



7275 W. MAIN STREET, KALAMAZOO, MI 49009-9334
269-216-5220 Fax 375-7180 TDD 375-7198
www.oshtemo.org

**NOTICE
OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION - REGULAR MEETING**

**MEETING WILL BE HELD IN PERSON
AT OSHTEMO TOWNSHIP HALL
7275 W MAIN STREET
Masks Are Optional in Oshtemo Township Buildings**

(Meeting will be available for viewing through <https://www.publicmedianet.org/qavel-to-qavel/oshtemo-township>)

**THURSDAY, JUNE 22, 2023
6:00 P.M.**

AGENDA

1. Welcome and Call to Order
2. Pledge of Allegiance
3. Approval of Agenda
4. Public Comment on Non-Agenda Items
5. Approval of Minutes: June 8, 2023
6. Work Session:
 - a. Introduction - height requirements for residential dwellings
 - b. Update - Housing Study
 - c. Update - Comprehensive Master Plan
7. Other Updates and Business
8. 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> | | |
| Vacant | 372-2275 | |
| Kristin Cole | 375-4260 | kcole@oshtemo.org |
| Zak Ford | 271-5513 | zford@oshtemo.org |
| Kizzy Bradford | 375-4260 | kbradford@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> | | |
| Rick Suwarsky | 216-5227 | rsuwarsky@oshtemo.org |
| <u>Parks Director:</u> | | |
| Vanessa Street | 216-5233 | vstreet@oshtemo.org |
| Rental Info | 216-5224 | oshtemo@oshtemo.org |
| <u>Planning Director:</u> | | |
| Iris Lubbert | 216-5223 | ilubbert@oshtemo.org |
| <u>Public Works Director:</u> | | |
| Anna Horner | 216-5228 | ahorner@oshtemo.org |

**OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION**

DRAFT MINUTES OF A MEETING HELD JUNE 8, 2023

Agenda

PUBLIC HEARING: Article 58 Airport Zoning Ordinance

A meeting of the Oshtemo Charter Township Planning Commission was held Thursday, June 8, 2023, commencing at approximately 6:00 p.m. at the Oshtemo Township Hall, 7275 West Main Street.

MEMBERS PRESENT: Anna Versalle, Chair
Phil Doorlag
Deb Everett
Zak Ford, Township Board Liaison
Scot Jefferies
MEMBERS ABSENT: Micki Maxwell, Vice Chair
Alistair Smith

Also present: Iris Lubbert, Planning Director, James Porter, Attorney, Martha Coash, Recording Secretary and four guests.

Call to Order and Pledge of Allegiance

Chairperson Versalle called the meeting to order and invited those present to join in the Pledge of Allegiance.

Approval of Agenda

The Chair asked if there were any changes to the agenda. Hearing none, she moved to the next agenda item.

Public Comment on Non-Agenda Items

Mr. Curt Aardema, 4200 W. Centre Avenue, said he was present to listen and observe the zoning changes underway. He told the group that AVB has a couple of mixed use projects underway, one in downtown Kalamazoo including 101 apts. and one in Portage including 180. He said AVB is looking forward to when Oshtemo completes the zoning changes that would allow mixed use projects in the Township and noted the timing is right for such a project and they are anxious begin.

Approval of the Minutes of the Meeting of May 25, 2023

Chairperson Versalle asked if there were additions, deletions, or corrections to the Minutes of the Meeting of May 25, 2023.

Hearing none, she asked for a motion.

Mr. Ford **made a motion** to approve the Minutes of the Meeting of May 25, 2023 as presented. Mr. Doorlag **seconded the motion**. The **motion was approved** unanimously.

Chairperson Versalle moved to the next item on the agenda.

PUBLIC HEARING: Article 58 – Airport Zoning Ordinance

Attorney Porter presented and reviewed for Commissioners a new proposed Zoning Ordinance to protect the flight patterns and landing area of Newman's Field, a public use airport, as was described and discussed at the May 25 meeting. He noted it had been streamlined from the first draft and was limited in scope. The main focus is the two mile zone around the airport and mainly addresses height restrictions. He said there is no direct conflict with the zoning ordinance as the area is designated RR.

He explained any future concerns regarding the airport would be addressed first by the appropriate federal agencies before they would be brought to the Planning Commission, and that it was not likely there would be more than one application every five years regarding height limitations, but the ordinance was being suggested just to be on the safe side. He indicated there are no hard prohibitions included, but that the ordinance would provide an alert.

Attorney Porter said Mr. Mein has been talking to neighbors and noted it is important to have airports open and available for emergency services. The scope for potential use is much bigger than just residential use.

The Chair asked if the applicant wished to speak.

Mr. Bernie Mein said he was pleased to have worked with Attorney Porter on this issue. Airport users try not to impact neighbors as much as possible. He noted it is a public airport and they do get some transient traffic.

Ms. Dale Edwards, 173 S. Skyview, said he had been working with Mr. Mein and echoed the safety aspect of providing an ordinance to address height restrictions. He also indicated they are speaking with neighbors to inform them of this development.

Ms. Everett **made a motion** to forward the Airport Zoning Ordinance as proposed to the Township Board for approval. Chairperson Versalle **seconded the motion**. The **motion was approved** unanimously.

Chairperson Versalle moved to the next item on the agenda.

OTHER UPDATES AND BUSINESS

Ms. Lubbert explained there is no current maximum height restriction for single family homes or duplexes in the Township and that she is working on bringing a recommendation, likely for 35 or 40 feet, to the Commission for consideration at an upcoming meeting.

She also said she has been approached by commercial property owners regarding interest in allowing restaurant pick-up windows, different from drive throughs, in that one can order and pay prior to arrival. The time spent at the window is much shorter than a traditional drive-through. She asked if there was interest in having her pursue the request.

The general consensus was that it was worth pursuing, but not prior to addressing other higher priority items.

Chairperson Versalle told the group she will be getting married and moving to Germany in September. She will leave her position on the Planning Commission by the end of July, noting that it is an exciting, but bittersweet time for her.

Commissioners wished her luck but said she would be greatly missed.

Mr. Ford noted the seat on the Township Board vacated by new Township Supervisor Cheri Bell had been filled, but as a conflict was determined, the seat is now open again. The Township Board will address how to fill it at their next meeting.

ADJOURNMENT

With there being no further business to consider, Chairperson Versalle adjourned the meeting at approximately 6:28 p.m.

Minutes prepared:
June 9, 2023

Minutes approved:
_____, 2023

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June 14, 2023

Mtg Date: June 22, 2023
To: Planning Commission
From: Iris Lubbert, AICP, Planning Director
Subject: Introduction, height requirements for residential dwellings

At the Planning Commission's regular June 22nd meeting Iris Lubbert, Planning Director will introduce the attached ordinance updates. The Planning Commission will be asked to provide feedback and if deemed appropriate forward for a Public Hearing.

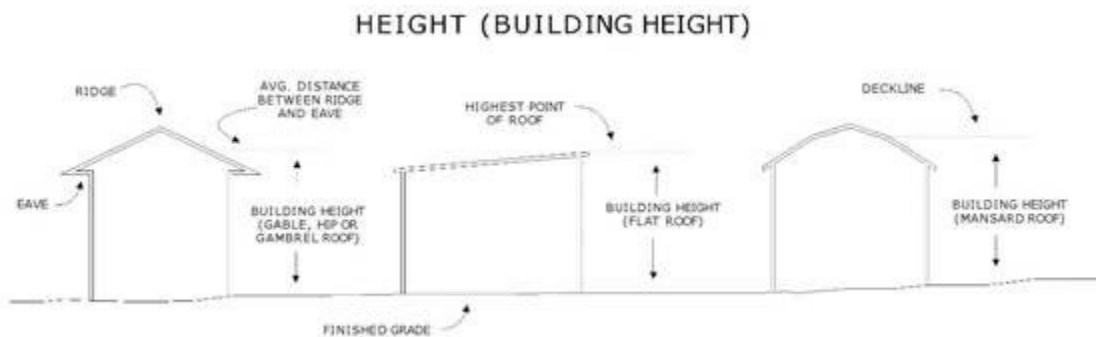
Attachments: Proposed ordinance amendments (in red), Research on neighboring communities' requirements

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2.20 DEFINITIONS

Height (building height) - The vertical distance of a building measured from the average elevation of the adjacent finished grade to the highest point of the coping of a flat roof, to the average height between eaves and ridge for a gable, hip or gambrel roof, and to the deck line of a mansard roof.—Building height shall be the vertical distance measured from the average grade at the base of the building to:

1. Mansard, Gable, Hip, or Gambrel Roof. The average height between the eaves and ridge.
2. Parapet/Flat Roof. The highest point of the roof for a flat roof.
3. Other Roof Type. A point equivalent to the roof types specified in this section, as determined by the Zoning Administrator.



50 – SCHEDULE OF REGULATIONS

50.30 RESIDENTIAL DWELLING STANDARDS

A building, mobile home, pre-manufactured or pre-cut dwelling structure designed and used for a single-family or two-family dwelling shall comply with the following standards:

- A. The minimum floor to ceiling height shall be 7.5 feet.
- B. **Building height. The dwelling shall not exceed 35 feet in Height.**
- C. At least 50 percent of the longest side of a dwelling must also have a depth of not less than 24 feet. In the case of a single story, two-family dwelling, at least 50 percent of the longest side of each dwelling unit shall have a depth of not less than 24 feet.
- D. Be permanently attached to a solid foundation or in the case of mobile homes, connected to piers, constructed on the site in accordance with the Michigan Building Code and any manufacture's specifications. The dwelling shall be fully enclosed with a permanent wall around its perimeter extending from the footing or slab to the ground floor. The perimeter wall shall be constructed of concrete, concrete block, wood, or other material, comparable to those used to construct the foundation of site-built homes; in no case shall metal, plastic or vinyl skirting be utilized.

- E. No exposed wheels, towing mechanisms, undercarriage, or chassis will be permitted. Any space that may exist between the foundation and the ground floor of the dwelling will be fully enclosed by an extension of the foundation wall along the perimeter of the dwelling.
- F. The dwelling will be connected to a public sewer and water supply or to such private facilities approved by the local health department.
- G. The dwelling must contain permanently attached steps connected to exterior door areas or to porches connected to said door areas where a difference in elevation requires the same.
- H. The dwelling must contain no additions of rooms or other areas which are not constructed with an appropriate foundation and permanent attachment to the principal structure.
- I. The dwelling complies with all pertinent building and fire codes including, in the case of mobile homes, the standards for mobile home construction as contained in the United States Department of Housing and Urban Development (HUD) regulations entitled "Mobile Home Construction and Safety Standards," effective June 15, 1976, as amended. Where a dwelling is required by law to comply with any federal or state standards or regulations for construction and where such standards or regulations allow standards of construction which are less stringent than those imposed by the Michigan Building Code, then and in that event, the less stringent federal or state standards or regulation will apply.
- J. The foregoing standards shall not apply to a mobile home located in a licensed mobile home park except to the extent required by state law or otherwise specifically required in the ordinance of the Charter Township of Oshtemo pertaining to such parks.
- K. Energy-saving earth shelter homes shall be constructed with a completely earth-covered roof having a structural roof system with a slope of not less than one-half inch of rise per foot of run, or constructed with a roof which is not completely earth-covered having a slope with at least a five-inch rise for each 12 inches of run, and in either case, containing at least one exposed vertical exterior elevation not less than 7.5 feet in height by 24 feet in width designed and constructed in accordance with Michigan Building Code regulations pertinent thereto and without any accommodation for any dwelling units above ground.

42 – RESIDENTIAL CONDOMINIUM DEVELOPMENT STANDARDS

42.30 DEVELOPMENT STANDARDS

- A. Density. The overall density of a condominium development shall be as follows:
 - 1. R-2 District – 4 dwelling units per acre
 - 2. R-3 District – 4 dwelling units per acre
 - 3. R-4 District – 6 dwelling units per acre

- B. In the event the development lies in more than one zoning classification, the number of dwelling units shall be computed for each zoning classification separately.
- B. Units per Building. A two-unit building shall be permitted in the R-2 District. Up to a four-unit building shall be permitted in the R-3 and R-4 Districts.
- ~~L. Height. No unit shall be taller than two stories or 25 feet in height. Building height shall not exceed two stories and 35 feet in Height.~~

49.270 THREE OR FOUR-FAMILY DWELLINGS

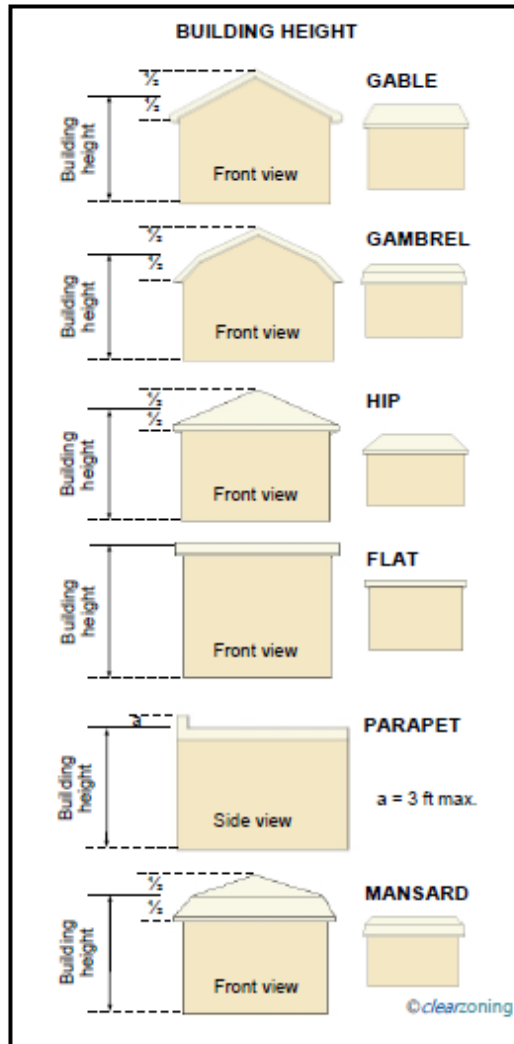
- A. Building shall not be more than two stories and 35 feet in Height.
- B. Dwelling unit density shall be limited to a maximum unit density of four units per acre.
- C. Public sanitary sewer facilities shall be provided as part of the site development.

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RESEARCH

Texas Township: in their AG and low-density R zoning districts: Maximum building height 35'

<https://www.texas township.org/DocumentCenter/View/224/ClearZoning-Ordinance---Revised-January-23-2022-PDF?bidId=>



Height means the vertical distance measured from the average grade:

1. At the base of the structure to the highest point,
2. At the base of the building to the top of a flat roof,
3. At the base of the building to one-half the height of a sloped roof. The height of a sloped roof shall be measured from the eave to the ridge.

Alamo Township: in their AG and low-density R zoning districts: Maximum building height 35'

Height: *Building Inspector called back and confirmed this information is not listed in their ordinance, but stated that he uses the Michigan building code for height, so found the following information via web.*

504.3 Height in Feet

Diagram

The maximum height, in feet, of a building shall not exceed the limits specified in Table 504.3.

Exception: Towers, spires, steeples and other roof structures shall be constructed of materials consistent with the required type of construction of the building except where other construction is permitted by [Section 1510.2.5](#). Such structures shall not be used for habitation or storage. The structures shall be unlimited in height where of noncombustible materials and shall not extend more than 20 feet (6096 mm) above the allowable [building height](#) where of combustible materials (see [Chapter 15](#) for additional requirements).

TABLE 504.3*
ALLOWABLE BUILDING HEIGHT IN FEET ABOVE GRADE PLANE

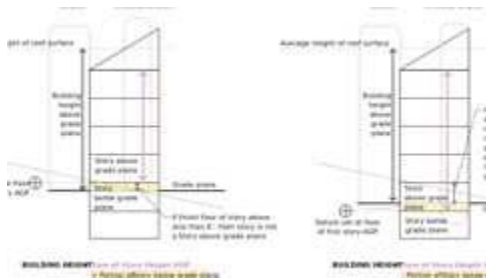
| OCCUPANCY CLASSIFICATION | TYPE OF CONSTRUCTION | | | | | | | | | |
|---|----------------------|--------|-----|---------|----|----------|----|---------|--------|----|
| | SEE FOOTNOTES | TYPE I | | TYPE II | | TYPE III | | TYPE IV | TYPE V | |
| | | A | B | A | B | A | B | HT | A | B |
| A, B, E, F, M, S, U | NS ^b | UL | 160 | 65 | 55 | 65 | 55 | 65 | 50 | 40 |
| | S | UL | 180 | 85 | 75 | 85 | 75 | 85 | 70 | 60 |
| H-1 , H-2 , H-3 , H-5 | NS ^{c,d} | UL | 160 | 65 | 55 | 65 | 55 | 65 | 50 | 40 |
| | S | | | | | | | | | |
| H-4 | NS ^{c,d} | UL | 160 | 65 | 55 | 65 | 55 | 65 | 50 | 40 |
| | S | UL | 180 | 85 | 75 | 85 | 75 | 85 | 70 | 60 |
| I-1 Condition 1 , I-3 | NS ^{f,e} | UL | 160 | 65 | 55 | 65 | 55 | 65 | 50 | 40 |
| | S | UL | 180 | 85 | 75 | 85 | 75 | 85 | 70 | 60 |
| I-1 Condition 2 , I-2 | NS ^{d,f,e} | UL | 160 | 65 | 55 | 65 | 55 | 65 | 50 | 40 |
| | S | UL | 180 | 85 | | | | | | |
| I-4 | NS ^{f,g} | UL | 160 | 65 | 55 | 65 | 55 | 65 | 50 | 40 |
| | S | UL | 180 | 85 | 75 | 85 | 75 | 85 | 70 | 60 |

| | | | | | | | | | | |
|---|--------------------|----|-----|----|----|----|----|----|----|----|
| R | NS ^{G, H} | UL | 160 | 65 | 55 | 65 | 55 | 65 | 50 | 40 |
| | S13R | 60 | 60 | 60 | 60 | 60 | 60 | 60 | 60 | 60 |
| | S | UL | 180 | 85 | 75 | 85 | 75 | 85 | 70 | 60 |

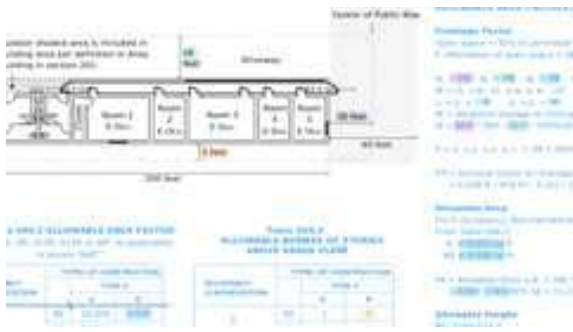
For SI: 1 foot = 304.8 mm.

Note: UL = Unlimited; NS = Buildings not equipped throughout with an automatic sprinkler system; S = Buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1; S13R = Buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.2.

- a. See Chapter 4 for specific exceptions to the allowable area in this chapter.
- b. See Section 903.2 for the minimum thresholds for protection by an automatic sprinkler system for specific occupancies.
- c. New Group H occupancies are required to be protected by an automatic sprinkler system in accordance with Section 903.2.5.
- d. The NS value is only for use in evaluation of existing building height in accordance with the International Existing Building Code.
- e. New Group I-1 and I-3 occupancies are required to be protected by an automatic sprinkler system in accordance with Section 903.2.6. For new Group I-1 occupancies Condition 1, see Exception 1 of Section 903.2.6.
- f. New and existing Group I-2 occupancies are required to be protected by an automatic sprinkler system in accordance with Section 903.2.6 and Section 1103.5 of the International Fire Code.
- g. For new Group I-4 occupancies, see Exceptions 2 and 3 of Section 903.2.6.
- h. New Group R occupancies are required to be protected by an automatic sprinkler system in accordance with Section 903.2.8.



Building Height on Sloping Site

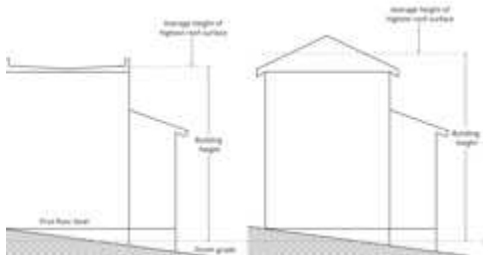


Single Story, Single Occ.

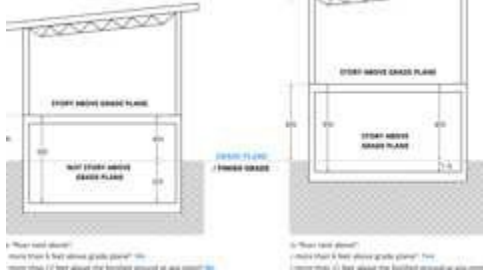


| Building's location in respect to the street frontage | TYPE V-A CONSTRUCTION | | | |
|---|-----------------------|-----------|---------------|-----------|
| | NOT SPRINKLED | SPRINKLED | NOT SPRINKLED | SPRINKLED |
| Street frontage | 10m | 10m | 10m | 10m |
| Other frontage | 10m | 10m | 10m | 10m |
| Number of stories | 1 | 2 | 1 | 2 |
| Maximum height | 10m | 10m | 10m | 10m |

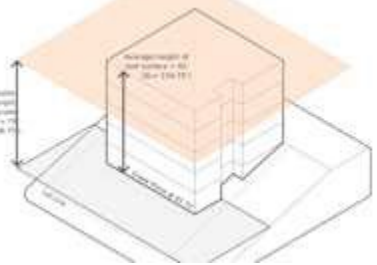
Allow. Height & Stories: Sep. Occs.



Building Height Measurements



Story Above Grade Plane



Allowable Height Above Grade Plane

Portage: in their low-density R zoning districts: Maximum building height 30'.
However, they have an exception "R-1A, R-1B, R-1C, and R-1D one-family residential districts. The number of stories and maximum height of any residential structure on lots of 80 feet or more in width shall not exceed three stories and 40 feet in height."

Building Height and Lot Coverage

1. Building height is measured from the ground surface to a specified portion of a building or structure. As an example, building height for gable and hip roofs is measured at the midpoint between the peak and eaves. Building height cannot exceed 30-feet for lots less than 80-feet in width. The Building Code permits building heights of up to 40 feet on lots that are equal to or greater than 80-feet in width.

Almena Township: in their AG and low-density R zoning districts: Maximum building height 35'

Section 2.80 Building Height

- A. Measurement. Building height shall be measured from the elevation of the average of the highest and lowest adjacent finished grade to:
 1. Mansard, Gable, Hip, or Gambrel Roof. The average height between the eaves and ridge.
 2. Parapet/Flat Roof. The highest point of the roof for a flat roof.
 3. Other Roof Type. A point equivalent to the roof types specified in this section, as determined by the Zoning Administrator.
- B. Waterfront Lots- Artificial Grade. In the case of artificially raising the natural grade of a building site, the average high and low point of the pre-existing natural grade shall be used when calculating building height on waterfront lots.
- C. Exceptions. The following shall be exempt from height regulations in all zoning districts: parapet walls not exceeding four (4) feet in height from the adjoining roof, chimneys, cooling towers, elevator bulkheads, fire towers, stage towers, scenery lofts, monuments, cupolas, domes, spires, necessary mechanical appurtenances, and other similar architecture or structural elements and appurtenances.

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June 15, 2023

Mtg Date: June 22, 2023
To: Planning Commission
From: Iris Lubbert, AICP, Planning Director
Subject: Update – Housing Study

Staff will provide an update on the Oshtemo Housing Study to the Planning Commission at their regular June 22, 2023 meeting.

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June 15, 2023

Mtg Date: June 22, 2023
To: Planning Commission
From: Iris Lubbert, AICP, Planning Director
Subject: Update – Comprehensive Master Plan

Staff will provide an update on the Comprehensive Master Plan to the Planning Commission at their regular June 22, 2023 meeting.