



1 **PLANNING COMMISSION WORKSHOP MEETING, May 9, 2023**

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3 **CALL TO ORDER/ROLL CALL**

4 The Meeting was called to order at 5:00 p.m. Roll was called. The following Commissioners were  
5 present, Chair Corfman, Vice Chair Davis, Secretary Loeks, Commissioners, Eavey, Matson, and  
6 Buckham. Also present was Zoning Administrator Lovely and Acting Recording Secretary Kerr.  
7 Commissioner Roberts was absent.

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9 **PUBLIC COMMENTS**

10 There were no comments.

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12 **ADOPTION OF MEETING AGENDA**

13 The agenda was reviewed. Motion by Davis, seconded by Eavey, motion carried, to adopt the agenda  
14 as presented.

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16 **APPROVAL OF MEETING MINUTES**

17 Motion by Matson, second Loeks, motion carried, to approve the minutes of April 25, 2023, Regular  
18 Meeting, as submitted.

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20 **NEW BUSINESS**

21 There was no new business.

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23 **OLD BUSINESS**

24 Review Draft Miscellaneous Ordinance Amendments

25 Request: Continued review and consideration of draft ordinance amendments for Land Divisions, Lot  
26 Line Adjustments, and Parcel Combinations. Review draft ordinance amendments for attached deck rear  
27 yard setback encroachments.

28 Mr. Lovely explained the changes made to the draft ordinance after discussion at the April 25, 2023,  
29 regular meeting and those are reflected in the new draft. Modifications to lot width and depth definitions  
30 have been amended, with an illustration added for clarity on how width and depth is measured. Additionally,  
31 modification for flag shaped lot requirements to allow for two or fewer changes in direction, each creating  
32 an interior angle of not less than 135 degrees to traverse challenging natural features and topography, so  
33 long as the access portion returns to its original direction before it meets with the flag portion of the lot.  
34 Staff presented concerns with decks attached to the principal building for single family dwellings. This issue  
35 stems from numerous denied deck permits due to challenges meeting the minimum rear yard setbacks. A  
36 suggested amendment was added to the draft ordinance to address this issue. Public hearing set for the  
37 May 23, 2023, Regular Meeting.

38 Section 36-2.0: Definitions & Section 36-5.1: Site Standards

39 Additions/Amendments to Section 36-2.2:

40 *Lot width* means the horizontal distance between the side property lines of a lot as measured from the  
41 midpoint of each side lot line. Lot width for a flag shaped lot shall be measured in the same manner using  
42 only the flag portion of the lot to determine midpoints as illustrated in the below image.

43 *Lot depth* means the horizontal distance between the front lot line and the rear lot line as measured  
44 from the midpoint of the front lot line to the midpoint of the rear lot line. Lot depth for a flag shaped lot shall  
45 be measured in the same manner using only the flag portion of the lot to determine midpoints as illustrated  
46 in the below image. Unique lots with a rear lot line shall be measured from the midpoint of the front lot line  
47 to the most distant point as also illustrated in the image below.

50 Discussion:  
51 Mr. Lovely stated that on the sketch he labeled the 86-foot frontage for a flag lot as the minimum.  
52 Commissioners felt the sketch was a great idea and helpful. Commissioners suggested labeling the flag  
53 portion of the lot within the sketch. In addition, commissioners questioned the second sentence under  
54 Section 36-5.1 (6) as it is six lines long and asked whether it could be broken up while keeping the same  
55 context. Mr. Lovely will make changes for final review. Public hearing set for the May 23, 2023, Regular  
56 Meeting.

57 Section 36-3.1.2: Notes to District Standards

58 Amendment to Section 36-3.4.2.D.ii add e. as follows:

59 e. Decks attached to a principal building for single family, two-family or multiple family dwellings  
60 provided a 20-foot rear setback is maintained. Such encroachments on the side setback are not  
61 permitted.

62 Discussion:

63 Commissioners agreed that a good compromise would be maintaining a 25-foot rear yard setback  
64 which would allow for a 10-foot-wide deck and clearly state that an attached deck does not include any  
65 roof structure or enclosure. Public hearing set for the May 23, 2023, Regular Meeting.

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67 Review Draft Subdivision and Site Condominium Ordinance Amendments

68 Request: Continued review of draft amendments for highlighted items in preparation of the public  
69 hearing scheduled for the May 23, 2023, Planning Commission Regular Meeting. The subdivision/site  
70 condominium ordinance will be a repeal and replace of Section 36-6.2: Site Condominium approval, so the  
71 entirety of the ordinance is “new.” Much of the language was drawn from the existing Subdivision  
72 Ordinance in the General Ordinance for the Township and Site Condominium Ordinance within the Zoning  
73 Ordinance.

74 At the April 25, 2023, meeting the first 10 pages of the draft ordinance addressing all previously  
75 highlighted items were reviewed. Each previously highlighted item has either been removed or revised  
76 and left in red consistent with Commissioner’s comments during the April 25, 2023, Regular Meeting.  
77 Revisions left in red can be reviewed all at once during the May 23, 2023, Regular Meeting following the  
78 public hearing.

79 The following changes were made to the draft ordinance:

80 *J. Nonmotorized Facilities*

81 i. Mr. Lovely explained that this section requires sidewalks of not less than 4-feet in width on both  
82 sides of road and questioned if Commissioners wanted to provide the same flexibility that is  
83 currently allowed in the Site Condominium Ordinance allowing for an 8-foot-wide pathway on one  
84 side vs sidewalks on both sides of the road. Commissioner’s felt the 8-foot-wide trailway should  
85 be an option.

86 *K. Natural Features*

87 i. Slopes: Minimum Standards

88 Remove a. and b. Difficult to regulate, enforce, and makes site balancing more difficult.  
89 Commissioners expressed concern that if these items were in the initial ordinance for a reason and  
90 are now being removed because they cannot be enforced, creates an issue for them. Mr. Lovely  
91 explained that this section is new and not in the original ordinance, also explaining that new public  
92 residential roads cannot be over a 7 percent slope based on current RKC Construction  
93 Guidelines, which would have an impact on adjacent land.

94 ii Wooded Areas

95 Remove: Makes sense along perimeter but cannot currently enforce an individual from removing  
96 trees on private property even if we require a buffer be preserved by the developer.

97 iii Individual Trees (outside of wooded areas)

98 Remove a, b, c & d: This requires the developer to survey all trees individually 12-inches and  
99 greater and will necessitate much more work and involvement by the Township to ensure that all  
100 requirements pre, during and post construction are met.

- 101 iv Water Resources  
 102 Remove a, b, c and d as these items should be addressed under the Riparian Ordinance.  
 103 vi. Construction Requirements  
 104 Remove b. requiring barrier fencing.  
 105 L. Landscaping  
 106 Remove vii and viii as these aspects are already addressed in the Landscaping Ordinance at some  
 107 capacity. Zoning Administrator can require maintenance using the Landscaping Ordinance and  
 108 approved plans per Sections 36-5.3.3.H and 36-5.3.3.I.  
 109 B. Step One: Tentative Preliminary Plat/Plan  
 110 (4) Grading Plan at two-foot contour intervals. Remove “arrows should indicate direction of  
 111 drainage” and add “existing and proposed grading”.  
 112 (5) Remove “including isolated trees outside of wooded area” from sentence  
 113 (7) Remove “Location of any required tree protection fencing”.  
 114 iii. Process  
 115 Items b, d, and f: replace “Planner” with “Zoning Administrator”.  
 116 h. Add reference to Michigan Planning Enabling Act.  
 117 iv. Planning Commission Review  
 118 a. Change Planner to Zoning Administrator  
 119 b. Remove highlighted area to exclude references to compliance with the pre-application voluntary  
 120 review.  
 121 C. Step Two: Preliminary Plat/Plan  
 122 iii. Process:  
 123 b. Change “Planner” to “Zoning Administrator”.  
 124 c. Change “Planner” to “Zoning Administrator”.  
 125 iv. Planning Commission Review:  
 126 a. Change “Planner” to “Zoning Administrator”.  
 127 v. Township Board Review  
 128 b. Change “Planner” to “Zoning Administrator”  
 129 d. Change “Planner” to “Zoning Administrator”  
 130 D. Step Three: Final Plat/Plan  
 131 iii. Township Board Review  
 132 a. Change “Planner” to “Zoning Administrator”  
 133 b. (2) Mr. Lovely will rewrite highlighted area to exclude excessive requirements for public/private  
 134 road as-builts for review.  
 135 e. Change “Planner” to “Zoning Administrator”  
 136 f. Mr. Lovely will review with Trish Roberts regarding who needs to sign the certificate.  
 137 Section 2.2: Definitions  
 138 Critical root zone – remove this definition  
 139 Plat:  
 140 A. Remove “this Section” and replace with “Township Ordinance” or similar.  
 141 B. Remove “this Section” and replace with “Township Ordinance” or similar.  
 142 C. Remove “this Section” and replace with “Township Ordinance” or similar.  
 143 Site Condominium Plan:  
 144 A. Remove “this Section” and replace with “Township Ordinance” or similar.  
 145 B. Remove “this Section” and replace with “Township Ordinance” or similar.  
 146 D. Remove “this Section” and replace with “Township Ordinance” or similar.  
 147 Commissioners felt there needed to be definition for “high water mark” of a retention basin. Mr. Lovely  
 148 indicated that he would address this with the next draft for review at the May 23, 2023, Regular Meeting.  
 149 Motion by Loeks, seconded by Davis, motion carried, to set draft ordinance for public hearing at the  
 150 May 23, 2023, regular meeting.  
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152 **COMMISSIONER COMMENTS**

153 Mr. Lovely reported that Bradford Oaks is on the May 23, 2023, agenda requesting a one-year  
154 extension for a Step 2 approval. The previous two-year extension was due to the City of Portage not  
155 permitting sewer extensions, so they were without any ability to move forward. Commissioners questioned  
156 when sewer connection was allowed and noted that a home was built on the southeast corner of the  
157 proposed development and how that was permitted, as they believed it was part of the buffer zone. Mr.  
158 Lovely explained that an extension can be approved for one year if nothing has changed.

159 Vice Chair Davis attended the "Lunch and Learn Session" with the Road Commission of Kalamazoo  
160 County and would like to be become a liaison to try and circumvent issues that may arise. He asked who  
161 assigned addresses and explained the similarity in house numbers between his of 7227 and the neighbors  
162 of 7727 and how easily these numbers can be transposed.

163 Ms. Buckham explained the numerous complaints she has heard regarding Dollar General concerning  
164 trash and the lack of wheelchair accessibility inside the store due to items on the floor. The Dollar General  
165 in Schoolcraft is pristine. She also talked with Texas Corners Beer Wine and Liquor about deliveries and  
166 learned they do not have access behind their store for delivery vehicles. Mr. Lovely explained that Dollar  
167 General has been an enforcement focus and believes a court date is scheduled.

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170 **PUBLIC COMMENTS**

171 There were no public comments.

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174 **ADJOURNMENT**

175 Motion by Matson, seconded by Loeks, motion carried, to adjourn the meeting. The meeting adjourned  
176 at approximately 7:00 pm.

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179 Submitted: May 18, 2023

Approved: May 23, 2023

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181 Recording Secretary Kerr