

**OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION**

MINUTES OF A MEETING HELD JUNE 23, 2016

Agenda

PUBLIC HEARING: ZONING ORDINANCE AMENDMENTS

- a. Section 66.201: Schedule of Area, Frontage and / or Width Requirements**
- b. Section 39.406: Business Research Park Development Standards**
- c. Section 76.190: Temporary Signs**
- d. Section 24.205: Multiple-Family Dwelling Conditions of Development**

Old Business:

- a. Landscape Ordinance Amendments**
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A meeting of the Oshtemo Charter Township Planning Commission was held on Thursday, June 23, 2016, commencing at approximately 7:00 p.m. at the Oshtemo Charter Township Hall.

ALL MEMBERS WERE PRESENT:

Millard Loy, Chair
Fred Antosz
Kimberly Avery
Wiley Boulding, Sr.
Dusty Farmer
Pam Jackson
Mary Smith

Also present were Julie Johnston, Planning Director, James Porter, Township Attorney, and Martha Coash, Meeting Transcriptionist. No other persons were in attendance.

Call to Order and Pledge of Allegiance

The meeting was called to order by Chairperson Loy at approximately 7:00 p.m., and the "Pledge of Allegiance" was recited.

Agenda

Chairperson Loy asked if there were any additions, deletions or corrections to the Agenda. Hearing none, he called for a motion to accept the Agenda as presented.

Ms. Jackson made a motion to accept the agenda as presented. Mr. Antosz seconded the motion. The motion passed unanimously.

Public Comment on Non-Agenda Items

Chairperson Loy noted there were no audience members present and proceeded to the next agenda item.

Approval of the Minutes of June 9, 2016

Chairperson Loy asked if there were any additions, deletions or corrections to the minutes of June 9, 2016. Hearing none, he asked for motion to approve the minutes.

Mr. Antosz made a motion to approve the minutes of June 9, 2016 as presented. Ms. Jackson seconded the motion. The motion was approved unanimously.

PUBLIC HEARING:

Section 66.201: Schedule of Area, Frontage and / or Width Requirements

Section 39.406: Business Research Park Development Standards

Section 76.190: Temporary Signs

Section 24.205: Multiple-Family Dwelling Conditions of Development

Mr. Loy moved to the next item on the agenda and asked Ms. Johnston to review the proposed Ordinance amendments to the four sections listed.

Ms. Johnston walked through the proposed changes to the four sections for Commissioner review.

a. Schedule of Area, Frontage and/or Width Requirements

Ms. Johnston explained with the recent changes recommended by the Planning Commission to the Township Board on Section 62.000 Nonconforming Uses, Structures and Land, a change needed to be made to Section 66.201, which deals with area, frontage and width requirements of parcels, lots and building sites. Currently Section 66.201 states the following:

The changes to the Nonconforming section of the Zoning Ordinance allows all parcels, lots or building sites that were lawfully created to be buildable. To ensure these two sections of the code work well together, the following language was recommended:

Parcels, lots or building sites which meet the regulations of Section 62: Nonconforming Uses, Structures and Land may be issued a building permit provided all other requirements of this Ordinance are met.

b. Business Research Park Open Space Requirements

Ms. Johnston said during the discussion with Western Michigan University regarding the development of the Business Technology Research Park (BTR) 2.0, concerns were raised about the Business Research Park (BRP) District language related to open space. The current requirement refers to total ground coverage per individual site, as follows:

39.406 Development Standards.

- ***Total ground coverage shall not exceed 50 percent of the individual site.***

She said the difficulty with phrasing the requirement in this way is two-fold:

- The Township Zoning Ordinance does not have a definition for ground coverage.
- By regulating through “ground coverage” on individual sites, we are precluding, or making it extremely difficult, to provide dedicated public open space within a BRP development. Each individual buildable site would continue to be required to have 50 percent open space, limiting the overall buildable area of each site and the entire development.

Based on these concerns, Planning staff recommended changing the development standard to the following:

50 percent of the entire development shall be retained as open space. This open space can be developed as dedicated open space that is owned and maintained by an association, or provided on each individual parcel, lot or building site within the development, or a combination of these options. In no case, shall an individual parcel, lot or building site have less than 20 percent open space.

Ms. Johnston said the revised language would provide some flexibility within the regulation to allow each developer an opportunity to plan open space as either dedicated to public use or as natural features on the individual sites. It also provides some continued requirements on each individual buildable site, eliminating the possibility of an entire parcel, lot or buildable site being 100 percent covered.

c. Temporary Signs

Ms. Johnston explained a recurring request has been made to the Planning Department to allow temporary business signs during the rehabilitation or reconstruction of a building, when the business will still be active. The request made to the Planning Department is to allow temporary banner signs during construction.

The current Sign Ordinance does not permit this type of sign in the Temporary Sign section of the code. The amended language would permit these types of signs for the duration of the construction or maintenance period with a maximum approval time of 12 months. The recommendation is to allow temporary banner signs, 32 square feet in area, for each business that may be affected by the construction.

d. Recycling in Multi-Family Developments

Ms. Johnston said a request was made by a Township Trustee to promote recycling in multi-family developments within the Township. The R-4 District, which allows multi-family projects by right, has some specific requirements for development. To encourage residents within any new multi-family development to recycle, receptacles will need to be made available. Requiring these receptacles within Dumpster enclosures is within the purview of zoning and can be included within these requirements.

She recommended language as follows:

Recycling. Dumpster enclosures shall be designed large enough to contain both a standard trash receptacle and a recycling receptacle. Recycling shall be made available in all Dumpster enclosures.

Ms. Johnston noted in addition to adding this language, minor organizational changes are recommended to address consistency within this section.

Chairperson Loy asked if there were questions for Ms. Johnston from Commissioners.

In answer to questions regarding why multi-family unit residents are not required to recycle, Attorney Porter said when the Ordinance regarding recycling was put in place, a large number of multi-family unit owners complained they did not have the area needed and were not equipped to provide recycling. A requirement may be considered in the future. He also noted the Township is looking at the possibility of a single hauler.

Ms. Farmer noted that residents are not required to recycle by Township Ordinance, but do have recycle bins and are required to pay for them regardless of whether they recycle or not.

Ms. Johnston noted if multi-family unit residents are required to recycle it would be through a General rather than a Zoning Ordinance.

Ms. Smith wondered how solar panels are viewed regarding the open space requirement.

Ms. Johnston said they are not allowed in a natural state, but they would be considered part of the impervious area of a property.

Ms. Farmer asked for a definition of "public space" as related to the Business Research Park.

Ms. Johnston said most all Ordinances call for open space. It is up to an association whether they want to make the open space public, that is for anyone to enjoy. Some private developments make open space available to employees only.

Attorney Porter noted WMU makes its open space open to the public.

Ms. Farmer confirmed the change to the multi-family recycling language is for future developments only, with the proposed change to the Ordinance. She also suggested the proposed language for this section be revised in order make it clear that recycling is not required of residents.

It was the consensus of the Board that the second sentence, "Recycling shall be made available in all Dumpster enclosures" could be misleading and should be deleted.

In answer to a question from Ms. Smith who was concerned about the type of temporary sign that might be utilized, Ms. Johnston confirmed the Ordinance does not say a temporary sign must be professionally made.

There were no further questions from Commissioners, and after noting there were no audience members present to comment in the public hearing, Chairperson Loy moved to Board Deliberation.

There were no further comments; Chairperson Loy entertained a motion on the recommendation.

Ms. Jackson made a motion to approve four amendments to the as recommended by staff with the second sentence of the recycling language deleted as discussed. The motion was supported by Ms. Farmer. The motion carried unanimously.

Chairperson Loy moved to the next item on the agenda.

OLD BUSINESS

Landscape Ordinance Amendments

Ms. Johnston introduced an amended Landscaping Ordinance as well as an alternate Ordinance approach to start discussion. While working on updates to the existing code, Staff researched a number of Ordinances throughout Michigan to see how other communities manage this requirement. They ran the gamut from those that were very detailed to those with few specific conditions. The current Township landscaping requirements fall closer to those that are detailed.

She compared the current landscaping Ordinance to the Alternate Approach and said there are essentially two main differences. The first is the percentage requirement for on-site landscaping. The second is the difference between the current requirement for a greenbelt or buffer zone along all property lines. She noted the Ordinance does not currently have requirements to screen incompatible uses.

Ms. Johnston walked through the various suggested changes in Total Site Landscaping, Screening Between Land Uses, Parking Lot Landscaping, Street Rights-of Way Greenbelts and Landscape Elements. She described the various ramifications and benefits of each.

There was discussion of a number of items, particularly cross-visibility and screening requirements, access between businesses, safe movement of vehicles and pedestrians between sites, and the desire to require the appropriate number and types of plantings.

Commissioners were supportive of the concept; Ms. Johnston said she would return to the Board with landscape plans that illustrate the differences between the two Ordinances and expected the review process to take several meetings.

ANY OTHER BUSINESS

Ms. Johnston told Commissioners the Township Board approved her recommendation to fund a new Internet based Zoning Ordinance program. Consultants have begun work on a licensing agreement to have them host the online Zoning Ordinance. It is expected the website will be up and running and available to the public in 60-90 days with the existing code. The new code likely take a year to complete and will replace the current code online.

She also noted an update of some sections of the Master Plan, including Implementation, will be completed in 2017.

PLANNING COMMISSIONER COMMENTS

Ms. Jackson said the approved work at the property at Drake and H Avenue looks very nice but suggested a review of the parking lot work to be sure it does not exceed allowed dimensions.

Chairperson Loy noted there has been a major breakthrough by police in concert with residents regarding recent robberies in the Township and cautioned everyone to be careful and vigilant.

It was noted the Good Stuff Fireworks stand has been closing earlier than what was approved.

ADJOURNMENT

Having exhausted the agenda, and with there being no further business to discuss, Chairperson Loy adjourned the Planning Commission meeting at approximately 8:04 p.m.

Minutes prepared:
June 25, 2016

Minutes approved:
July 14, 2016