neighborhoods, parking must occur on a designated driveway.

Transportation and Mobility

Under the Transportation and Mobility section, no changes were made.

Vice Chair Everett raised a question regarding accessory building size limits. Ms. Stefforia confirmed that language allowing larger buildings based upon acreage was being added back into the ordinance. When Vice Chair Everett asked whether this addressed the concern raised in a recent meeting, Ms. Stefforia responded affirmatively, noting that the language had been reinserted to ensure clarity and resolve the issue.

Vice Chair Everett opened the public hearing.

Two persons addressed the Commission. One had a question about the ADU square footage, the other thanked the Commission for their consideration of these changes.

Vice Chair Everett closed the public hearing.

Vice Chair Everett asked if the Commission had any additional comments or discussion.

Mr. A. Smith made a motion to forward the Accessory Dwelling Unit changes, the parking changes, and the access management changes to the Township Board for their consideration. 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. There were none.

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:37 p.m.

Minutes Prepared: May 23, 2025

Minutes Approved: June 12, 2025

Memorandum



Date: June 24, 2025
To: Township Board
From: Jodi Stefforia, Planning Director
Subject: Zoning Ordinance Text Amendments – First Reading Ordinance 681

Objective

MOTION: Accept for first reading and set for second reading and adoption Ordinance 681.

Background

The Transportation & Mobility Ordinance (TMO) was adopted in 2024. The TMO is within the General Ordinances of the Township, separate from the Zoning Ordinance. The TMO duplicates, improves upon and adds to the existing language addressing access management and private streets. This duplication of language should have been addressed with adoption of the TMO by amending the Zoning Ordinance as is now proposed.

The amendments eliminate Article 51 which provides the Access Management Guidelines and update all references throughout the Zoning Ordinance that reference Article 51. References to the Access Management Plan are added in appropriate places throughout to reinforce that plan’s importance.

Similarly, as the TMO provides for private streets – easement/right-of-way width, lane width, etc., Section 49.200 Private Streets is deleted and references to the TMO are added in all areas where private streets are mentioned.

The public hearing on the proposed amendments was held on May 22, 2025. The Planning Commission recommends adoption of the zoning ordinance amendments reflected in Ordinance 681.

Information Provided

Recommendation
Ordinance 681
Redline version of changes
May 22, 2025 Planning Commission Minutes (excerpts)

Core Values

Public Service
Sustainability

OSHTEMO CHARTER TOWNSHIP PLANNING COMMISSION

RECOMMENDATION OF THE OSHTEMO CHARTER TOWNSHIP PLANNING COMMISSION RESULTING FROM A PUBLIC HEARING CONDUCTED ON THURSDAY, MAY 22, 2025

The Oshtemo Charter Township Planning Commission hereby recommends APPROVAL of the adoption of Ordinance 681, an

SEE ATTACHMENT

Meeting minutes (excerpts) from May 22, 2025, Public Hearing are attached to this Recommendation.

OSHTEMO CHARTER TOWNSHIP PLANNING COMMISSION

Date: June 18, 2025

By: *Jodi Stefforia*
Township Planning Director

Final Action by Oshtemo Charter Township Board

_____ APPROVED _____

_____ DENIED _____

_____ REFERRED BACK TO PLANNING COMMISSION

DRAFT OSHTEMO CHARTER TOWNSHIP ORDINANCE NO. 681

Adopted:

Effective:

OSHTEMO CHARTER TOWNSHIP ORDINANCE

An Ordinance to amend the Oshtemo Charter Township Zoning Ordinance: amendment of Article 19 – Section 19.60, Article 20 – Section 20.50, Article 21 – Section 21.50, Article 35 – Section 35.50, Article 41 – Section 41.80, Article 42 – Section 42.30, Article 43 – Section 43.50, Article 44 – Section 44.50, Article 49 – Section 49.130 & Section 49.200, Article 51 – Sections 51.10-51.60, Article 64 – Section 64.80. This Ordinance repeals all Ordinances or parts of Ordinances in conflict.

THE CHARTER TOWNSHIP OF OSHTEMO
KALAMAZOO COUNTY, MICHIGAN
ORDAINS:

SECTION ONE: AMENDMENT OF ARTICLE 19 - VC: VILLAGE COMMERCIAL DISTRICT, SECTION 19.60 DEVELOPMENT STANDARDS, IS HEREBY AMENDED AS FOLLOWS:

A. Minimum lot, parcel or building site frontage on a public right-of-way:

65 feet	Where driveway placement satisfies the Transportation and Mobility Ordinance and Access Management Plan and/or shared access*.
230 feet	Where driveway placement does not satisfy the requirements of the Transportation and Mobility Ordinance and the Access Management Plan.

G. Compliance with the Transportation and Mobility Ordinance and the Access Management Plan is required.

SECTION TWO: AMENDMENT OF ARTICLE 20 - BRP: BUSINESS AND RESEARCH PARK, SECTION 20.50 DEVELOPMENT STANDARDS, IS HEREBY AMENDED AS FOLLOWS:

G. Parking and Circulation.

2. Access for a business and research park development onto the existing public road and access to individual sites shall be designed in compliance with the Transportation and Mobility Ordinance, the Master Plan, and the Access Management Plan.

SECTION THREE: AMENDMENT OF ARTICLE 21 - C-R: LOCAL COMMERCIAL DISTRICT, RESTRICTED, SECTION 21.50 – DEVELOPMENT STANDARDS, IS HEREBY AMENDED TO AS FOLLOWS:

- A. Access for the commercial development onto a public road shall be designed in compliance with the Transportation and Mobility Ordinance, the Access Management Plan, and the Master Land Use Plan policies, is required.
- B. Unplatted land shall comply with the dimensional standards for lots and building sites established by Section 50.10.A. where development of unplatted land includes an interior street system which minimizes direct access onto a public road and provides for shared and/or cross-access arrangements in compliance with the Transportation and Mobility Ordinance and the Access Management Plan.
- C. All two-way interior streets within the commercial development shall have a paved driving surface with a minimum width of 20 feet, but no greater than 24 feet wide, exclusive of parking area. All one-way interior streets within the commercial development shall have a minimum width of 16 feet, but no greater than 20 feet wide, exclusive of parking area.

Interior street systems shall comply with the access management policies set forth in the Transportation and Mobility Ordinance and the Access Management Plan.

SECTION FOUR: AMENDMENT OF ARTICLE 35 - 9TH STREET AND WEST MAIN OVERLAY ZONE, SECTION 35.50 – DEVELOPMENT STANDARDS, IS HEREBY AMENDED AS FOLLOWS:

C. Site circulation

Developments within the 9th Street and West Main Overlay Zone shall comply with the Transportation and Mobility Ordinance as well as the Access Management Plan through the development of an interior street network, inter connections, and shared access drives and parking lots.

All two-way interior streets within the Overlay Zone shall have a paved driving surface with a minimum width of 20 feet, but no greater than 24 feet wide, exclusive of parking area.

All one-way interior streets within the Overlay Zone shall have a paved driving surface with a minimum width of 16 feet, but no greater than 20 feet wide, exclusive of parking area.

Interior street systems shall comply with the access management guidelines set forth in the Access Management Plan and the Transportation and Mobility Ordinance.

SECTION FIVE: AMENDMENT OF ARTICLE 41 - PLANNED UNIT DEVELOPMENT, SECTION 41.80 – DESIGN STANDARDS, IS HEREBY AMENDED AS FOLLOWS:

A. Access

Direct access for a planned unit development onto a public road shall be designed in compliance with the Transportation and Mobility Ordinance and the Access Management Plan.

B. Interior street system

The access management policies, as set forth in the Transportation and Mobility Ordinance and the Access Management Plan, shall be applicable to the interior street system.

SECTION SIX: AMENDMENT OF ARTICLE 42 - RESIDENTIAL CONDOMINIUM DEVELOPMENT STANDARDS, SECTION 42.30 – DEVELOPMENT STANDARDS, IS HEREBY AMENDED AS FOLLOWS:

- E. 4.) Private drives must be two-way with a minimum surface width of 20-feet, but no greater than 24 feet wide, exclusive of parking area. All drives shall be paved with asphalt or other hard surface material.

SECTION SEVEN: AMENDMENT OF ARTICLE 43 - OPEN SPACE COMMUNITY, SECTION 43.50 – DESIGN STANDARDS, IS HEREBY AMENDED AS FOLLOWS:

- A. Access: Direct access for an open space community onto a public road shall be designed in compliance with the Transportation and Mobility Ordinance and the Access Management Plan.
- B. All private two-way interior streets within an open space community shall have a paved driving surface with a minimum width of 20 feet, but no greater than 24 feet wide, exclusive of parking area, and a minimum easement width of 66 feet. All private one-way interior streets within an open space community shall have a paved driving surface with a minimum width of 16 feet, but no greater than 20 feet wide, exclusive of parking area, and a minimum easement width of 55 feet.

The access management policies, as set forth in the Transportation and Mobility Ordinance and the Access Management Plan, shall be applicable to the interior street system.

SECTION EIGHT: AMENDMENT OF ARTICLE 44 - OPEN SPACE PRESERVATION RESIDENTIAL DEVELOPMENT OPTION, SECTION 44.50 – DESIGN STANDARDS, IS HEREBY AMENDED AS FOLLOWS:

- A. Access: Direct access for an open space preservation community onto a public road shall be designed in compliance with the Transportation and Mobility Ordinance and the Access Management Plan.
- B. All private two-way interior streets within an open space preservation community shall have a paved driving surface with a minimum width of 20 feet, but no greater than 24 feet wide, exclusive of parking area, and a minimum easement width of 66 feet. All private one-way interior streets within an open space community shall have a paved driving surface with a minimum width of 16 feet, but no greater than 20 feet wide, exclusive of parking area, and a minimum easement width of 55 feet.

The access management policies, as set forth in the Transportation and Mobility Ordinance and the Access Management Plan, shall be applicable to the interior street system.

SECTION NINE: AMENDMENT OF ARTICLE 49 - REQUIREMENTS FOR SPECIAL USES, SECTION 49.130 – INDUSTRIAL-OFFICE DEVELOPMENTS, DESIGNED TO ACCOMMODATE A VARIETY OF LIGHT INDUSTRIAL, APPLIED TECHNOLOGY, RESEARCH, AND RELATED OFFICE USES WITHIN A SUBDIVISION SETTING, IS HEREBY AMENDED AS FOLLOWS:

D. Access for an industrial-office development onto the existing public road and access to individual sites shall be designed in compliance with the Transportation and Mobility Ordinance, the Master Land Use Plan, and the Access Management Plan.

SECTION TEN: AMENDMENT OF ARTICLE 49 - REQUIREMENTS FOR SPECIAL USES, SECTION 49.200 – PRIVATE STREETS, IS HEREBY DELETED/AMENDED AS FOLLOWS:

Private Streets are now addressed in the Transportation and Mobility Ordinance, as such, all language will be removed

Refer to the standards and requirements of the Transportation and Mobility Ordinance.

SECTION ELEVEN: AMENDMENT OF ARTICLE 51 – ACCESS MANAGEMENT GUIDELINES, SECTION 51.10-51.60, IS HEREBY DELETED/AMENDED AS FOLLOWS:

Access management is now addressed in the Transportation and Mobility Ordinance; as such, all sections will be removed.

ARTICLE 51: RESERVED

SECTION TWELVE: AMENDMENT OF ARTICLE 64 – SITE PLAN REVIEW, SECTION 64.80 – CRITERIA FOR REVIEW, IS HEREBY AMENDED AS FOLLOWS:

A. There is a proper relationship between the existing streets and highways within the vicinity and proposed deceleration lanes, service drives, entrance and exit driveways and parking areas to ensure the safety and convenience of pedestrian and vehicular traffic. Access for all sites located on an "arterial" or "collector" (as those terms are defined in the Access Management Plan) shall comply with the provisions of the Transportation and Mobility Ordinance and be designed in consideration of the provisions of the Access Management Plan.

SECTION THIRTEEN: REPEAL OF CONFLICTING ORDINANCES & EFFECTIVE DATE:

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed. This Ordinance shall take effect upon publication after adoption.

DUSTY FARMER, CLERK
OSHTEMO CHARTER TOWNSHIP

Final / Public Hearing Draft – Amendments to Article 51: Access Management, to Article 49, and associated references to provisions addressed in the transportation & Mobility Ordinance (May 2025)

NOTE: New language is in red; language to be eliminated has ~~strikethrough~~ emphasis.

PART ONE: Amendments to Section 51 ACCESS MANAGEMENT GUIDELINES
and related amendments

Comment: Eliminating Section 51 as access management is now addressed in the Transportation and Mobility Ordinance. Various amendments are proposed to delete all references to ‘Article 51’ or ‘Section 51’ throughout the Zoning Ordinance and to change said language to ‘Transportation and Mobility Ordinance’.

1. **Delete in entirety:** Section 51 ACCESS MANAGEMENT GUIDELINES and various related text amendments

~~ACCESS MANAGEMENT GUIDELINES~~ **RESERVED**

2. **Amend:** Section 19.60.G
3. **Amend:** Section 20.50.G.2
4. **Amend:** Section 21.50.A
5. **Amend:** Section 35.50.C
6. **Amend:** Section 49.130.D
7. **Amend:** Section 64.80.A

Example from 19.60.G:
Compliance with the Access Management Guidelines outlined in ~~Article 51~~ **the Transportation and Mobility Ordinance** and the Access Management Plan is required.

PART TWO: Amendments to Section 49 REQUIREMENTS FOR SPECIAL USES
and related amendment

Comment: Amending Section 49.200 as private streets are now addressed in the Transportation and Mobility Ordinance.

1. **Amend:** Section 49.200 PRIVATE STREETS

Eliminate *all* language and replace as follows:

Refer to the standards and requirements of the Transportation and Mobility Ordinance.

PART THREE: Amendments to various subsections relating to
Section 52 OFF-STREET PARKING OF MOTOR VEHICLES

Comment: Amending various subsections for compliance with proposed off-street parking of motor vehicles amendments, specifically the circulation and parking aisle widths.

1. **Amend:** Section 21.50.C

All two-way interior streets within the commercial development shall have a paved driving surface with a minimum width of ~~20~~24 feet, **but no greater than 24 feet wide**, exclusive of parking area. All one-way interior streets within the commercial development shall have a minimum width of ~~15~~16 feet, **but no greater than 20 feet wide**, exclusive of ~~for~~ parking area.

2. **Amend:** Section 35.50.C

All two-way interior streets within the Overlay Zone shall have a paved driving surface with a minimum width of ~~20~~24 feet, **but no greater than 24 feet wide**, exclusive of parking area.

All one-way interior streets within the Overlay Zone shall have a paved driving surface with a minimum width of ~~16~~15 feet, **but no greater than 20 feet wide**, exclusive of parking area.

3. **Amend:** Section 42.30.E.4.

(4) Private drives must be two-way with a minimum surface width of ~~20~~24 feet, **but no greater than 24 feet wide**, exclusive of ~~any area used for parking~~ parking area. All drives shall be paved with asphalt or other hard surface material.

4. **Amend:** Section 43.50.B.

All private two-way interior streets within an open space community shall have a paved driving surface with a minimum width of ~~20-24~~ feet, **but no greater than 24 feet wide**, exclusive of parking area, and a minimum easement width of 66 feet. All private one-way interior streets within an open space community shall have a paved driving surface with a minimum width of ~~16~~15 feet, **but no greater than 20 feet wide**, exclusive of parking area, and a minimum easement width of 55 feet.

5. **Amend:** Section 44.50.B.

All private two-way interior streets within an open space preservation community shall have a paved driving surface with a minimum width of ~~20-24~~ feet, **but no greater than 24 feet wide**, exclusive of parking area, and a minimum easement width of 66 feet. All private one-way interior streets within an open space community shall have a paved driving surface with a minimum width of ~~16~~15 feet, **but no greater than 20 feet wide**, exclusive of parking area, and a minimum easement width of 55 feet.

PART FOUR: Amendments to various subsections

Comment: Various amendments are proposed to add references to the 'Transportation and Mobility Ordinance' in areas where the Access Management Plan is referenced. Where 'Access Management Guidelines' are mentioned, 'Guidelines' is proposed to be changed to 'Plan'.

1. **Amend:** Section 19.60.A
2. **Amend:** Section 21.50, subsections B and C
3. **Amend:** Section 41.80, subsections A and B
4. **Amend:** Section 43.50, subsections A and B
5. **Amend:** Section 44.50, subsections A and B

Example from 41.80.A:

Direct access for a planned unit development onto a public [road](#) shall be designed in compliance with **the Transportation and Mobility Ordinance and the Access Management Guidelines Plan**.

MAY 22, 2025 PLANNING COMMISSION MINUTES (EXCERPTS)

Special Exception Use: Nelson Home Occupation (2100 S 4th Street, Parcel 3905-29-280-016)

Zoning Ordinance Text Amendments Public Hearings

A meeting of the Oshtemo Charter Township Planning Commission was held Thursday, May 22, 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 6:30 p.m.)

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

Also present were Jodi Stefforia, Planning Director; James Porter, Township Attorney; Colten Hutson, Zoning Administrator, Leeanna Harris, Planning and Zoning Administrator; Jennifer Wood, Recording Secretary; and approximately 13 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.

One person came forward to speak.

ZONING ORDINANCE TEXT AMENDMENTS PUBLIC HEARINGS

Ms. Stefforia handed out a couple additional changes that were not in the packets distributed. Ms. Stefforia presented her memo, dated May 22, 2025, which is hereby incorporated into the record. The changes are to add clarity. No substantive changes were made between the final drafts and the versions reviewed in March, however.

Accessory Dwelling Units (ADUs)

The Commission discussed language regarding an accessory dwelling unit in a detached structure. It is recommended to remove the word “architecturally” and instead have it read “shall be aesthetically compatible in appearance”.

Additionally, under subsection C, it was noted that while accessory buildings are allowed a height of 30 feet, ADUs are currently limited to 15 feet. This needs to be adjusted if the ADU is being placed in a structure that can legally be taller. The Commission agreed that this inconsistency should be corrected.

Vice Chair Everett inquired who determines what is aesthetically compatible. Ms. Stefforia advised that the Planning Department would review on a case by case basis; if there are questions, they can be brought to the Planning Commission for input.

Mr. Jefferies reviewed the changes and expressed support, stating the revisions looked good.

Parking

Parking standards in rural areas were reviewed. The revised language allows parking in the front yard as long as it is on an improved surface, such as gravel or pavement. In neighborhoods, parking must occur on a designated driveway.

Transportation and Mobility

Under the Transportation and Mobility section, no changes were made.

Vice Chair Everett raised a question regarding accessory building size limits. Ms. Stefforia confirmed that language allowing larger buildings based upon acreage was being added back into the ordinance. When Vice Chair Everett asked whether this addressed the concern raised in a recent meeting, Ms. Stefforia responded affirmatively, noting that the language had been reinserted to ensure clarity and resolve the issue.

Vice Chair Everett opened the public hearing.

Two persons addressed the Commission. One had a question about the ADU square footage, the other thanked the Commission for their consideration of these changes.

Vice Chair Everett closed the public hearing.

Vice Chair Everett asked if the Commission had any additional comments or discussion.

Mr. A. Smith made a motion to forward the Accessory Dwelling Unit changes, the parking changes, and the access management changes to the Township Board for their consideration. 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. There were none.

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:37 p.m.

Minutes Prepared: May 23, 2025

Minutes Approved: June 12, 2025

OSHTEMO CHARTER TOWNSHIP
KALAMAZOO COUNTY, MICHIGAN

**RESOLUTION REGARDING
CLOSED SESSION OF JUNE 24, 2025**

WHEREAS, it is necessary for the Township Board to meet and consult with its Attorney for purposes of discussing a lease and/or the sale or transfer of real property and to do so in an open meeting would have a detrimental effect upon the Township's position and could disclose matters protected by attorney-client privilege; and

WHEREAS, Section 8 of the Open Meetings Act, 1976 PA 267, as amended, permits a public body to meet in closed session to consult with its attorney regarding material exempt from discussion and disclosure as set forth above.

NOW, THEREFORE, BE IT RESOLVED that, in accordance with the Open Meetings Act, the Oshtemo Charter Township Board hereby determines to meet in closed session this 24th day of June, 2025, to consult with its Attorney regarding a lease and/or the sale or transfer of real property and to consider material exempt from discussion or disclosure by state law.

A motion was made by _____, seconded by _____ to adopt the foregoing Resolution.

Upon a roll call vote, the following voted "Aye":

The following voted "Nay":

The following "Abstained":

The following member(s) were absent:

The Chair declared that the Resolution has been adopted by at least 2/3 of the members of the Board.

DUSTY FARMER, Clerk
Oshtemo Charter Township

CERTIFICATE

I hereby certify that the foregoing constitutes a true and complete copy of an Excerpt of the Minutes of a regular meeting of the Oshtemo Charter Township Board, held on June 24, 2025, at which meeting _____ members were present and voted upon the same as indicated in said Minutes; that said meeting was held in accordance with the Open Meetings Act of the State of Michigan.

DUSTY FARMER, Township Clerk