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**NOTICE  
OSHTEMO CHARTER TOWNSHIP  
PLANNING COMMISSION**

**Regular Meeting  
Thursday, March 28, 2019  
6:00 p.m.  
AGENDA**

1. Call to Order
2. Pledge of Allegiance
3. Approval of Agenda
4. Public Comment on Non-Agenda Items
5. Approval of Minutes: March 14, 2019
6. **PUBLIC HEARING: Agritourism Ordinance**  
Consideration of a new ordinance to regulate agritourism as conditional and special uses within the Township.
7. Old Business
  - a. Lighting Ordinance – draft review
8. Any Other Business
  - a. Maple Hill South Overlay Zone – draft review
9. Planning Commissioner Comments
10. 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](mailto: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 8:00 am- 5:00 pm, and on Friday 8:00 am-1:00 pm. Additionally, questions and concerns are accepted at all hours through the website contact form found at [www.oshtemo.org](http://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](mailto:oshtemo@oshtemo.org) and it will be directed to the appropriate person.

Oshtemo Township Board of Trustees		
<b><u>Supervisor</u></b>		
Libby Heiny-Cogswell	216-5220	<a href="mailto:libbyhc@oshtemo.org">libbyhc@oshtemo.org</a>
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Dusty Farmer	216-5224	<a href="mailto:dfarmer@oshtemo.org">dfarmer@oshtemo.org</a>
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Ken Hudok	548-7002	<a href="mailto:khudok@oshtemo.org">khudok@oshtemo.org</a>

<b>Township Department Information</b>		
<b><u>Assessor:</u></b>		
Kristine Biddle	216-5225	<a href="mailto:assessor@oshtemo.org">assessor@oshtemo.org</a>
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Mark Barnes	375-0487	<a href="mailto:mbarnes@oshtemo.org">mbarnes@oshtemo.org</a>
<b><u>Ordinance Enf:</u></b>		
Rick Suwarsky	216-5227	<a href="mailto:rsuwarsky@oshtemo.org">rsuwarsky@oshtemo.org</a>
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Karen High	216-5233	<a href="mailto:khigh@oshtemo.org">khigh@oshtemo.org</a>
Rental Info	216-5224	<a href="mailto:oshtemo@oshtemo.org">oshtemo@oshtemo.org</a>
<b><u>Planning Director:</u></b>		
Julie Johnston	216-5223	<a href="mailto:jjohnston@oshtemo.org">jjohnston@oshtemo.org</a>
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**OSHTEMO CHARTER TOWNSHIP  
PLANNING COMMISSION**

**MINUTES OF A MEETING HELD MARCH 14, 2019**

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**Agenda**

**SPECIAL USE REVIEW: CONSUMERS CREDIT UNION  
BOSCH ARCHITECTURE, REPRESENTING CONSUMERS CREDIT UNION,  
REQUESTED SPECIAL USE AND SITE PLAN APPROVAL FOR THE  
REDEVELOPMENT OF THEIR EXISTING BUILDING LOCATED AT 5018 WEST  
MAIN STREET, TO INCLUDE DRIVE THROUGH TELLER WINDOWS.  
PARCEL NO. 3905-13-280-062.**

**SITE PLAN REVIEW: METRO TOYOTA  
HURLEY & STEWART, REPRESENTING METRO LEASING, LLC, REQUESTED  
SITE PLAN APPROVAL FOR THE PROPOSED AUTOMOBILE SALES LOT AT 5924  
STADIUM DRIVE. PARCEL NO. 3905-25-305-031.**

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A meeting of the Oshtemo Charter Township Planning Commission was held Thursday, March 14, 2019, commencing at approximately 6:00 p.m. at the Oshtemo Charter Township Hall.

MEMBERS PRESENT: Bruce VanderWeele, Chair  
Ron Commissaris  
Keisha Dickason  
Dusty Farmer, Secretary (Remotely via teleconference)  
Micki Maxwell  
Mary Smith, Vice Chair

MEMBER ABSENT: Ollie Chambers

Also present were Julie Johnston, Planning Department Director, James Porter, Township Attorney, and Martha Coash, Meeting Transcriptionist. Nine other persons were in attendance.

**Call to Order and Pledge of Allegiance**

Chairperson VanderWeele called the meeting to order at approximately 6:00 p.m. and invited those present to join in reciting the "Pledge of Allegiance."

**Agenda**

The Chair determined there were no changes to the agenda and let it stand.

## **Public Comment on Non-Agenda Items**

The Chair asked if any member of the audience cared to address the Board on a non-agenda item. Hearing none, he moved to the next agenda item.

## **Approval of the Minutes of February 28, 2019**

The Chair asked if there were any additions, deletions or corrections to the Minutes of February 28, 2019. Hearing none, he asked for a motion.

Mr. Commissaris made a motion to approve the Minutes of February 28, 2019 as presented. Ms. Maxwell supported the motion. The motion was approved unanimously.

Chairperson VanderWeele moved to the next agenda item and asked Ms. Johnston to review the application.

## **SPECIAL USE REVIEW: CONSUMERS CREDIT UNION BOSCH ARCHITECTURE, REPRESENTING CONSUMERS CREDIT UNION, REQUESTED SPECIAL USE AND SITE PLAN APPROVAL FOR THE REDEVELOPMENT OF THEIR EXISTING BUILDING LOCATED AT 5018 WEST MAIN STREET, TO INCLUDE DRIVE THROUGH TELLER WINDOWS. PARCEL NO. 3905-13-280-062.**

Chairperson VanderWeele asked Ms. Johnston to review the proposed site plan.

Ms. Johnston said Consumer Credit Union (CCU), located at 5018 West Main Street, would like to demolish their existing building in order to redevelop the site. Due to the complete redevelopment of the site, Special Use approval for the drive through teller windows and site plan approval for the overall site is required.

The applicant requested variances from the setback and landscape buffer requirements to assist with site redevelopment. As this is a small corner parcel, the Zoning Board of Appeals felt these variances were needed. The following variances were granted:

- A 103-foot setback from the centerline of Drake Road, resulting in a needed 17-foot variance.
- A 149-foot setback from the centerline of West Main Street, resulting in a needed 21-foot variance.
- A landscape buffer variance for the east property line that tapers from the required 20-foot buffer down to a 1-foot buffer, resulting in a maximum 19-foot landscape buffer variance.
- A five-foot landscape buffer for the south property line, requiring a 15-foot variance.
- A six-foot landscape buffer for the west property line, requiring a four-foot variance.

The proposed site design provides a smaller building footprint with the taller windows in the rear yard, allowing for better site circulation. In addition, landscape buffers have been added to the development and parking is now in the front and east side yard. A pedestrian connection is planned from the existing sidewalk along West Main Street to the site. This connection will need to be thoroughly detailed on the site plan, with appropriate striping through the parking lot.

Ms. Johnston explained the lot is legal non-conforming. The provided site plan actually brings the property more into compliance with the Zoning Ordinance than in its current configuration. While variances were needed, the placement of the reduced sized building and redevelopment of the landscape buffers will more closely meet current ordinance requirements than the existing conditions.

Per Ordinance requirements, concrete is planned for the accessible spaces near the front of the building. While the site plan provides a color distinction between those areas intended to be asphalt or concrete, there is no key on the site plan. While staff assumes the darker shaded areas are concrete, a key would confirm this hypothesis.

Ms. Johnston reported the Special Use considerations outlined in the Zoning Ordinance have been met. As this is an existing financial institution located within a commercial corridor of the Township, there are no compatibility concerns. In addition, the site plan helps to bring the site more into compliance with current codes, assisting with compatibility with adjacent uses.

Ms. Johnston noted there were a few concerns still outstanding with the site plan. The applicant provided an elevation drawing meeting the requirements of the ordinance, so that concern has been handled. In addition, information related to the fire lane was provided allowing that condition to be removed from the list of concerns. The remaining items include:

1. A key to indicate the difference between proposed surfaces on the site plan. This is to ensure that the accessible spaces are developed as concrete per Ordinance requirements.
2. Complete striping through the entirety of the parking lot for the pedestrian connection from the sidewalk on West Main Street to the entrance of the building.
3. The photometric plan:
  - a. Needs to reach 0.1 foot-candles at all property lines.
  - b. Ground mounted or building mounted lighting needs to be resolved.
  - c. Details of any building or ground mounted lighting needs to be provided.
  - d. A note needs to be placed on the plan that all lighting will be full cut-off and downward directed.
  - e. A note needs to be placed on the plan related to reduced lighting during nonbusiness hours.

Ms. Johnston said if the Planning Commission was amenable to approving the site plan, Staff recommended attaching the follow conditions as outlined in the staff report to address the remaining concerns:

1. A revised site plan be provided before the issuance of a building permit with the following:
  - a. A key to indicate the difference between proposed surfaces.
  - b. Complete striping through the entirety of the parking lot for the pedestrian connection from the sidewalk on West Main Street to the entrance of the building.
2. A revised photometric plan be provided before the issuance of a building permit that meets all of the requirements of the Township Lighting Ordinance.
5. As the public utility connections (water and wastewater) are reconstructed, spotting maps and/or locational information will be collected and captured on as-built (red-lined) record plans to be submitted to the Township prior to a certificate of occupancy.

Chairperson VanderWeele asked if there were any questions for Ms. Johnston.

Mr. Commissaris confirmed the Fire Chief is satisfied with the turning radius.

With no further questions; the Chair asked if the applicant wished to speak.

Mr. Steve Bosch, Bosch Architects, 8065 Vineyard Parkway, noted CCU was moving more toward Ordinance compliance as much as possible, with the newer, fresher building proposed and noted it would be energy efficient. He indicated CCU wants to be a good partner.

Ms. Maxwell asked about the building height.

Mr. Bosch said the height meets Ordinance requirements and is consistent with other CCU buildings in the area. He noted the inside is only about 11 feet tall and that the large parapet conceals roof top units.

Hearing no further comments, Chairperson VanderWeele asked whether any members of the public wished to speak. As no one came forward, he moved to Board Deliberations.

Ms. Smith determined the proposed building would not be the same as the CCU building at West Main and 9<sup>th</sup> Streets.

As there was no further discussion, the Chair asked for a motion.

Ms. Smith made a motion to approve the special use contingent on including the three conditions, #s 1, 2 and 5 as described and recommended by the staff report. Ms. Dickason supported the motion. The motion was approved unanimously.

**SITE PLAN REVIEW: METRO TOYOTA  
HURLEY & STEWART, REPRESENTING METRO LEASING, LLC, REQUESTED  
SITE PLAN APPROVAL FOR THE PROPOSED AUTOMOBILE SALES LOT AT 5924  
STADIUM DRIVE. PARCEL NO. 3905-25-305-031.**

Chairperson VanderWeele moved to the next agenda item and asked Ms. Johnston to review the site plan request from Metro Toyota.

Ms. Johnston said Metro Leasing, LLC, has purchased the Rykse's restaurant property, addressed as 5924 Stadium Drive, to expand their automotive sales lot. Car sales lots are a Special Use under *Section 18.40* of the C: Local Business District ordinance, which requires Planning Commission approval. On December 13, 2018, the Planning Commission granted Special Use approval for this development with the condition that a site plan be provided.

She said the applicant received variances from the Zoning Board of Appeals from *Sections 18.40.A and D*, as follows:

*The sales office at 5850 Stadium Drive to function as the sales office for 5924 Stadium Drive and to allow the following outdoor sales display setbacks, which are the minimum necessary to ensure substantial justice to both the applicant and neighboring residential uses:*

- *20 feet from the right-of-way of Stadium Drive.*
- *20 feet from the right-of-way of Quail Run Drive.*
- *35 feet from the rear (north) property line.*
- *10 feet from the side (west) property line.*

*This motion also includes the condition that the required landscaping materials outlined in Section 75.130 of the Landscape Ordinance (now Section 53.50) be installed within these required setbacks.*

She noted these requirements, as well as the Special Use conditions are required on the site plan.

Ms. Johnston said the site plan shows the demolition of the existing building on site and the parcel being redeveloped to accommodate a car sales lot. Per the approved variances, the existing sales office located at 5850 Stadium Drive will function as the sales office for this parcel. In addition, the other Special Use conditions have been met: security lighting has been provided, four parking spaces have been designated and will be signed appropriately for customer parking, the outdoor display of cars will be on an asphalt dust-free surface, access is provided through existing curb

cuts, and the outdoor display will not impact neighboring commercial uses as it is fully contained within the parcel boundaries.

She explained pedestrian access is provided through a five-foot sidewalk along Quail Run Drive, with a connection point internal to the site. The site plan does not include a sidewalk along Stadium Drive; however, the Township is working with the Downtown Development Authority (DDA) to construct a sidewalk in this area in 2020/2021. The site plan also provides pedestrian/customer respite areas in two locations; two benches adjacent to the internal sidewalk near the eastern property line and a seating area within the 35-foot landscape buffer along the north property line.

In previous correspondence to the applicant, Ms. Johnston said Staff suggested the location of the proposed seating area, while not in violation of the Landscape Ordinance, may cause some concerns for the residential neighbors. The applicant indicated elevation of the proposed seating area is below the neighboring residential property and will be screened by a new solid privacy fence. They indicate the seating area will have minimal use during the day. They wish to keep the seating area in its planned location. She said the Planning Commission will need to determine if the proposed location of the seating area is appropriate.

The site plan outlines the existing curb cut on Stadium Drive to remain and a realignment of the curb cut on Quail Run Drive. This realignment will correspond with the current curb cut on the east side of Quail Run Drive to the existing Metro Toyota property. As this is a redevelopment of the site, all Zoning Ordinance requirements are considered as part of staff's review. Staff evaluated *Section 51.50.G* of the Access Management Guidelines related to the Stadium Drive curb cut. *Section 51.50.G* states the following:

*In the case of expansion, alteration or redesign of an existing development where existing driveways do not comply with the guidelines set forth herein, the closing, relocation, or redesign of the driveway may be required.*

She explained this Ordinance provides the Planning Commission with the authority to close an existing curb cut during site redevelopment if the existing driveway does not comply with the requirements of Article 51: Access Management Guidelines. The Access Management ordinance also indicates the following under *Section 51.50.F*:

*Where parcels, lots, or building sites have frontage or access on more than one roadway, access shall be provided from the lesser traveled street. Where spacing requirements can be met, high traffic volumes will be generated, or the subject side street is inappropriate for nonresidential traffic, access onto the main roadway will be considered.*

The property in question is a corner lot with existing access to both Stadium Drive and Quail Run Drive. The difficulty with this particular property is the nature of Quail Run Drive. The existing curb cut on this road would suggest that nonresidential traffic is acceptable in this location, which would lead the Planning Commission to close



the curb cut on Stadium Drive and adhere to *Section 51.50.G*. However, closing the curb cut on Stadium Drive will increase nonresidential traffic on what is essentially a residential road as outlined in *Section 51.50.F*, suggesting the curb cut on Stadium Drive should remain. She indicated the Planning Commission will need to consider both *Sections 51.50.F* and *G*. to determine which should prevail related to this access point.

Ms. Johnston said all requirements of the Landscape Ordinance have been met except for one; at least 30% of the landscape plantings (other than canopy trees) must be species that are native to Michigan. The landscape plan comes close to meeting this requirement, but a few species will need to be changed.

Ms. Johnston said the following provides a list of the remaining outstanding items/concerns to be resolved with the site plan:

1. Whether the Stadium Drive curb cut should be closed per *Section 51.50.G* or remain open per *Section 51.50.F*.
2. The placement of the seating area within the landscape buffer.
3. The establishment of an escrow account for the Stadium Drive entrance to be changed to concrete per the Township standards for sidewalks (if this curb cut remains).
4. An updated landscape plan that meets the 30 percent native planting requirement.
5. Consideration of the note on the photometric plan related to the time when lighting would be reduced to security lighting on the site. The note indicates 11:00 pm to 7:00 am.
6. Concerns related to the final contours proposed in the grading plan and its impact on storm water management.

Ms. Johnston recommended the following four conditions be included in a motion if the Planning Commission is amenable to approving the site plan:

1. A revised landscape plan be provided by March 29, 2019 meeting the percentage of native plantings required by *Section 53.90* of the Landscape Ordinance.
2. An updated photometric plan that changes the security lighting note to read "...the remaining lighting will be off from 10:00 pm to 7:00 am."
3. A revised grading plan that satisfies the Township Engineer's concerns related to final contours and storm water management.

4. If the Planning Commission determines the Stadium Drive curb cut should remain, staff recommends the following condition:

An escrow account be established by June 30, 2019 for the cost of reconstructing the Stadium Drive entrance to concrete to meet the Township requirements for sidewalks. Cost of construction to be determined by the applicant and reviewed and approved by the Township Engineer.

Ms. Johnston said if the Planning Commission determines the Stadium Drive curb cut should be removed, the following condition should be attached to any approval:

A revised site plan be provided by March 29, 2019 with the Stadium Drive curb cut removed and the right-of-way restored to MDOT standards.

If the Planning Commission determines the proposed seating area should be relocated/removed, a condition to that effect will need to be added to any considered approvals.

Chairperson VanderWeele asked if Commissioners had questions for Ms. Johnston.

In answer to questions, she said the Township has an access management plan that mirrors the requirements of the Access Management ordinance. She confirmed the 6-foot fence would be installed to replace the existing fence along the north property line.

Hearing no other questions, the Chair asked whether the applicant wished to speak.

Mr. Todd Hurley, Hurley & Stewart LLC, 2800 S. 11<sup>th</sup> Street, addressed several concerns:

- a. It is important to leave the curb cut access on Stadium Drive for several reasons; to allow dispersal of traffic from what was typical during Rykse's operation to the current proposed use, to support any potential future use in case a building is added, and to provide ease of access for emergency vehicles.
- b. The Quail Run Drive curb cut will be moved slightly to line up with the existing curb cut across the street to the east.
- c. The outdoor seating area was developed by taking advantage of the elevation change. A knee wall will be included so seating is even further down, providing a private setting with no lighting and little noise, designed as a picnic area for employees as well as a place to talk with customers.
- d. The applicant is in agreement with all other conditions suggested by Staff.

In response to a question from Ms. Maxwell, Mr. Hurley indicated they believe most customers will access the lot utilizing the Stadium Drive curb cut.

Answering a question from Ms. Farmer, Attorney Porter indicated he did not think where people access the dealership could be controlled. He said since Ms. Farmer has ownership interest in adjoining property, he recommended she refrain from questioning and abstain from voting.

Ms. Farmer agreed to comply with his recommendation and indicated she would abstain from the vote.

Ms. Johnston pointed out if the curb cut remains it will be the natural access point for drivers to use.

In response to a question from Ms. Maxwell about the purpose of a concrete pad at the southwest corner, Mr. Hurley said it is a concrete display pad, sloping toward Stadium Drive to hold and display five vehicles. It will include low shrubs and lighting.

Hearing no further questions from Commissioners, Chairperson VanderWeele opened a public hearing and asked whether anyone cared to address the Board.

Mr. Matthew Van Dyke, Miller Johnson, 100 West Michigan Avenue, Kalamazoo, explained the shifting of the Quail Run curb cut to line up directly across from the drive was requested by worried neighbors, who felt too much traffic there would worsen problems. He said that traffic concerns were raised more than anything else at the Zoning Board of Appeals hearing. He indicated the change in use should lessen traffic concerns compared to what was there before. If the curb cut on Stadium Drive is closed it would jeopardize the whole project. He noted there will be a lot of nice landscaping provided to help screen the use for the adjacent neighbors.

Mr. Jeff DeNooyer, 1426 Edgemoor and owner of Metro Toyota, noted the curb cut in question has been there for 32 years and provides a natural place to turn in; closing it would cause more confusion for drivers. He explained he is interested in potential expansion; he is considering adding a Land Rover franchise, which could be accommodated there, but would be difficult to add without the curb cut.

He explained the space in back under discussion is an amenity consisting of a picnic table for staff picnics and to provide a place to speak with customers. He does not anticipate any noise at all there and no lights will be added; it will be an enjoyable park setting. He noted Rykes, the previous business on the site, had many trucks coming and going in the morning and their customer traffic was heavy at breakfast and lunch times. Traffic will be much diminished and spread out over the day with the change to Metro Toyota.

In answer to a question from Ms. Maxwell, Ms. Johnston explained an additional sales office is not required due to the variances received for this lot as long as the

building on the adjacent lot is available for use. In the future, if the property is sold a sales office would need to be provided. At that point the new owner would have to come back to the Township with a site plan.

Mr. Paul McIntire, Quail Run Drive, said the property is not adjacent since the road runs through it. He indicated neighbors would like the Stadium Drive curb cut to stay, that more than a thousand vehicles drive down Quail Run every day and they do not want to encourage more. He said neighbors were ok with an 8-foot fence. He expressed concerns related to the danger to pedestrian traffic, which would be lessened if a sales office were on site. He liked the proposed landscaping and extras provided by the applicant that are not required. He indicated it would be nice to have a left-hand turn lane at the end of Quail Run Drive and asked the Board to consider safety issues.

Ms. Pam Davan, Quail Run Drive, said her main concern is lighting. She lives directly behind the Rykse's building and would like the lights to be off by 10:00 p.m. She is a walker and feels people have a personal responsibility to pay attention to traffic. She wondered if there might be a crosswalk light.

There were no other public comments. Chairperson VanderWeele closed the public hearing and moved to Board Deliberations.

He asked whether there was consensus on the items in question:

The group agreed they felt 1) the curb cut should be left open and an escrow account be established by the applicant to pay for the work needed for the sidewalk on Stadium Drive, 2) the seating and landscaping is fine, 3) they would like an 8-foot fence that matches what is existing at the Metro Toyota site, and 4) lights should be reduced at 10:00 p.m. and allowed to be increased at 7:00 a.m.

Ms. Johnston noted a crosswalk as mentioned is under the purview of the Road Commission and that they are not likely to provide one. She suggested pedestrians use the sidewalk that will soon be improved on Stadium Drive.

Ms. Maxwell thought the applicant could put something on their property, for instance a "Cross here" sign.

Mr. Hurley noted the alignment of the curb cuts will help with conflicting movement, making it feel more like an intersection.

Attorney Porter said a mid-block crossing cannot be done and reiterated this is under the jurisdiction of the Road Commission.

Hearing no further discussion, Chairperson VanderWeele asked for a motion.

Ms. Maxwell made a motion to approve the site plan contingent on including the four conditions as recommended by Staff.

1. A revised landscape plan be provided by March 29, 2019 meeting the percentage of native plantings required by *Section 53.90* of the Landscape Ordinance.
2. An updated photometric plan that changes the security lighting note to read "...the remaining lighting will be off from 10:00 pm to 7:00 am."
3. A revised grading plan that satisfies the Township Engineer's concerns related to final contours and storm water management.
4. An escrow account be established by June 30, 2019 for the cost of reconstructing the Stadium Drive entrance to concrete to meet the Township requirements for sidewalks. Cost of construction to be determined by the applicant and reviewed and approved by the Township Engineer.

Mr. Commissaris supported the motion. The motion was approved 5 – 0, with Ms. Farmer abstaining.

### **OLD BUSINESS**

There was no old business to consider.

### **ANY OTHER BUSINESS**

Ms. Johnston said the March 28 meeting agenda would include Agritourism and discussion of the Maple Hill overlay zone. The lighting ordinance will also be on the agenda with the expectation that the lighting consultant will attend a meeting in April. She also noted the April 11 agenda will be a long one; she expects seven items will be included on the agenda, most for temporary outdoor events.

### **PLANNING COMMISSIONER COMMENTS**

There were no comments from Commissioners.

### **ADJOURNMENT**

Hearing no further comments, Chairperson VanderWeele adjourned the meeting at approximately 7:03 p.m.

Minutes prepared:  
March 16, 2019

Minutes approved:  
\_\_\_\_\_, 2019



March 20, 2019

**Mtg Date:** March 28, 2019  
**To:** Planning Commission  
**From:** Julie Johnston, AICP  
**Subject:** DRAFT Agribusiness/Agritourism Ordinance Public Hearing

The attached document is the most up-to-date DRAFT of the Agribusiness and Agritourism Ordinance for Planning Commission review and public hearing consideration. The Planning Commission has been consistently reviewing and refining this ordinance since April of 2018. Staff would advocate the Planning Commission consider public comment on this most recent draft and make any final necessary changes before forwarding to the Township Board with a recommendation of approval.

The Agribusiness/Agritourism ordinance is designed to provide those who either produce an agricultural product or live in the rural area and meet certain criteria the opportunity to generate some additional revenue on their property. The objective is to offer additional options for these property owners without impeding the enjoyment of the rural character of the area. It is not the intent of the ordinance to allow commercial operations within the rural area of the Township and therefore, some uses, like special events, have been limited.

It is also the intent that this ordinance will assist in implementing the Township's Master Plan. During the public meetings of the 2017 Master Plan Update, residents in the rural areas indicated a desire to preserve property, but needed a revenue source to assist with this preservation. In addition, those that produced an agricultural product wanted other opportunities that would help to support their farming operations. In response to these requests, the Rural Character Preservation Strategy chapter includes a goal to recognize, preserve, protect, and expand the study area's important and valued agricultural lands and enterprises. The following action strategy was developed related to this goal, as follows:

*Action Strategy AG-1: Review and amend the zoning ordinance, as necessary, to allow agritourism and agribusiness within the AG and/or RR Districts, with appropriate development restrictions to ensure compatibility with adjacent land uses and available public services.*

The development of this ordinance is in response to this strategy.

Thank you.

## AGRIBUSINESS/AGRITOURISM DRAFT ZONING ORDINANCE

### ARTICLE 2: CONSTRUCTION OF LANGUAGE AND DEFINITIONS

#### **Section 2.20: Definitions**

- A. Agribusiness: Any business catering exclusively to agricultural production, which may include, but is not limited to, supplying services or goods (such as feed or supplies) to producers of marketable agricultural products like greenhouses, nurseries, and farm cooperatives.
- B. Agriculture: The science, art, or occupation of cultivating land, raising crops, and feeding, breeding, and raising livestock.
- C. Agriculture building: A structure designed and constructed to house farm implements, hay, grain, poultry, livestock, or other horticultural products and that is clearly accessory to the agricultural activity on site.
- D. Agriculture operation: The production, harvesting, and storage of farm products including the land, plants, animals, buildings, structures, ponds, machinery, equipment, and other appurtenances used in the production of farm goods as a source of income.
- E. Agricultural products: Includes but is not limited to, crops (corn, wheat, hay, potatoes); fruit (apples, peaches, grapes, cherries, berries, etc.); cider; vegetables (sweet corn, pumpkins, tomatoes, etc.); floriculture; herbs; forestry; husbandry; livestock and livestock products (cattle, sheep, hogs, horses, poultry, ostriches, emus, farmed deer, farmed buffalo, milk, eggs, and fur, etc.); aquaculture products (fish, fish products, water plants and shellfish); horticultural specialties (nursery stock, ornamental shrubs, flowers and Christmas trees); maple sap, etc.
- F. Agricultural special event (Agritourism, Category 2): A planned and organized education, entertainment, or recreation occasion or activity that brings the public to the agricultural operation, whether or not the participant paid to take part in the special event, provided said event is solely provided by the agritourism property owner.
- G. Agriculturally related products: Items sold at a farm to attract customers and promote the sale of agricultural products. Such items include, but are not limited to, all agricultural and horticultural products, animal feed, baked goods, ice cream and ice cream-based desserts and beverages, jams, honey, food stuffs, and other items promoting the farm and on-site production.
- H. Agriculturally related uses: Those activities that predominantly use agricultural products, buildings or equipment, such as pony rides, corn mazes, pumpkin rolling, sleigh/hay rides, and educational events, such as farming and food preserving classes, etc.
- I. Agritourism: An agriculturally based operation or activity that brings public to a working farm for the purpose of enjoyment, education, or active involvement in the farm operation. Agritourism enterprises are further classified as follows:
  - 1. Agritourism, Category 1: An agritourism enterprise limited to u-pick fruits and vegetable operations, direct on-farm product sales, and farm markets.

2. Agritourism, Category 2: An agritourism enterprise that includes education, entertainment, agricultural related uses and products, and limited non-agricultural related uses and products including: educational tours; historical agricultural exhibits; educational classes, lectures and seminars; petting farms, animal display and pony rides; outdoor mazes of agricultural origin, such as straw bales or corn; wagon, sleigh and hayrides; nature trails; outdoor picnic areas; and, other similar uses.
  3. Agritourism, Category 3: An agritourism enterprise that utilizes the rural character or agricultural buildings on site for nonresidential special events or activities, including: educational tours, classes, lectures, and seminars; celebratory gatherings such as weddings; retail events such as farm markets, barn markets, and agricultural sales; day camps; and, other similar special events or activities.
- J. Farm Market: The sale of agricultural products directly to the consumer from a site on a working farm or any agricultural, horticultural or agribusiness operation or agricultural land. This definition includes farm stands and roadside stands.
- K. Holiday Events/Festivals (Agritourism 2 and 3): Nationally recognized or official public holidays, and/or observation of cultural traditions.
- L. Non-agriculturally related products: Items not connected to farming or the farm operation, such as novelty t-shirts or other clothing, crafts and knick-knacks imported from other states or countries, etc.
- M. Non-agriculturally related uses: Activities that are part of an agricultural tourism operation's total offerings but not tied to farming. Such non-agriculturally related uses include amusement rides, concerts, special events, etc.
- N. Seasonal: A recurrent period characterized by certain occurrences, festivities, or crops; harvest, when crops are ready; not all year round.
- O. U-Pick: A fruit or vegetable-growing farm that provides the opportunity for customers to pick their own fruits or vegetables directly from the plant.
- P. Wedding/Celebratory Event: observation of a special social occasion such as a wedding, birthday, cultural traditions, etc., where people meet to commemorate and revel.

#### **ARTICLE 4: AG – AGRICULTURAL DISTRICT**

##### **Section 4.30 – Permitted Uses with Conditions:**

- C. - Agribusiness
- D. - Agritourism, Category 1

##### **Section 4.40 - Special Uses:**

- J. - Agritourism, Category 2
- K. - Agritourism, Category 3



**ARTICLE 5: RR – RURAL RESIDENTIAL DISTRICT**

**Section 5.30 - Permitted Uses with Conditions:**

- D. - Agribusiness
- E. - Agritourism, Category 1

**Section 5.40 - Special Uses:**

- N. - Agritourism, Category 2
- O. - Agritourism, Category 3

**ARTICLE 48: CONDITIONS FOR SPECIFIC PERMITTED USES**

**Section 48.10 Agribusiness**

1. Application Narrative. A written narrative will be provided with any application describing the use in detail, including all the types of items, goods and merchandise that are proposed to be sold; the proposed hours of operation; measures that are to be taken to assure that the operation of the use will take place only in a safe and convenient manner; and other information describing the use and which will assist the reviewing body in determining whether the application meets the conditional use requirements.
2. Exemptions. Generally recognized agricultural operations, which are not involved with the retail sales of goods to other agricultural producers, are exempt from these standards.
3. Building Floor Area.
  - a. Total building floor area for the agribusiness shall not exceed 2,000 square feet.
  - b. The maximum portion of any building used for agribusiness sales shall not exceed 600 square feet.
4. Outdoor Storage. Outdoor storage of agribusiness materials shall be limited to 1,000 square feet and shall be located in the rear yard only.
5. Road Access. Access to an agribusiness use must be from the County primary road or State highway, unless approved by the Planning Commission.
6. Parking. On-site vehicle parking shall be provided on agribusiness property as follows:
  - a. The total number of required spaces shall be calculated as one space for every 1,000 square feet of the total building floor area, plus one space for every two employees. This shall not include areas dedicated to agricultural production.
  - b. Parking lots shall be clearly demarcated through some physical means like timbers, fences, stakes, etc.

- c. The on-site parking shall be arranged so no vehicle movements occur in the public right-of-way and to avoid the accumulation of parked cars on the public roads.
  - d. Parking and driveway surfaces may be pervious or hard surface.
7. Education-Oriented Activities. Events and/or activities which bring the public to the property for the sole purpose of participation, learning, or involvement in the agricultural operation are permitted if they meet the following criteria:
- a. Are limited to a one-day event no more than five times throughout a 12-month period.
  - b. Have not more than 50 participants on the property at any one time during the one-day event.
8. Impact. If the proposed agribusiness use would cause undue impacts to surrounding properties related to drainage, traffic, noise, or other general health and safety issues, as determined by the Planning Director, or if the size of the agribusiness exceeds the maximums allowed herein, review and approval by the Planning Commission as a Special Use shall be required.

#### **Section 48.20 Agritourism, Category 1**

- 1. Application Narrative. A written narrative describing the use in detail, including the proposed hours of operation; measures that are to be taken to assure that the operation of the use will take place only in a safe and convenient manner; and other information describing the use and which will assist the reviewing body in determining whether the application meets the conditional use requirements.
- 2. Exemptions.
  - a. Generally recognized agricultural operations, which are not involved with the retail sales of goods to the public, are exempt from these standards.
  - b. Farm markets with a sales area of 200 square feet or less, seasonal in nature, and where no permanent structure exists, are exempt from this ordinance.
- 3. Floor Area, Building and Outdoor Storage. The maximum area for farm markets shall be 3,000 square feet, which includes both the floor area of the building and the outdoor storage/display. Farm markets larger than 3,000 square feet shall be a Special Use reviewed and approved by the Planning Commission.
- 4. Setbacks. Farm market buildings equal to or less than 200 square feet in size shall be located not closer than 15 feet from the road right-of-way line or 25 feet from the edge of pavement, whichever is greater. Farm market buildings greater than 200 square feet in size shall comply with the minimum required setback distances for the district in which such building is located.

5. Retail Sales.
  - a. At least 75 percent of the products marketed and offered for sale (measured as an average over the farm's marketing season) must be grown or produced on and by the affiliated farm. For purposes of this requirement, affiliated means a farm under the same ownership or control (e.g. leased) as the farm market whether or not the farm market is located on the property where production occurs.
  - b. The remainder 25 percent of products sold must be agriculturally related products as defined by Section 11: Definitions.
  - c. For purposes of determining the percentage of products being marketed, the primary measure will be retail space used to display products offered for retail sale during the affiliated farm's marketing season. If measurement of retail space during the marketing season is not feasible, then the percent of the gross sales dollars of the farm market will be used.
6. Education-Oriented Activities. Events and/or activities which bring the public to the property for the sole purpose of participation, learning, or involvement in the agricultural operation are permitted if they meet the following criteria:
  - a. Are limited to a one-day event no more than five times throughout a 12-month period.
  - b. Have not more than 50 participants on the property at any one time during the one-day event.
7. Road Access. Access to an agritourism use must be from the County primary road or State highway, unless approved by the Planning Commission.
8. Parking. On-site vehicle parking shall be provided on agritourism property as follows:
  - a. Parking lots shall be clearly demarcated through some physical means like timbers, fences, stakes, etc.
  - b. The on-site parking shall be arranged so no vehicle movements occur in the public right-of-way and to avoid the accumulation of parked cars on the public roads.
  - c. Parking and driveway surfaces may be pervious or hard surface.
9. Impacts. If the proposed agritourism use would cause undue impacts to surrounding properties related to drainage, traffic, noise, or other general health and safety issues, as determined by the Planning Director, review and approval by the Planning Commission as a Special Use shall be required.

## **ARTICLE 49: SPECIAL USES**

### **49.10 Agritourism, Category 2**

1. Application Narrative. A written narrative describing the use in detail, including both agriculturally related and non-agriculturally related products and uses; proposed hours of operation; measures that are to be taken to assure that the operation of the use will take place only in a safe and convenient manner; special events; and other information describing the use and which will assist the Planning Commission in determining whether the application meets the Special Use requirements.
2. Exemption. Generally recognized agricultural operations, which are not involved with the retail sales of goods or any public activities, are exempt from these standards.
3. General Standards.
  - a. Parcel size. Parcels must be a minimum of 10 acres. The Planning Commission may consider a smaller parcel size depending on the agritourism uses planned. Their consideration of a smaller parcel size will be based on the intensity and scale of the proposed agritourism use, compatibility with surrounding property owners, and will be harmonious with the existing character of the area.
  - b. Maximum floor area. The maximum floor area for all buildings related to the agritourism use shall be 10,000 square feet. Clusters of smaller, architecturally appropriate structures are encouraged to maintain rural character of the agritourism use. This maximum floor area does not include greenhouses.
  - c. Outdoor storage/display. The maximum area for the storage/display of agricultural products for sale shall be one acre. This requirement does not apply to u-pick operations.
  - d. Architectural character. All buildings shall incorporate a rural theme in terms of style and design. This means new agritourism uses involving new structures shall complement and enhance the rural environment. For example, gable or gambrel roofs, roof ornamentation such as cupolas, dormers, porches, and decorative shutters.
  - e. New uses and buildings. New uses and buildings shall be located, designed and operated so as not to interfere with normal agricultural practices on and off site. Non-agricultural uses should be limited to lands with poor agricultural soils or lands otherwise not suitable for agricultural purposes.
  - f. Use and product percentages. Agricultural products produced on site, agriculturally related products and uses, and non-agriculturally related products and uses are permitted based on the following percentages:
    - i. At least 50 percent of the products (measured as an average over the farm's marketing season) and uses marketed and offered must be grown or produced on and by or have a direct relationship with the affiliated farm. For purposes of this requirement, affiliated

means a farm under the same ownership or control (e.g. leased) as the farm market whether or not the farm market is located on the property where production occurs.

- ii. A maximum of 30 percent of the products and uses marketed and offered may be other agriculturally related products and uses as defined by Section 11: Definitions.
  - iii. A maximum of 20 percent of the products and uses marketed and offered may be non-agriculturally related products and uses as defined by Section 11: Definitions.
  - iv. For purposes of determining the percentage of products and uses being marketed and offered, the primary measure will be square footage of space used for each individual product or use. If measurement of retail space during the marketing season is not feasible to determine percentage of product, then the percent of the gross sales dollars will be used.
- g. Parking. On-site vehicle parking shall be provided on agribusiness property as follows:
- i. The total number of required spaces shall be calculated as one space for every 1,000 square feet of the main public activity area, plus one space for every two employees. The main public activity areas shall be defined as the primary buildings and outdoor spaces where the public congregates for the agritourism use. This shall not include areas dedicated to agricultural production.
  - ii. 24-foot two-way or 20-foot one-way circulation aisles shall be maintained. To ensure drive aisles are maintained, the location of parking spaces shall be defined by providing some type of marker at the center of the space to be placed every 64 feet for two-way traffic and 60 feet for one-way traffic.
  - iii. Parking lots shall be clearly demarcated through some physical means like timbers, fences, stakes, etc.
  - iv. The on-site parking shall be arranged so no vehicle movements occur in the public right-of-way and to avoid the accumulation of parked cars on the public roads.
  - v. Parking and driveway surfaces may be pervious or hard surface.
  - vi. Accessible spaces must be provided in accordance with the requirements of Americans with Disabilities Act of 1990, utilizing the most current design standards.
  - vii. The Planning Commission may reduce or defer the number required parking spaces if the applicant provides a parking study that demonstrates, to the satisfaction of the Planning Commission, that a reduced number of parking spaces will meet the parking needs of the Agritourism uses. If parking is deferred, the location of those deferred spaces must be shown as such on the required site plan.
- h. Lighting. Any exterior lighting installed related to an agritourism use or activity shall be appropriately shielded and directed downwards to minimize light pollution. All lighting shall meet the standards of Section 78.720: Outdoor Lighting Standards.

- i. Trash receptacles. Trash receptacles shall be provided. If dumpsters are provided, they shall be placed on a hard surface and shall be completely obscured from view by a screen fence or wall.
  - j. Screening. Opaque screening, consisting of an earth berm, evergreen screen, or an obscuring wall or fence, shall be provided near the primary public activity areas on those sides abutting or adjacent to a residential use. The use of natural landscape materials is encouraged. The Planning Commission may waive the screening requirement in specific cases where cause can be shown that the distance between the agritourism and residential use would not require screening.
  - k. Restroom facilities. Public restroom facilities, temporary or permanent, shall be provided on site.
  - l. Maximum capacity. The Fire Marshall or Building Official shall establish a maximum occupant capacity for meetings, training, educational or similar events which shall be appropriate to the site and facilities in terms of safe capacity in buildings, parking area and sanitation limitations of the site.
  - m. Hours of operation. Hours of operation must be provided by the applicant. The Planning Commission may alter the requested hours of operation for the agritourism uses, or specific elements thereof, consistent with the character of the land uses in the vicinity and may further approve an enforcement mechanism to ensure adherence to the established hours of operation.
  - n. Access. Access to an agritourism use must be from the County primary road or State highway, unless approved by the Planning Commission.
  - o. Livestock. The keeping of livestock for agritourism purposes shall be subject to the provisions of Section 78.400: Keeping of poultry, swine, horses, or livestock.
4. Agritourism Special Events.
- a. The following table outlines the type and number of Agritourism Special Events allowed throughout a typical calendar year, beginning on January 1<sup>st</sup>.

Event Type	Event Size (persons)	Number of Consecutive Days	Days between any Event*	Total Number of Events per Year
Educational classes, lectures, seminars, and day camps	1-20	5	2	15
	21-50	3	4	10
	Over 50 (max 100)	2	10	5
Retail events	N/A	2	30	3
Holiday events/festivals	N/A	2	60	3

\*Must following the maximum number of days between events.

- b. The agritourism operator/property owner shall submit the annual list of the special events to the Planning Commission for review within 30-days of the first requested event. The Planning Commission may eliminate a special event if said event would be unduly disruptive to the general peace and enjoyment of the rural and/or residential character of the surrounding area.
  - c. The special event must be related to and enhance the primary agritourism use of the property.
  - d. A reserved parking area shall be provided on-site to be utilized for special events. If the agritourism use intends to hold special events, this reserved area must be displayed on a site plan.
  - e. The reserved parking area must be of adequate size to accommodate the anticipated additional traffic of the special event. The size of the reserved parking area shall be reviewed and approved by the Planning Commission.
  - f. For special events lasting more than one day and with an expected daily attendance exceeding 100 hundred individuals, the on-site manager or owner shall notify all adjacent neighbors bordering the subject property in writing of the date, time, duration and description of the event. Notification shall occur at least five business days prior to the beginning of the event.
5. Education-oriented activities. Events and/or activities which bring the public to the property for the sole purpose of participation, learning, or involvement in the agricultural operation are exempt from the Agritourism Special Event standards if they meet the following criteria:
- a. Are limited to a one-day event no more than five times throughout a 12-month period.
  - b. Have not more than 50 participants on the property at any one time during the one-day event.
6. Prohibited Uses.
- a. Motorized off-road vehicle racing or other similar motor vehicle activities.

- b. Other uses that the Planning Commission determines would disturb the general peace and enjoyment of the rural and/or residential character of the surrounding area due to excessive traffic, noise, smoke, odors, or visual clutter.

**49.20 Agritourism, Category 3**

1. Intent. The intent of the Category 3 Agritourism option is to allow opportunities for limited nonresidential events or activities that make use of existing rural character and agricultural buildings.
2. Application Narrative. A written narrative describing the events or activities, including proposed hours of operation; expected attendance; measures that are to be taken to assure that the operation of the use will take place only in a safe and convenient manner; and other information describing the events or activities which will assist the Planning Commission in determining whether the application meets the Special Use requirements.
3. Events or Activities.
  - a. The following table outlines the type and number of events or activities allowed throughout a typical calendar year, beginning on January 1<sup>st</sup>.

Event Type	Event Size (persons)	Number of Consecutive Days	Days between any Event*	Total Number of Events per Year
Educational classes, lectures, seminars, and day camps	1-20	5	2	15
	21-50	3	4	10
	Over 50 (max 100)	2	10	5
Retail events	N/A	2	30	3
Weddings and celebratory gatherings	1-50	1	7	20
	51-150	1	20	15
	151-300 (max)	1	27	10
Holiday events/festivals	N/A	2	60	3

\*Must following the maximum number of days between events.

- b. For events with an expected attendance exceeding 100 hundred individuals, the on-site manager or owner shall notify all adjacent neighbors bordering the subject property in writing of the date, time, duration and description of the event. Notification shall occur at least five business days prior to the beginning of the event.
- c. Hours of operation. Hours of operation for the event or activities must be provided by the applicant. The Planning Commission may alter the requested hours of operation for the agritourism uses, or specific elements thereof, consistent with the character of the land uses in the vicinity and may further approve an enforcement mechanism to ensure adherence to the established hours of operation.



4. General Standards:

- a. Parcel size. Parcels must be a minimum of 10 acres. The Planning Commission may consider a smaller parcel size depending on the agritourism uses planned. Their consideration of a smaller parcel size will be based on the intensity and scale of the proposed agritourism use, compatibility with surrounding property owners, and will be harmonious with the existing character of the area.
- b. Architectural character. All buildings shall incorporate a rural theme in terms of style and design. This means new agritourism uses involving new structures shall complement and enhance the rural environment. For example, gable or gambrel roofs, roof ornamentation such as cupolas, dormers, porches, and decorative shutters.
- c. Road Access. Access to an agritourism use must be from the County primary road or State highway, unless approved by the Planning Commission.
- d. Parking. On-site vehicle parking shall be provided on the agritourism property as follows:
  - i. The total number of required spaces shall be calculated as one space for every 1,000 square feet of the main public activity area, plus one space for every two employees. The main public activity areas shall be defined as the primary buildings and outdoor spaces where the public congregates for the agritourism use. This shall not include areas dedicated to agricultural production.
  - ii. 24-foot two-way or 20-foot one-way circulation aisles shall be maintained. To ensure drive aisles are maintained, the location of parking spaces shall be defined by providing some type of marker at the center of the space to be placed every 64 feet for two-way traffic and 60 feet for one-way traffic.
  - iii. Parking lots shall be clearly demarcated through some physical means like timbers, fences, stakes, etc.
  - iv. The on-site parking shall be arranged so no vehicle movements occur in the public right-of-way and to avoid the accumulation of parked cars on the public roads.
  - v. Parking and driveway surfaces may be pervious or hard surface.
  - vi. Accessible spaces must be provided in accordance with the requirements of Americans with Disabilities Act of 1990, utilizing the most current design standards.
  - vii. The Planning Commission may reduce or defer the number required parking spaces if the applicant provides a parking study that demonstrates, to the satisfaction of the Planning Commission, that a reduced number of parking spaces will meet the parking needs of the agritourism uses. If parking is deferred, the location of those deferred spaces must be shown as such on the required site plan.

- e. Lighting. Any exterior lighting installed related to an agritourism event or activity shall be appropriately shielded and directed downwards to minimize light pollution. All lighting shall meet the standards of Section 78.720: Outdoor Lighting Standards.
  - f. Trash receptacles. Trash receptacles shall be provided. If dumpsters are provided, they shall be placed on a hard surface and shall be completely obscured from view by a screen fence or wall.
  - g. Screening. Opaque screening, consisting of an earth berm, evergreen screen, or an obscuring wall or fence, shall be provided near the primary public activity areas on those sides abutting or adjacent to a residential use. The use of natural landscape materials is encouraged. The Planning Commission may waive the screening requirement in specific cases where cause can be shown that the distance between the agritourism and residential use would not require screening.
  - h. Restroom facilities. Public restroom facilities, temporary or permanent, shall be provided on site.
  - i. Maximum capacity. The Fire Marshall or Building Official shall establish a maximum capacity for special activities or events which shall be appropriate to the site and facilities in terms of safe capacity in buildings, parking area and sanitation limitations of the site.
5. Prohibited Uses.
- a. Motorized off-road vehicle racing or other similar motor vehicle activities.
  - b. Other uses that the Planning Commission determines would disturb the general peace and enjoyment of the rural and/or residential character of the surrounding area due to excessive traffic, noise, smoke, odors, or visual clutter.



March 20, 2019

**Mtg Date:** March 28, 2019  
**To:** Planning Commission  
**From:** Julie Johnston, AICP  
**Subject:** DRAFT Lighting Ordinance

The attached document is the most up-to-date DRAFT of the Lighting Ordinance for Planning Commission review. Based on the evaluation conducted at the February 14<sup>th</sup> Planning Commission meeting, all of the approved language was changed from red to black and the ~~striketrough~~ language was removed. Any language now shown in red is new from the February 14<sup>th</sup> review and any ~~striketrough~~ language was requested to be removed by the Planning Commission. The language highlighted in yellow is ordinance language that still needs additional clarification.

Staff contacted Mr. Dan Cunningham, Operations Manager of Circuit Electric, Inc. (CEI), who provided feedback on the draft lighting ordinance, to see if he could attend the March 28<sup>th</sup> meeting to assist in answering the Planning Commission's questions. Unfortunately, he is out of town, but maybe able to attend in April. In the meantime, staff has provided some articles related to lighting ratios, which may help in our discussions of the outstanding items still to be addressed in the lighting ordinance.

Thank you.

ARTICLE 54 - LIGHTING  
DRAFT 03/20/2019

**54.10 INTENT**

A. Statement of purpose. The purpose of this Article is to regulate the placement and arrangement of lighting within the Township. These regulations are intended to:

1. Protect the public health, safety and general welfare by regulating lighting levels;
2. Control light spillover and glare;
3. Minimize the detrimental effect of urban sky glow;
4. Encourage lighting systems which conserve energy and costs;
5. Preserve community character and enhance the appearance of the Township;
6. Provide for nighttime safety, and security.

B. Objectives. Outdoor lighting shall satisfy the following objectives.

1. Avoid excessive light spillover onto any adjacent premises;
2. Be shielded, and downward directed so that the light intensity or brightness will not interfere with the enjoyment, health, safety, and welfare of surrounding properties;
3. Control illumination of vertical architectural surfaces.
4. Provide for uniform lighting within sites.
5. Enable the fair and consistent enforcement of these regulations.

**54.20 APPLICABILITY**

Except as is otherwise provided below, these lighting requirements shall apply to all lighting installed on any property within the Township. Any lighting legally in existence before the effective date of this Ordinance that does not comply with these requirements shall be considered legal nonconforming and may remain, except as detailed in Section 54.80 and subject to the following provisions:

A. Alterations to existing lighting.

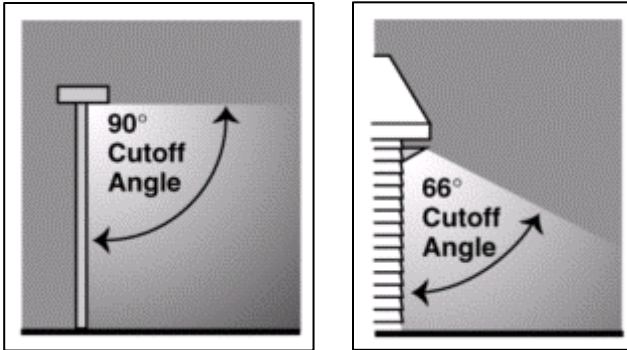
1. When poles and support structures are destroyed or removed, they must be replaced with poles and supports that comply with all of the provisions of this Section.

2. When luminaries are destroyed or removed, they must be replaced with luminaries that comply with all provisions of this Section.
- B. New parking lots or parking lot additions. When a new parking lot or addition to an existing parking lot is constructed, the new lot or lot addition must be provided with lighting in compliance with this Section.
- C. New structures, additions, or replacements. When a site is improved with new structures, or additions to, or replacements of existing structures, the lighting for the new structure, addition, or replacement on the site must meet the requirements of this Section.

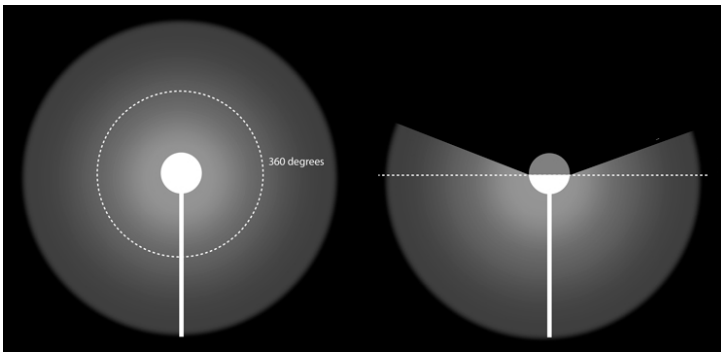
#### **54.30 DEFINITIONS**

- A. Ambient lighting - The general overall level of lighting in an area.
- B. Baffle or light shield - An opaque or translucent element to screen a light source from direct view.
- C. Building canopy - A portion of the building, whether structural or architectural in character, that projects outward.
- D. Bulb or lamp - The source of electric light. The term "bulb or lamp" is to be distinguished from the whole assembly (see Luminaire).
- E. Canopy structure - An overhead structure which is designed to allow vehicles or pedestrians to pass under it.
- F. Color rendering index (CRI) - a scale from 0 to 100 percent measuring a light source's ability to show object colors "realistically" or "naturally" compared to a familiar reference source, either incandescent light or daylight.
- G. Encased – a lamp obscured by translucent sheathing.
- H. Existing lighting - Any and all lighting installed prior to the effective date of this Ordinance.
- I. Exterior lighting - Temporary or permanent lighting that is installed, located, or used in such a manner to emit light outside. Fixtures that are installed indoors that are intended to draw attention to the exterior of the building from the outside are considered exterior lighting for the purposes of this Section.
- J. Fixture - The assembly that holds a lamp and may include an assembly housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and a refractor or lens.

- K. Fixture, cutoff – A fixture that allows no emissions above the horizontal plane passing through the lowest point on the fixture from where light is emitted.



- L. Fixture, non-cutoff – A fixture that allows light to emit beyond the horizontal plan of the lowest point of the fixture and/or allows light emissions in all directions.



- M. Foot-candle - A unit of measurement for quantifying the brightness of illumination produced on a surface. One foot-candle is equal to one lumen per square foot.
- N. Glare - Harsh, uncomfortably brilliant light caused by the ability to see an unshielded light source.
- O. Kelvin rating – A unit to measure the color temperature of a light source, the higher the Kelvin rating (expressed in K), the whiter the light source.
- P. Lamp - The component of a luminaire that produces the light.
- Q. Light pole - The structure to support and elevate a luminaire.
- R. Light trespass - Light that is unnecessarily emitted beyond the boundaries of the property on which the luminaire is located.
- S. Luminaire – The complete lighting system, including the lamp and light fixture.
- T. Lumen - A unit of measurement for quantifying the amount of light energy emitted by a light source (power of the light radiated by the light source).

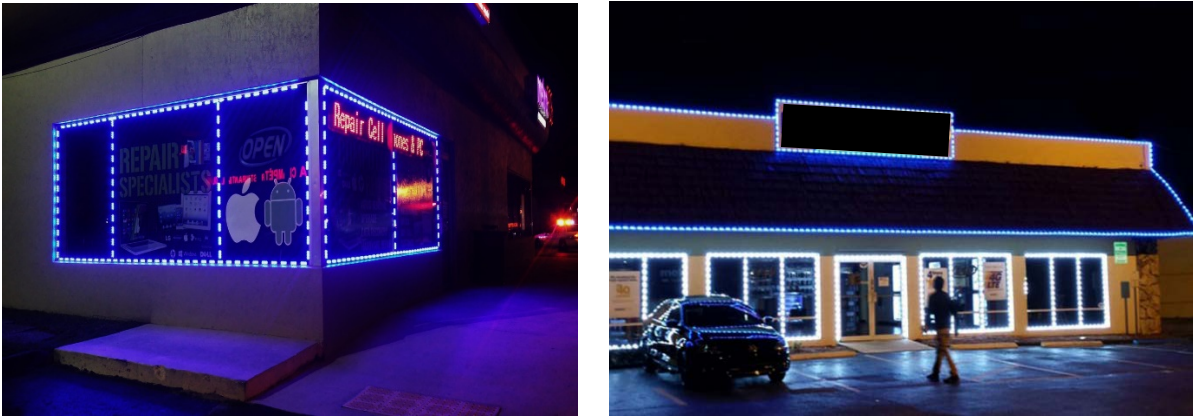
- U. Photometric plan - A diagram prepared by a lighting professional that is certified by the National Council on Qualifications for the Lighting Professions (NCQLP), or a state licensed professional engineer, architect, or landscape architect showing predicted maintained lighting levels produced by the proposed lighting fixtures, including any freestanding and building mounted lighting.
- V. Recessed - When a light is built into a structure or portion of a structure such that the light is fully cut off by the structure to which it is attached.
- W. Shielded - A bulb or lamp concealed by a baffle or light shield.
- X. Spotlight - A luminaire designed to light only a small, well defined area or object.
- Y. Urban sky glow - The brightening of the night sky due to manmade lighting.
- Z. Visibility - Being perceived by the human eye.

#### **54.40 EXEMPTIONS**

- A. Emergency lighting necessary to conduct rescue operations, support public safety, provide emergency medical treatment, to illuminate emergency means of egress, or address any other emergency situation.
- B. Lighting operated by a public utility or agency during the course of constructing, repairing, or replacing public utilities and infrastructure.
- C. Temporary construction lighting, provided it is discontinued daily immediately upon completion of the work.
- D. Temporary holiday decorative lighting, from November 15<sup>th</sup> through January 5<sup>th</sup>.
- E. Lights on communication towers and other hazards to aerial navigation as may be required by the Federal Aviation Administration.
- F. Lighting used to illuminate a flag of the United States, subject to Section 54.60.D.
- G. Lighting associated with Township Department of Agriculture recognized agricultural activities.
- H. Typical residential light fixtures on residential buildings and associated accessory buildings, which do not violate Section 54.50, are exempt from the cut-off requirement when mounted at a height of eight feet or less.
- I. All outdoor light fixtures existing and legally installed prior to the effective date of this Ordinance.

**54.50 PROHIBITED LIGHTING**

- A. Lighting of a blinking, flashing, rotating, or fluttering nature, including changes in light intensity, brightness or color except for public safety purposes.
- B. Beacon and/or search lights except for public safety purposes.
- C. Fixtures that direct light upward unless permitted by this Article.
- D. Roof mounted lighting.
- E. Lighting of an intensity or brightness that interferes with enjoyment, health, safety, and welfare of surrounding properties.
- F. Unshielded luminous tube, LED, incandescent, or fluorescent lighting as an architectural detail on the exterior of any structure or the interior of any windows; including but not limited to rooflines, cornices, eaves, windows, and door openings.



(Examples of unshielded tube lighting)

**54.60 OUTDOOR LIGHTING STANDARDS**

- A. General Provisions
  - 1. All luminaires are required to be cut-off fixtures, unless otherwise permitted in this Article.
  - 2. Security or flood lighting shall be attached to buildings and controlled by motion sensors, which extinguish within 10 minutes of activation.
  - 3. Lighting plans shall be designed to direct light into the development and away from adjacent property.
  - 4. Site and area lighting of nonresidential properties shall be designed such that light levels do not exceed 0.1 foot-candles at any point along the perimeter of the property adjacent to residential zoning or uses and 0.5 foot-candles adjacent to all other zoning and uses.



5. To provide for uniformity of lighting, the ratio of maximum to minimum levels of light within the illuminated areas of a nonresidential property shall not exceed 4:1. Exception shall be made for those areas along the perimeter of the property where a significant reduction in lighting is expected in order to comply with the provisions of the subsection above.

6. Lighting shall be significantly reduced during non-operational building hours, allowing only lighting necessary for security purposes. Lighting installations should include timers, dimmers, and/or sensors to reduce overall energy consumption and eliminate unneeded lighting that affects urban sky glow. The lighting plan shall note when and how this reduction in lighting will occur.

7. Lighting for all nonresidential developments shall have a minimum color rendering index (CRI) of 65 and a Kelvin rating between 4000-5000k.

#### B. Pole-Mounted Lighting

1. All pole-mounted luminaires shall be affixed horizontally and angled perpendicular parallel to the ground.

2. No more than two luminaires shall be allowed per pole.

3. Luminaire height of 15 feet or less shall not exceed 12,000 lumens per luminaire and shall be spaced a minimum of 30 feet apart.

4. Luminaire height greater than 15 feet and not exceeding 25 feet shall not exceed 20,000 lumens per luminaire and shall be spaced a minimum of 40 feet apart.

5. Luminaire height exceeding 25 feet shall be subject to approval by the reviewing body. The applicant must prove, to the reviewing body's satisfaction, that pole heights exceeding 25 feet are needed to ensure public health, safety, and welfare. If permitted, such lighting shall not exceed 40,000 lumens per luminaire and shall be spaced a minimum of 50 feet apart.

#### C. Building-Mounted Lighting

1. Pedestrian walkways and doorways

a. Shall not exceed 14-feet in height.

b. Each luminaire shall not exceed 8,000 lumens and shall be spaced so the lighting for pedestrian walkways and entrances does not exceed 2.0 foot-candles and entryways do not exceed 6.0 foot-candles.

2. Luminaires used for the sole purpose of illuminating a building façade:

a. May be up to 1.5 foot-candles averaged over the building façade.

b. May be located on the building or be ground-mounted.

- c. Light generated from said fixtures shall be appropriately shielded so that no light is emitted beyond the building facade.

3. Architectural lighting

- a. The use of architectural features on the building, such as a canopy, which prevent the projection of light beyond the architectural feature may satisfy the intent of this Section and allow the use of noncut-off fixtures, subject to the approval of the reviewing body.

~~b. Internally illuminated bands — building façade.~~

~~i. The reviewing body may approve the use of an internally illuminated architectural band or similar encased lighting accent on the façade of a building upon determining that such lighting accent would not cause off-site glare or light pollution.~~

~~ii. Only one internally illuminated architectural band or similar encased lighting accent shall be permitted per building façade.~~

~~iii. One linear foot of internally illuminated architectural band shall be allowed per linear foot of the building façade.~~

~~iv. The band shall be no wider than 12 inches.~~

~~v. The internally illuminated band shall not exceed 2,000 lumens and must provide consistent lighting levels throughout the band.~~

~~vi. The band may be located at different elevations on the building façade, but at no time will the band be allowed to stack or overlap, except as noted in this Section.~~

~~vii. Bands of different elevations may be allowed to overlap by no more than 12 inches where abutting architectural elements of varying heights meet.~~

~~viii. At no time will internally illuminated architectural bands be allowed on a building façade which faces a residentially zoned property.~~

~~ix. The reviewing body may allow an alternate approach to the width and placement of the internally illuminated architectural band or similar encased lighting accent if they find the alternate approach provides an aesthetic enhancement to the building without allowing an increase to the total linear feet of allowed lighting.~~



~~c. Internally illuminated bands — windows and doors.~~

- ~~i. The reviewing body may approve internally illuminated architectural bands or similar encased lighting accents around a front building façade doors and windows, upon determining that such lighting accents would not cause off-site glare or light pollution.~~
- ~~ii. The front building façade must face a public right of way. For lots facing more than one public right of way, only one building façade may include internally illuminated architectural bands around the doors and windows.~~
- ~~iii. These internally illuminated bands may not exceed 2,000 lumens and must provide consistent lighting levels throughout the band.~~
- ~~iv. The band shall be no wider than 2 inches.~~
- ~~v. The total allowed length of internally illuminated band or similar encased lighting shall not exceed 30 linear feet.~~

D. Landscape Features and Green Belt Lighting

1. Landscape luminaires may include uplighting, which is specifically directed at the landscape or plant feature.
2. Shall be equipped with shields to help direct light to the landscape or plant feature and to help eliminate light spillover and glare.
3. Shall not exceed 300 lumens per luminaire.
4. Shall not exceed a height of 18-inches above grade.

E. Special Uses

1. Service station/fuel sales canopy structure

- a. Luminaires shall be recessed so that the lens cover is flush with the lower surface of the canopy and shielded by a fixture or the edge of the canopy so that light is directed downward.
  - b. As an alternative, indirect lighting may be used where uplighting is reflected from the underside of the canopy. When this method is used, luminaires must be shielded so that direct light is focused exclusively on the underside of the canopy.
  - c. Luminaires shall not be mounted on the top or sides (fascia) of a canopy.
  - d. Internally illuminated signs in compliance with the Sign Ordinance may be placed on the fascia of the canopy.
  - e. The total light output directly below the canopy shall not exceed 30 foot-candles.
2. Outdoor display areas
- a. The ratio of maximum to minimum foot-candles of light for a site which includes outdoor display may increase to 6:1 during hours of operation.
3. Outdoor dining areas
- a. Decorative unshielded lighting may be used in outdoor dining areas as long as the lighting does not exceed 1.5 foot-candles and is designed to control light spillover and reduce glare to adjacent properties.
  - b. Lighting in outdoor dining areas adjacent to residentially zoned or used land must be extinguished by 11:00 pm or when the business closes, whichever is first.

#### **54.70 INTERIOR LIGHTING**

Where interior lighting and/or lighting displays are located within 10 feet of a bay of windows, glass doors, or other transparent areas of a building facade, walls, or roof (e.g., skylights), the lighting shall be shielded or screened to reduce visibility and prevent glare to patrons, individuals on adjacent and nearby properties, and/or motorists on adjacent streets.

#### **54.80 EXISTING LIGHTING**

All lighting established prior to this Ordinance shall be so arranged as to avoid glare or direct illumination onto any portion of any adjacent rights-of-way or onto any adjacent premises.

#### **54.90 ADMINISTRATION**

A site lighting plan for uses requiring Site Plan review shall be submitted and shall provide the following information:

- A. Proposed location on premises of all outdoor light fixture(s), including all building-mounted lighting, architectural lighting, and landscape lighting.

- B. Manufacturer specification sheets, cut-sheets, or other manufacturer provided information for all proposed luminaires that provides a description of the illumination devices, fixtures, lamps, supports, reflectors, and other devices, including lumens produced.
- C. The height of all luminaires and poles.
- D. A photometric plan showing foot-candle readings every ten feet within the subject site and ten feet beyond the property lines.
- E. If building elevations are proposed for illumination, drawings shall be provided for all relevant building elevations showing the fixtures, the portions of the elevations to be illuminated, the illuminance levels of the elevations, and the aiming point for any remote light fixture.



## [Alliance for Lighting Information](#)

### Uniformity Ratios in Ordinances

by [David M. Keith](#)

One of the ways that lighting ordinances restrict outdoor lighting is by mandating the uniformity of the lighting over some of or all of the site. Uniformity ratios are an important part of a complete set of lighting criteria and can have a positive effect on the quality of lighting installations. The level of uniformity over a site however is not the same as the uniformity over part of the site, such as walkways or parking lots. This and other basic aspects of uniformity ratios are obviously not understood in some ordinances and are sometimes grossly misapplied. This reappearance of associated problems due to technical ignorance is much more frequent and significant than necessary.

The first issue is that [uniformity ratios](#) can be defined in many ways and over any area. Therefore any ordinance that does not clearly state what values are being compared in the uniformity ratio is technically incomplete and practically useless. The definition for "uniformity ratio" can vary from average-to-minimum to maximum-to-minimum, and can be applied to vertical or horizontal (or even both) values for either illuminance or luminance - initial or maintained - at grade or above - over the entire site or part of it. The most common uniformity ratio in ordinances is the ratio of the maximum-to-minimum illuminance at grade - [initial](#) - over the entire site.

The possible range of uniformity ratios can make it difficult to understand the implications of uniformity ratios in particular. A ratio of 3:1 for average to minimum is roughly the same as a ratio of 10:1 (to 12:1) for maximum to minimum. Meeting 3:1 and 10:1 ratios as criteria will be around 50-100% more expensive than meeting criteria of 6:1 and 20:1 (to 24:1). As requirements for uniformity increase, the almost all of the costs of lighting systems also increase, as do any pollutions associated with installing and operating the lighting system.

Furthermore the spacing of the calculation points effects the resulting uniformity ratio values. For example, a uniformity ratio of 10.0 for maximum-to-minimum might be easy to meet with spacing of say 20x20 and much more difficult to meet with spacing of 4x4. The same lighting system that produces 8.0 max-to-min on a 10x10 spacing might easily produce 10.0 or higher with 5x5 spacing, especially if the mounting height of the luminaire is under 25 feet. Any specification of uniformity ratios should include consideration of the spacing of calculations points. One reasonable solution is to space the calculation points based on the height of the luminaires, say no more than one-half or one-quarter of the mounting height. This can obviously become micro-management of the lighting desing and submittal, increasing the costs of plan review, and therefore one of the (often hidden) costs of applying uniformity criteria in ordinances.

All of [these example uniformity ratios](#) are to be applied to the relevant part of the site, not over the entire site. Working with these distinct areas means the entry road, parking lot and walkways can each be adequately and uniformly illuminated without having to be explicitly related to each other - or worse, limited by the value at some other point that could be all the way across the site. Applying uniformity ratios to an entire site can be effective, but the values and application need to be reasonable or they become technically wrong and practically useless. This is especially true for any ordinance that also includes restrictions for lighting at the property line, because [this combination of restrictions can create severe limitations for lighting systems](#) - sometimes making it impossible to meet the published [IESNA](#) recommendations.

Finally, applying uniformity ratios to entire sites can require lighting areas that otherwise need not be illuminated at all, or to lower levels. For example, if a uniformity ratio is required to be no more than 10 for maximum-to-minimum, then if the minimum illuminance at the edge of the property is 0.1 fc, the maximum allowed at any point on the site is the 1.0 fc. So the edge of a site may need to be "over-illuminated" to 0.2 fc so that the maximum for some other location on the site can be as high as 2.0 fc. This seems to contradict the goals of the lighting ordinances by increasing illumination at the edge of property, as well as requiring unnecessary lighting along with a corresponding increase in energy use and light pollution.

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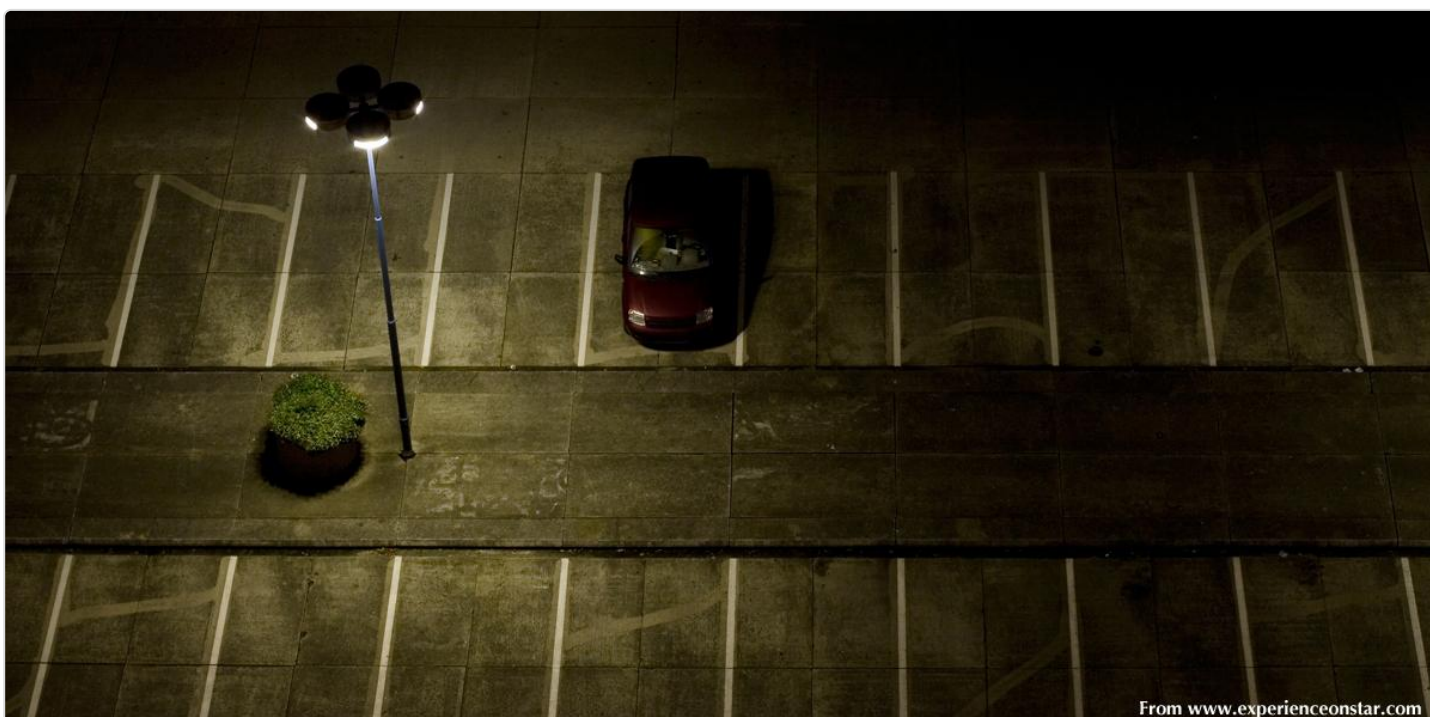
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/ Lighting Uniformity: Study Shows An Important Advantage of LED Fixtures for Parking Lots

# Lighting Uniformity: Study Shows An Important Advantage of LED Fixtures for Parking Lots

📅 Posted on April 5, 2018 (<https://www.topbulb.com/blog/lighting-uniformity-an-advantage-of-led-parking-lot-fixtures/>) by 👤 Dave Burtner (<https://www.topbulb.com/blog/author/dave/>)



One of the fastest growing segments of the LED commercial lighting market is site, area, street and parking lot lighting. Owners of commercial property and municipalities in particular are looking at LED solutions for new developments or to replace HID fixtures in existing applications.

In this post we will look at occupant perceptions of safety, security and visibility in parking lots. Specifically, we will review a study that uses LED parking lot light fixtures ([/fixtures/commercial-light-fixtures/outdoor-light-fixtures/area-site-light-fixtures](#)) to focus on the relationship between illuminance levels and lighting uniformity and how the two affect occupant perceptions of safety. The results are significant for parking lot lighting design and fixture selection and can be applied more generally to site, area and street lighting as well.

## Lighting Design Criteria for Parking Lot lighting



Current design recommendations from the Illuminating Engineering Society of North America (IESNA) for parking lot lighting are found in the latest version of RP-20 (<https://www.ies.org/store/recommended-practices-and-ansi-standards/lighting-for-parking-facilities/>) (2014).

## Illuminance

Illuminance values that match the physical characteristics and unique lighting needs of the parking lot need to be determined. RP-20 gives recommendations.

## Uniformity

Lighting uniformity (which translates to the human perception of how evenly illumination is distributed throughout the parking lot) is expressed as the ratio of maximum-to-minimum illumination levels. The current IESNA recommendation is 15:1 (although 10:1 is commonly used). This means there can be 15 times more illumination when measured in one area of the parking lot compared to another.

A 15:1 or 10:1 uniformity ratio does not produce lighting that most people would call uniform. It will result in both bright and dark areas of the parking lot. This unevenness will likely produce feelings of insecurity for people walking to their vehicle. In addition, these dark areas can also encourage illicit behavior.

Lack of lighting uniformity is largely a function of traditional HID fixtures used in parking lots. HID lamps generate light by means of an electric arc between tungsten electrodes inside an arc tube. This arc tube can be considered a point source of light. The fixture design re-directs the light into the desired distribution. The result is often high or higher intensity illumination directly under the HID fixtures and darker areas between one fixture and the next.

With the emergency of LED, the issues around lighting uniformity in parking lot lighting can be addressed in ways that were previously difficult or impossible with HID. LED fixtures inherently provide higher uniformity compared to HID fixtures. The light from LED fixtures is generated not from a single point source, like HID, but from multiple, discrete LEDs. This fact usually allows for much lower maximum-to-minimum uniformity ratios when LED fixtures are used.

# Relationship Between Illuminance and Uniformity

The relationship between illuminance and uniformity in parking lot lighting is the focus of a study by the Lighting Research Center (LRC) at Rensselaer Polytechnic Institute. The LRC published results (in 2015) of a research project they conducted of occupant perceptions of the key issues of safety, security and visibility in parking lots under different illuminance levels and two different lighting uniformity ratios: 10:1 (base line) and 3:1 (improved).

The parking lot in the study measured 120 ft. x 250 ft. The researchers were able to switch between six light levels (0.2 footcandles to 6.0 footcandles and two uniformity ratios 10:1 (baseline) and 3:1 (enhanced uniformity)).

The interviews were conducted with occupants in the parking lot at night with no full moon and minimal contribution of other nearby lighting.

The occupants perceived the lighting as safer when the uniformity was higher (3:1). *Significantly, this result remained true even when the illuminance level was increased.* Other research has confirmed these conclusions.

## Conclusions

LED fixtures in parking lots provide a significant benefit compared to HID for increasing occupant feelings of safety and visibility -largely because of increased lighting uniformity.

This study also demonstrated that the higher inherent lighting uniformity of LED fixtures in parking lots means lower light levels are possible while not compromising and perhaps even enhancing, occupant perceptions of safety.

Read the complete LRC study (<http://www.lrc.rpi.edu/programs/solidstate/parkingLotUniformity.asp>).

## Shop LED Area / Site / Parking Lot Fixtures

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# **GUIDELINES FOR GOOD EXTERIOR LIGHTING PLANS**

Prepared by: The Dark Sky Society (<http://www.darksksociety.org/>) 2009

These guidelines have been developed in consultation with lighting professionals (with experience in developing good lighting plans) to aid communities wishing to control light pollution and preserve the night sky.

**Outdoor lighting should be carefully designed with regard to placement, intensity, timing, duration, and color. Good lighting will:**

- **Promote Safety**

“More light” is not necessarily” better”. If not designed and installed correctly, unsafe glare can result, reducing the effect of lighting which can contribute to accidents and hinder visibility. Lighting that is too bright interferes with the eye's ability to adapt to darker areas.

- **Save Money**

Adhering to professionally recommended light levels provides adequate illumination. Shielded fixtures with efficient light bulbs are more cost-effective because they use less energy by directing the light toward the ground. See this website for cost comparisons: <http://www.netacc.net/~poulsen/lightcost.html>

- **Conserve Natural Resources**

Inappropriate or excessive lighting wastes our limited natural resources and pollutes the air and water by unnecessarily burning our limited supply of fossil fuels.

- **Be Better Neighbors**

Excessive or misdirected lighting can intrude on the privacy of others when light or glare trespasses over property lines.

- **Retain Community's Character and Reduce Skyglow**

Our clear view of the dark starry night sky is a resource to be preserved and protected. Stray and excessive lighting contributes to "light pollution", clutter, and unnatural "sky glow".

- **Protect Ecology of Flora and Fauna**

Research studies indicate that artificial night lighting disrupts the migrating, feeding, and breeding habits of many wildlife species, as well as growth patterns of trees. See references in [The Ecological Consequences of Artificial Night Lighting](#).

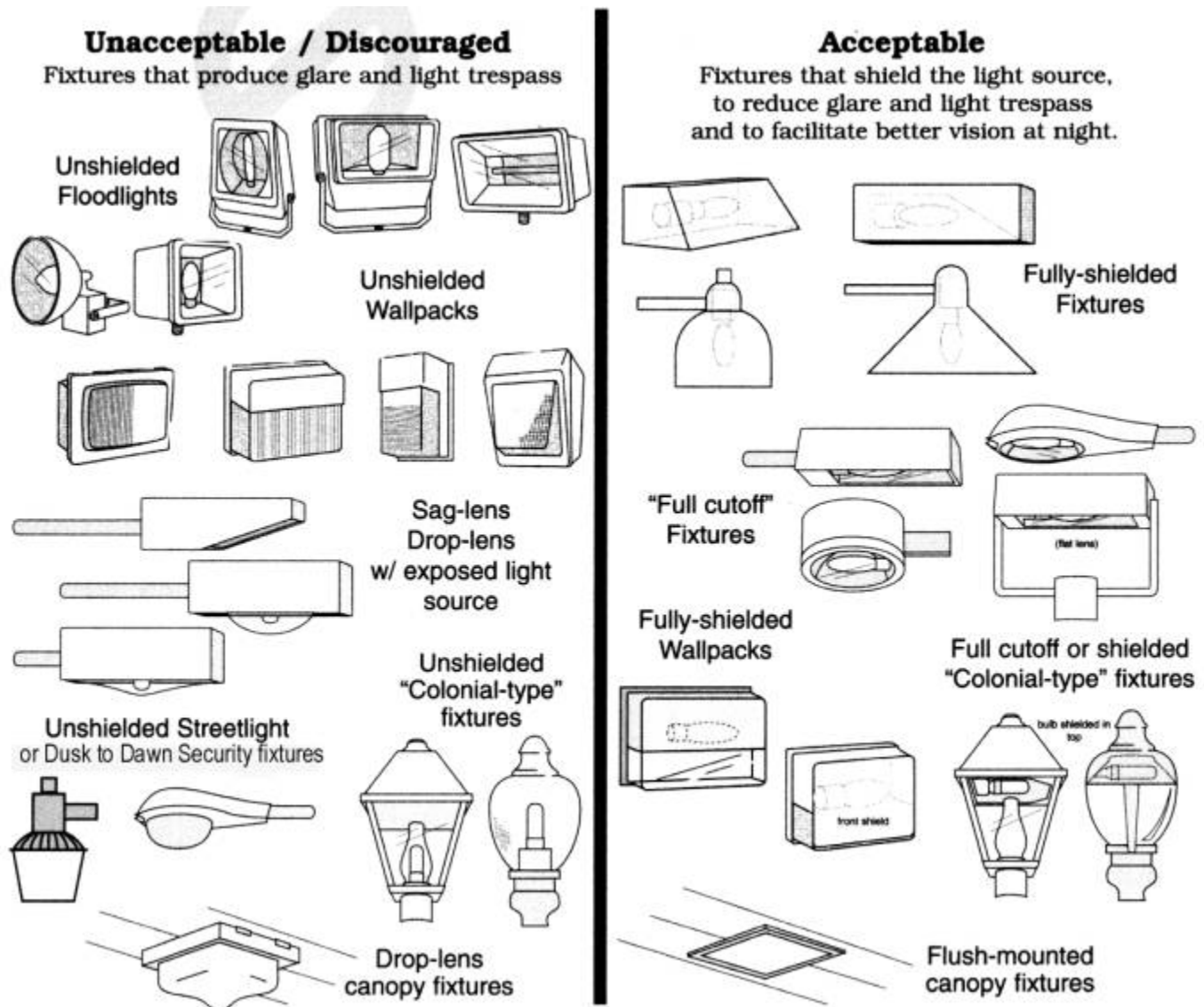
- **Reduce Health Risks**

Light at night not only disrupts your sleep but also interferes with your circadian rhythms. Recent research indicates that intrusive lighting may reduce the production of melatonin, a beneficial hormone, and a resulting raise in the rates of breast and other cancers.

- Included:**
- 1. Diagrams of Acceptable/Unacceptable Lighting Fixtures**
  - 2. How to Develop an Acceptable Lighting Plan**
  - 3. Definitions of Full Cut Off, Shielded, and RLM sign lighting Fixtures**
  - 4. Lighting Plan Submissions**
  - 5. Recommended Illumination Levels for various tasks**

## UNSHIELDED FIXTURES

## Full Cutoff and Fully Shielded Fixtures



Diagrams courtesy of Bob Crelin

**\*\*\*\*\*Ask your local electrical suppliers for "full-cut off" or "fully shielded" light fixtures. Once you have selected fixtures which are compatible with your architecture and community, contact the manufacturer's representative to see a sample of the fixture(s) and to ask for a free lighting plan. If you have a CAD file, the plan can be easily provided in a short period of time. \*\*\*\*\***

Most lighting manufacturers have Application Departments which will execute free lighting plans to meet local lighting codes.

See this website for links to manufacturers:

<http://www.darksky.org/mc/page.do?sitePageId=56422&orgId=idsa>

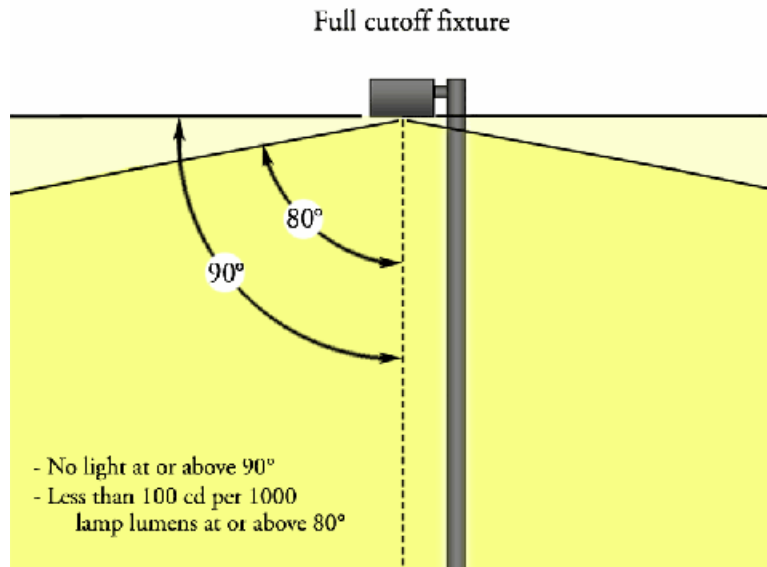
Sample of Web retailers:

[www.starrynightlights.com](http://www.starrynightlights.com) and [www.greeneearthlighting.com](http://www.greeneearthlighting.com)

## How to Develop an Acceptable Lighting Plan

1. **Identify where as well as when lighting is needed. Confine and minimize lighting to the extent necessary to meet safety purposes.** Plans should define the areas for which illumination is planned. Itemizing each area (e.g. parking lot, doorways, walkways, signage, foliage) with the anticipated hours of use. Commercial outdoor lighting should be used for safe pedestrian passage and property identification, and lit during active business hours and shut off afterward.
2. **Direct light downward by choosing the correct type of light fixtures.** (See Appendix 3). Specify IES (Illuminating Engineering Society) "Full Cut Off" designated or "fully shielded" fixtures, so that no light is emitted above the lowest light emitting part of the fixture. Top mounted sign lighting is recommended with "RLM" (dish) type shields, and aimed so that the light falls entirely on the sign and is positioned so that the light source (bulb) is not visible from any point off the property or into the roadway to reduce glare. For each one square foot of sign, usually no more than 200 lumens is necessary for good visibility.
3. **Select the correct light source (bulb type).** Compact fluorescent (2300K) or High Pressure Sodium is recommended unless the light is motion sensor activated, in which case incandescent or the instant start compact fluorescent bulbs can be used. Metal Halide (due to its higher costs, energy use, impact on the environment, and greater contribution to "sky glow") is discouraged, as well as light sources rated over 3000 Kelvin; and outdated Mercury Vapor bulbs are prohibited.
4. **Utilize "shut off" controls such as sensors, timers, motion detectors, etc.** Automatic controls turn off lights when not needed. All lights should be extinguished no later than one half hour after the close of business. Additional motion sensor activated lighting can be used for emergency access. Avoid "dusk-to-dawn" sensors without a middle of the night shut off control. Lights alone will not serve to "protect" property and are a poor "security" device. Examine other means of protecting property and to discourage criminal activity. Let your local police know that you have a "lights out" policy so that they can investigate if they see lights or activity after hours.
5. **Limit the height of fixtures.** Locate fixtures no closer to the property line than four times the mounting height of the fixture, and not to exceed the height of adjacent structures. (Exceptions may be made for larger parking areas, commercial zones adjacent to highways, or for fixtures with greater cut off shielding behind the pole mount in commercial zones.)
6. **Limit light crossing property lines, i.e. "light trespass".** Limit light to spill across the property lines. Light levels at the property line should not exceed 0.1 footcandles (fc) adjacent to business properties, and 0.05 fc at residential property boundaries. Utility leased floodlight fixtures mounted on public utility poles in the public right-of-way should not be used.
7. **Use the correct amount of light.** Light levels and uniformity ratios should not exceed recommended values, per IESNA RP-33 or 20. (See Appendix 5, Recommended Illumination Levels for various tasks.) "Lumen cap" recommendations for areas to be illuminated are as follows: commercial properties in non-urban commercial zones = 25,000 lumens per acre; for projects in residential and LBO zones = 10,000 lumens per acre. For residential properties: for suburban: 50,000 lumens per acre cap, and in urban areas: 100,000.
8. **Ask for Assistance** Your Planning Department and local lighting sales representatives can assist you in obtaining the necessary information for good lighting. For large projects over 15,000 lumens: greater energy conservation and control of light pollution, light trespass and glare, may be achieved with the help of a professional lighting designer with "dark sky" lighting plan experience.
9. **A post installation inspection should be conducted to check for compliance.** Substitutions by electricians and contractors are common and should not be accepted. Final Approved Site Plans will not allow additional exterior fixtures or substitutes without reviews.
10. **Design interior lighting so that it does not illuminate the outdoors.** Provide interior lighting photometrics for the building's perimeter areas, demonstrating that the interior lighting falls substantially within the building and not through the windows. After closing, interior lighting that extends outdoors needs to be extinguished by the use of shut off timers.

## Definition of Acceptable Fixtures: "Full Cut Off", "Fully Shielded", and RLM shield.



- "Full Cut Off" fixtures are independently certified by the manufacturers, and do not allow light to be emitted above the fixture and the fixture reduces glare by limiting the light output to less than 10% at and below 10 degrees below the horizontal.
- If the manufacturer is unable to provide the "cut off" characteristics for a fixture (also called a "luminaire"), the following definition needs to be met, which can usually be determined by a visual inspection:

"Fully Shielded": a fixture constructed and installed in such a manner that all light emitted by it, either directly from the lamp (bulb) or a diffusing element, or indirectly by reflection or refraction from any part of the fixture, is projected below the horizontal. This can be determined by a "field test" or a visual assessment of an operating sample.

- Manufacturers and their representatives can provide photographs of light fixtures as "cut sheets" as well as literature confirming the independently tested "cut off" characteristics of their products. These IES files may be assessed for compliance in a computer program: <http://www.3dop.com/index1.html>
- Photometric layouts for different heights, light sources, and wattages, are also available as "IES" files, upon request or through manufacturers' websites.
- Fixtures must be installed properly, so that the bottom of the fixture is level with the ground. Exceptions are often given for sign lighting which requires vertical lighting:



"RLM" sign lighting shield:

# Lighting Plan Submissions

The following information needs to be provided to your municipality's review board which will enable them to evaluate the Site Plan for proper exterior lighting:

The Lighting Plan should be depicted on a site plan, indicating the location of each current and proposed outdoor lighting fixture with projected hours of use. This plan will need to be stamped and certified by a licensed professional, such as an architect or engineer. Many lighting manufacturers can provide free photometric layouts on prepared site plans, to conform to your local requirements.

- (1) The lighting plan should include a KEY to the proposed lighting that provides the following information:
  - Type and number of luminaire equipment (fixtures), including the "cut off characteristics", indicating manufacturer and model number(s).
  - Lamp source type (bulb type, i.e. high pressure sodium), lumen output, and wattage.
  - Mounting height with distance noted to the nearest property line for each luminaire.
  - Types of timing devices used to control the hours set for illumination, as well as the proposed hours when each fixture will be operated.
  - Total Lumens for each fixture, and total square footage of areas to be illuminated. For projects that are in commercial zones, the lumens per net acre to be lit, need not exceed 25,000 lumens. For projects in residential or LBO zones: 10,000 lumens.
  - For all plans of more than three fixtures: A Calculation Summary indicating footcandle levels on the lighting plan, noting the maximum, average and minimum, as well as the uniformity ratio of maximum to minimum, and average to minimum levels\*.
- (2) Lighting manufacturer-supplied specifications ("cut sheets") that include photographs of the fixtures, indicating the certified "cut off characteristics" of the fixture.
- (3) Footcandle Distribution, plotting the light levels in footcandles on the ground, at the designated mounting heights for the proposed fixtures. Maximum illuminance levels should be expressed in footcandle measurements on a grid of the site showing footcandle readings in every five or ten-foot square. The grid shall include light contributions from all sources (i.e. pole mounted, wall mounted, sign, and street lights.) Show footcandle renderings five feet beyond the property lines.\*
- (4) If requested by the reviewing agency, a statement from a lighting professional that a plan, other than that set forth, is needed to meet the intent of these standards.
- (5) An environmental impact statement may be required as to the impact of the exterior lighting proposed on flora, fauna, and the night sky. Location of species sensitive to light at night or the proximity to nature preserves or astronomical observatories or "Dark Sky Parks", needs to be indicated.
- (6) On the Approved Plan it should be noted that no substitutions, additions, or changes may be made without prior approval by the governing authority.

\* This information can be obtained from the manufacturer, your lighting supplier, or the manufacturer's representative.



# Recommended Illumination Levels for various tasks\*

## I. Table of Limits of Illumination, measured in footcandles (fc) at ground level unless noted:

<u>Task Area</u>	<u>Avg.</u>	<u>Not to exceed:</u>
1. Active Building Entrance Approach	2.0 fc 0.2 fc	5 fc
2. Gas Station Approach		2 fc
3. Gas Station Pump Area		avg: 5 fc
4. Gas Station Service Area		avg: 3 fc
5. Sidewalks	0.2 fc	5 fc
6. Surface of signs		2 fc

## II. Average/Minimum/Uniformity Ratio Limits for Parking Lots:

I. Public Parking Lots -- not to exceed:

<u>Average</u>	<u>Minimum</u>	<u>Uniformity Ratio (Max to Min/Avg to Min)</u>
0.8	0.2	20:1 / 4:1

II. Private Parking Lots -- not to exceed:

<u>Average</u>	<u>Minimum</u>	<u>Uniformity Ratio (Max to Min / Avg to Min)</u>
0.5	0.13	20:1 / 4:1

**OR:**

**III.** If illuminance grid lighting plans cannot be reviewed or if fixtures do not provide photometrics and bulbs are under 2000 lumens, use these guidelines:

1. **Pole shall be no greater in height than four times the distance to the property line.**
2. **Maximum Lumen Levels for different fixture heights:**

<u>Mounting Height (Feet)</u>	<u>Recommended Lumen Maximums</u>
6	500 - 1000 lumens
8	600 - 1,600 lumens
10	1,000 - 2,000 lumens
12	1,600 - 2,400 lumens

**FOOTCANDLE:** ("FC") – Is the basic unit of illuminance (the amount of light falling on a surface). Footcandle measurement is taken with a hand held light meter. One footcandle is equivalent to the illuminance produced on one square foot of surface area by a source of one candle at a distance of one foot. Horizontal footcandles measure the illumination striking a horizontal plane. Footcandle values can be measured directly with certain handheld incident light meters.

**LUMEN** – A unit used to measure the actual amount of light that is produced by a bulb. The lumen quantifies the amount of light energy produced by a lamp at the lamp, not by the energy input, which is indicated by the "wattage". For example, a 75-watt incandescent lamp can produce 1000 lumens while a 70-watt high-pressure sodium lamp produces 6000 lumens. Lumen output is listed by the manufacturer on the packaging.

\* **IES, Recommended Practices, (RP-33-99): Lighting for Exterior Environments; and (RP-20): Parking Lots.** The Illuminating Engineering Society of North America (IES or IESNA), is an organization that establishes updated standards and illumination guidelines for the lighting industry.  
<http://www.iesna.org/shop/item-detail.cfm?ID=RP-33-99&storeid=1>  
<http://www.iesna.org/shop/item-detail.cfm?ID=RP-20-98&storeid=1>





March 20, 2019

**Mtg Date:** March 28, 2019  
**To:** Planning Commission  
**From:** Julie Johnston, AICP  
**Subject:** DRAFT Maple Hill South Overlay Zone

The attached document is the first DRAFT of the new Maple Hill South Overlay Zone for the Planning Commission's consideration. This new ordinance is in response to the Maple Hill South Sub-Area Plan, which was developed as part of the 2017 Master Plan Update. The Overlay Zone is an optional ordinance, providing flexibility to the property owners to either develop utilizing the requirements of the Overlay Zone or develop applying the existing underlying zoning, which is R-2: Residence District. The Overlay Zone is intended to mirror the goals of the Sub-Area Plan, providing regulations for these goals. For your convenience, a copy of the Sub-Area Plan has been provided with the draft ordinance.

Thank you.

**SECTION XX.000 MAPLE HILL SOUTH MIXED-USE OVERLAY DISTRICT**

March 20, 2019 PRELIMINARY DRAFT

**XX.10 INTENT AND APPLICABILITY**

- A. **Intent.** The Maple Hill South Mixed-Use Overlay District (MHS-Overlay District) is intended to provide, through comprehensive planning, zoning and project review, for the development of a compact, pedestrian-oriented, mixed-use district, consisting of a planned mixture of commercial, office and technology, residential, and public use, which features high quality and uniform building and site design standards, and which complements and is compatible with adjacent uses. The district is designed to provide residents and visitors with a unique opportunity to meet their needs for housing, employment services, entertainment, and recreation.
- B. **Optional Overlay.** The MHS-Overlay District is established as an optional overlay district, the limits of which are designated on the official Zoning Map of Oshtemo Township. This means that it is overlaid on other, existing zoning districts. Within this optional overlay district, property owners have the option to continue to use their property in the manner permitted in the underlying districts. The overlay district provides additional opportunities and flexibility should property owners choose to avail themselves of those choices. These opportunities within the overlay district, however, do not apply unless the property owner elects to become subject to the overlay district and the standards and procedures contained herein.
- C. **Eligibility Criteria.** In order to qualify as an eligible development under the MHP-Overlay District standards and procedures contained herein, the Planning Commission, shall find that the development demonstrates compliance with the following principles:
1. **Size.** In order to ensure that the intent of this Overlay District is accomplished, projects must be of a sufficient size. A minimum development size of 80 acres of contiguous land shall be required.
  2. **Walkability.** Physical infrastructure shall be provided to support pedestrian access and a mix of amenities and destinations within a reasonable walking distance. Blocks shall be short and walkable. Streets should be designed for cars, bicycles, and pedestrians.
  3. **Circulation.** Site access and on-site circulation shall be provided through an interconnected network of streets, sidewalks and other routes. A grid-like network of streets shall be established to enable an efficient dispersion of traffic. Accommodations for transit facilities should be provided.
  4. **Pedestrian-Orientation.** Sites shall be designed such that vehicles are not the dominant feature. Large expanses of pavement shall be replaced or reduced via on-street parking,

parking structures, shared parking, underground parking, and other parking management strategies.

5. **Mixed-Use.** There shall be a variety of compatible uses, services and building types that serve the needs of residents, workers, and visitors alike. A range of types, sizes, amenities, and uses will enhance a series of inviting functional spaces, including streets and pedestrian-friendly streetscapes, open spaces, courtyards, trails, residential, office, and retail in mixed-use buildings. Varied styles of residential development shall be provided to attract residents of diverse ages, incomes, and lifestyles.
6. **District Identity and Physical Design.** A coordinated distinct identity shall be developed for the District to promote a sense of place. Building design shall be elevated with varied building heights, architectural character, and high-quality building materials that provide visual interest at a pedestrian scale. A streetscape aesthetic shall be designed that includes public elements and integrated gateways and signage within the District.
7. **Community Spaces.** Open spaces and community gathering spaces shall be provided within the District to be used as locations to stimulate social interaction, civic events, and recreational activity. Passive open spaces shall be designed to be reflective of the existing landscape and natural features (tree rows, ponds, etc.) of the site. Active plazas and civic spaces shall also be integrated into the overall development.
8. **Compatibility with Adjacent Residential Uses.** The physical height and bulk of buildings shall reduce in size from north to south, providing compatibility in size to the adjacent residential neighborhoods. A transitional land use scheme shall be employed, with the least intensive and lowest density land uses to be located along the southern edge of the District (adjacent to established residential areas).

## **XX.20 CONTEXT ZONES**

The Maple Hill South Mixed Use Overlay District is divided into three Context Zones. These Context Zones are illustrated on the map herein and are as follows: Gateway (G); Town Center (TC); and Neighborhood Transition (NT). The regulations of this Article related to uses allowed, building heights, building design, site orientation, parking and other development standards may vary for each of the Context Zones. The Planning Commission is given the authority to permit flexibility in the delineation of the context zones to encourage innovation in land use and variety of design, layout, type and use of structures.

*[Insert Context Zones Map]*

## **XX.30 USES PERMITTED BY CONTEXT ZONE**

- A. **Permitted Uses.** The following Context Zone character descriptions shall determine the types of uses which may be allowed. The Planning Commission, may approve any use determined to be compatible with the Context Zone character descriptions, with the exception of prohibited uses listed in Subsection B.

1. Gateway (G) – Lands along the edge of the MHS-Overlay District with frontage along or near U.S. 131 and/or West Main Street are designated in this Context Zone. Land uses within this area will primarily be of a retail, restaurant, entertainment, lodging, office and technology character. Other uses may also be accommodated, including compatible medical, educational, institutional and higher-density residential use.
2. Town Center (TC) – This Context Zone is envisioned as a central focal point of the MHS-Overlay District, with compact mixed-uses that will provide a nucleus to attract future growth. Development will allow for a mix of uses both vertically within buildings and horizontally within blocks. Mixed-use buildings could contain first-floor commercial, retail, and/or office uses, with upper floor office and/or residential uses. Mixed-use blocks allow for single-use buildings in a range of land uses within one block. Commercial uses, professional offices, entertainment facilities and cultural centers are encouraged.
3. Neighborhood Transition (NT) – This Context Zone is anticipated to accommodate a wide variety of residential styles. This could include higher density residential land uses adjacent to the Town Center, Gateway and/or existing commercial development on West Main Street. Traditional single-family detached and/or attached residential uses will be accommodated to serve as a buffer between mixed-uses within the District and the adjacent neighborhoods to the south of the District.
4. Community and Open Space Uses shall also be integrated throughout the development to ensure an exceptional environment for visitors and residents. A central community space area is recommended as a District focal point; this space would be designed to accommodate more active community functions, such as civic events, recreation, and entertainment. Passive open space areas shall serve as buffers and places to experience and enjoy nature.

**B. Prohibited Uses.** The following uses are specifically prohibited within the MHS-Overlay District:

1. New and/or used car sales lots; recreational vehicle sales lots; mobile home sales lots outside of mobile home parks; farm machinery and other equipment sales lots; boat sales lots; and other businesses involving substantial outdoor sales or activities connected with retail sales.
2. Filling stations, carwashes, public garages or service stations, auto body and auto paint shops.
3. Automobile repair, service and/or automobile glass repair facilities.
4. Drive-in theatres.
5. Earth removal, quarrying, gravel processing, mining, related mineral extraction businesses, and landfill gas recovery processing facilities.
6. Manufacturing, compounding, assembling or treatment of merchandise.

7. Wholesaling, storage and/or warehousing of commodities.
8. Storage buildings and mini warehouses.
9. Outdoor equipment and/or vehicle storage yards.
10. Kennels for the breeding, raising and/or boarding of dogs or cats.
11. Adult regulated uses.

**XX.40 DEVELOPMENT REQUIREMENTS**

A. **Site Development Requirements.** The following regulations shall apply to all development within the MHS-Overlay District.

Context Zone	Height		Placement			Minimum Floor Area per Dwelling Unit	Minimum Required Open Space
	Minimum Building Height (1)	Maximum Building Height	Front and Street Sides	Minimum Side Setback	Minimum Rear Setback		
Gateway (G)	1 story / 18 feet	3 stories / 6 stories with direct US-131 frontage	15 feet (2)	10 feet (2)	20 feet (2)	(4)	15% of net acreage (5)
Town Center (TC)	2 stories	5 stories	0 feet required building line (3)	0 feet	0 feet	(4)	10% of net acreage (5)
Neighborhood Transition (NT)	1 story	2 stories	15 feet (2)	10 feet (2)	15 feet (2)	(4)	25% of net acreage (5)

Footnotes to the Development Requirements Table:

- (1) A minimum ground floor height of 12 feet shall be required for all development within the MHS-Overlay District.
- (2) The Planning Commission, may approve reduced setbacks to allow for buildings to be placed in a manner that encourages a consistent street wall and provides for a usable sidewalk area and a more attractive pedestrian environment.
- (3) Buildings shall be placed on lots in relation to their frontages in a manner that encourages a consistent street wall and provides for a usable sidewalk area and a more attractive pedestrian environment. 75% of the building façade must meet the required building line, while up to 25% of the façade can be setback to allow for architectural considerations such as outdoor cafés, plazas, squares or other public spaces. The

required build to line and frontage coverages may be modified by the Planning Commission, provided that the location of any proposed building is in keeping with or improves the context of the existing area.

- (4) The minimum floor area per dwelling unit shall be as follows:

<u>Unit Type:</u>	<u>Minimum Floor Area:</u>
Efficiency or 1 bedroom	600 sq. ft.
2 Bedrooms	800 sq. ft.
3 or More Bedrooms	1,000 sq. ft.
Elderly (independent)	525 sq. ft.
Elderly (limited assisted)	425 sq. ft.

- (5) Required open space may include plazas, parks, pedestrian pathways, lakes or similar types of park-like features.

**B. Residential Maximum Density and Density Bonus.**

1. For the purposes of this Article, net acreage shall be defined as the gross acreage of the development, minus public/private rights-of-way and stormwater detention areas. However, stormwater detention areas may be included within the net acreage if they are designed as functional open spaces, are accessible to pedestrians, and do not require safety fencing.
2. The maximum residential density shall not exceed six (6) dwelling units per net acreage of the development.
3. The inclusion of certain amenities or design options may result in an allowed increase in residential density, referred to as a density bonus. However, the total density bonus shall not result in a residential density of more than eight (8) dwelling units per net acreage of development. The Planning Commission may determine the density bonus upon a finding that the proposed development would accomplish at least four (4) of the below amenities or design options. If the development is proposed in phases, the Planning Commission may, at its discretion, approve density bonuses for one or more phases, commensurate with the amenities or design options proposed for each phase.
  - a. Construction and dedication of land for a public park, plaza, or open space use, if acceptable to the Township.
  - b. Development of significant recreational or site amenities such as golf courses, baseball diamonds, tennis courts, basketball courts and community buildings.

- c. In addition to sidewalks required along public streets, the development of pedestrian, bicycle, or other recreational trails for public use that are separated from vehicular traffic, within the development and connecting to adjacent development.
- d. Provision of open space in an amount which is at least 50 percent greater than the minimum open space percentage required by Section XX.40.A.
- e. Significant use of sustainable building design features such as, optimized energy performance, on-site renewable energy, passive solar heating, use of reused/recycled/renewable materials, indoor air quality mechanisms, green roofs, or other elements identified as sustainable by established groups such as the US Green Building Council (LEED) or ANSI National Green Building Standards.
- f. Significant use of sustainable site design features such as stormwater filtration landscaping, low impact stormwater management, permeable surfaces, bioretention facilities, or other elements identified as sustainable by established groups such as the US Green Building Council (LEED).
- g. Provision of other exceptional public benefits within the development, determined by the Planning Commission as sufficient to qualify as one of the four required amenities or design options justifying a density bonus.

**C. Road Design.**

- 1. The development shall be serviced by an interior street system. If some or all of the interior street system is private, it shall be built in conformance with the standards and requirements of Section 49.160 of the Township Zoning Ordinance. Exceptions to the standards and requirements of Section 49.160 may be permitted by the Planning Commission, where deemed necessary to achieve the intent and eligibility criteria of this Article.

**D. Open Space.**

- 1. Designated open space shall be set aside as common land and either retained in an essentially undeveloped or unimproved state or improved as a "public gathering places" to serve the following purposes:
  - a. Conservation of land and its resources
  - b. Ecological protection
  - d. Protect historic and/or scenic features
  - e. Shaping and guiding the development
  - f. Enhancement of values and safety

- g. Provide opportunities for social interaction
        - h. Provide parkland and active recreational opportunities on a neighborhood scale.
  - 2. Designated open space shall be under common ownership or control, such that there is a single entity having proprietary responsibility. Sufficient documentation of ownership or control in the form of agreements, contracts, covenants, and/or deed restrictions shall be provided.
  - 3. Designated open space shall be set aside through an irrevocable conveyance approved by the Planning Commission, such as:
    - a. Recorded deed restrictions
    - b. Covenants that run perpetually with the land
    - c. A conservation easement
    - d. Land trusts.
    - e. Such conveyance shall assure that the open space is protected from development, except as approved by the Planning Commission. Such conveyance shall also:
      - 1) Indicate the proposed allowable use(s) of the designated open space;
      - 2) Require that the designated open space be maintained by parties who have an ownership interest in the open space;
      - 3) Provide standards for scheduled maintenance of the open space;
      - 4) Provide for maintenance to be undertaken by the Township in the event that the dedicated open space is inadequately maintained or is determined by the Township to be a public nuisance, with the assessment of costs upon the open space ownership.

**E. Buffer from Adjacent Residential Uses.**

- 1. Where the height and bulk of any proposed residential construction is not equivalent and more intensive than existing adjacent residential development, a greenspace buffer/vegetative screen shall be provided which is acceptable to the Planning Commission in terms of width, height and composition of plant materials.

**F. Access.**

*Item to be discussed. Refer to the "Vehicular Circulation and Connections" narrative from the Maple Hill Drive South Sub-Area Plan.*



**XX.50 AUTHORITY TO WAIVER DEVELOPMENT REQUIREMENTS.**

Regulations relating to the use of land, including permitted land uses, height requirements, yard setbacks, and site improvements shall, in the first instance, be based upon the standards and requirements outlined in this Article. However, the Planning Commission is given the authority to permit flexibility in such standards and encourage innovation in land use and variety of design, layout, type and use of structures, provided any variation granted would also result in the overall design being consistent with the Intent and Eligibility Criteria of this Article, compatible with the adjacent uses of land, the natural environment, and the capacities of public services and facilities affected by the land uses.

**XX.60 APPLICATION AND APPROVAL PROCEDURES**

- A. Optional pre-application review(s). Informal pre-application review(s) is encouraged and may be scheduled with the Planning Department and/or Planning Commission, at which the project concept may be reviewed by the applicant, Township staff, and Township consultants.
  
- B. General Development Plan.
  - 1. An application proposing the development of land within the MHS-Overlay District shall first be made through the submittal of a general development plan (GDP). An application for review and approval of a GDP may be made by the owners of record or by any persons acting on behalf of the owners of record of the subject parcel. The applicant shall have a substantial interest in the subject property prior to filing; such filing shall be in the name of and signed by all owners. The applicant shall provide evidence of full ownership all land in the proposed project area, such as legal title or execution of a binding sales agreement, prior to approval of the GDP by the Township.
  
  - 2. Information required. The general development plan shall consist of a plan of the entire area carried out in sufficient detail as to show topography, land uses proposed, the densities and scale of development, the system of pedestrian and vehicular circulation, including off-street parking areas, and the relationship to adjacent properties and uses. Further, the GDP shall contain all the following information:
    - a. A property survey of the exact acreage proposed to be developed, prepared by a registered land surveyor or civil engineer (Scale: 1" = 50');
    - b. The intent of nonresidential development, type and gross and net square feet for each area of the site;
    - c. The number and type of residential units and residential density for each area of the site;
    - d. Location, size, and uses of common open space and recreation areas;
    - e. General landscape concept showing woodlands, wetlands and vegetation to be preserved or added, topography, and similar features;
    - f. Delineation of areas to be subdivided, if applicable;

- g. General description of proposed water, sanitary sewer, and storm drainage system;
- h. A unified plan for wayfinding and signage within the development;
- i. A plan delineating the location and area of the proposed phases of the development;
- j. A written statement containing the following supporting documentation:
  - 1) A full description as to how the proposed development satisfies the eligibility requirements and design principles of Section XX.10.C;
  - 2) If applicable, evidence of how the proposed development meets the criteria for qualifying for a density bonus outlined in Section XX.40.B;
  - 3) A description of the expected schedule of development including progressive time schedule for each phase of the development;
  - 4) General description of the organization to be established, to own and maintain common open space;
  - 5) General description of covenants, grants, easements, or other restrictions to be imposed upon land or buildings, including easements for public utilities, bylaws, and articles of incorporation for any homeowners' association or cooperative association;
  - 6) Description of applicant's intentions regarding selling or leasing of all or portions of land in the development and of dwelling units;
  - 7) Description of all proposed nonresidential uses, including types of stores and offices;
  - 8) The number and type of residential units and calculations of the resultant population;
  - 9) Average initial sales prices of dwelling units for sale and/or average initial rents of rental dwelling units;
  - 10) A draft Development Agreement which establishes the formal rights and obligations of the property owner and Oshtemo Township regarding the future development of the site. The Development Agreement shall, at a minimum, specify: the parties to the agreement; the obligations of the property owner; a term or duration within which the action and obligations of the agreement must be fulfilled by the property owner; vested rights; procedures for determining compliance with the conditions included in the agreement; default remedies; provisions

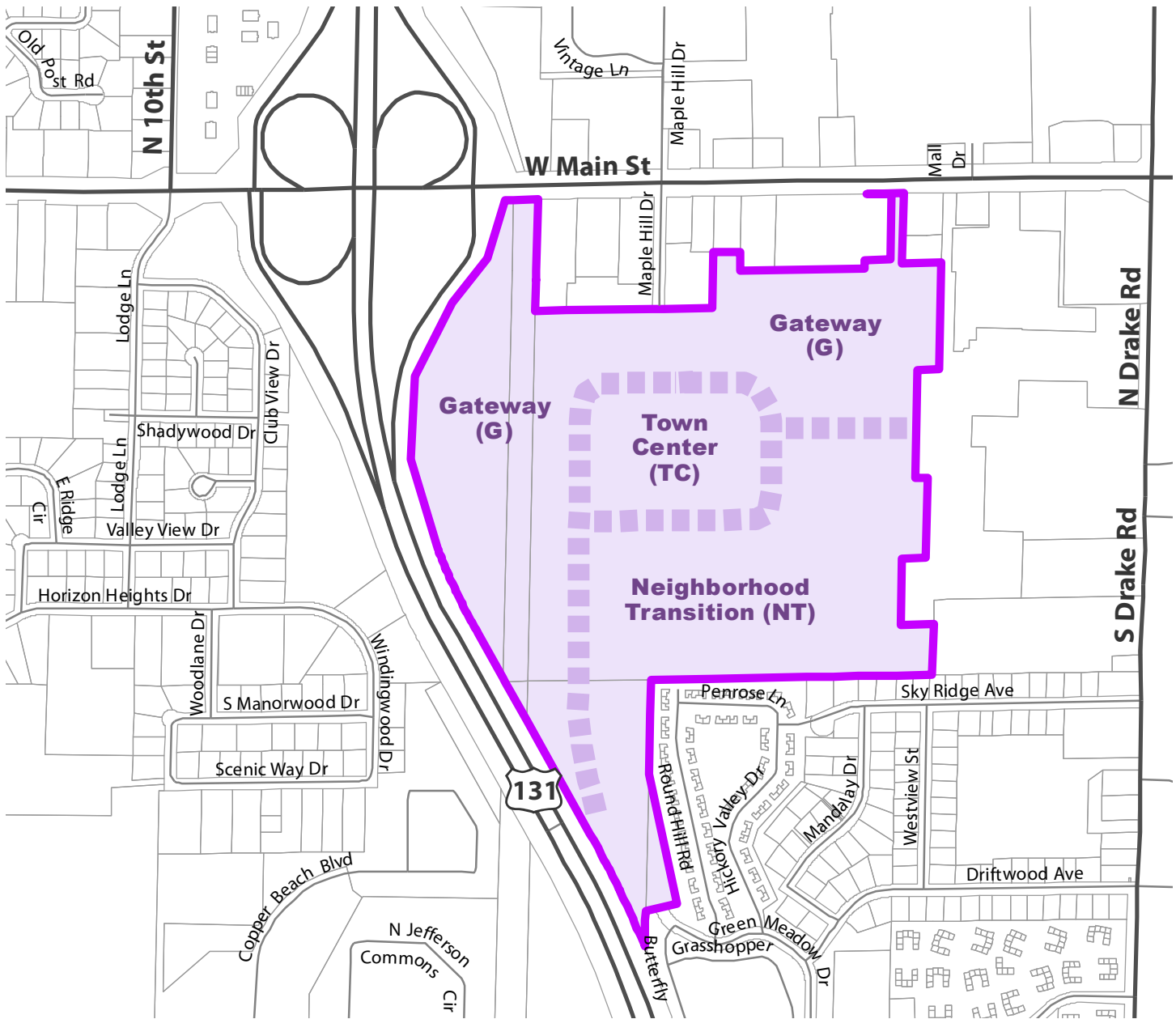
guiding the transfer of rights and obligations to subsequent property owners; and enforcement procedures;

- C. Public Hearing. The Planning Commission shall, upon receipt of a general development plan in proper form, schedule and hold a hearing upon the request and shall notify the applicant and all owners of all contiguous parcels of such hearing.
- D. Standards for Review of the GDP. The general development plan and supporting information shall be reviewed by the Planning Commission. The Planning Commission shall base its determination as to whether the plan meets the following standards:
  - 1. The general development plan shall generally conform to the Intent of this Article as outlined in Section XX.10.A.
  - 2. The general development plan shall generally conform to the Eligibility Criteria and Design Principles of Section XX.10.C.
  - 3. The general development plan shall generally conform to the review criteria for special land uses as outlined in Section 65.30.
- E. Decision of the Planning Commission. The Planning Commission shall deny, approve, or approve with conditions the general development plan and supporting documentation. The Planning Commission shall record its conclusions, its decisions, the basis for its decision, and any recommended conditions to be imposed in conjunction with an affirmative decision.
- F. Effect of Approval of the General Development Plan. Approval of the GDP shall indicate the Planning Commission's acceptance of uses, building location, layout of streets, dwelling unit count and type, floor areas, densities, and all other elements of the plan. The approval shall authorize the applicant to then submit, within ninety (90) days, a final draft Development Agreement for review and approval by the Township, with assistance from the Township Attorney.
- G. Development Agreement. For any project involving a financial obligation on the part of Oshtemo Township, approval of the GDP by the Township Board shall be required. The Development Agreement shall attest that the approved GDP and any conditions attached to the approvals, shall be binding on the property owner and upon their heirs, successors, and assigns. Upon approval by the Township, the executed Development Agreement shall be recorded with the Kalamazoo County Register of Deeds Office by the property owner within thirty (30) days of its signing. The property owner shall immediately thereafter provide a certified copy of the recorded Development Agreement with the Township Clerk for record keeping purposes.
- H. Site Plan. Execution of the Development Agreement shall authorize the applicant to file applications for site plan approval for all or phases of the development consistent with the approved GDP phasing schedule and Development Agreement. All site plans shall conform to the approved GDP and shall include the information required by Section 64.60.C. The Planning Department shall have the authority to deny, approve, or approve with conditions all site plans submitted for review under this section. The Planning Department shall record its conclusions,

its decisions, the basis for its decision, and any recommended conditions to be imposed in conjunction with an affirmative decision.

- I. Amendments. A property owner may request an amendment to an approved GDP.
  1. Minor modifications to an approved GDP may be administratively approved by the Planning Department. Modifications to be considered minor shall include, among other similar modifications, the following:
    - a. A change in residential floor area;
    - b. A change in nonresidential floor area of ten percent or less;
    - c. Minor variations in layout which do not constitute major changes; and/or
    - d. A change in lot coverage of the entire GDP of five percent or less.
  2. Major modifications to an approved GDP shall follow the procedures and conditions required for the original submittal and review in full. Modifications to be considered major changes shall include one or more of the following:
    - a. Change in concept of the development;
    - b. Change in use or character of the development;
    - c. Change in type of dwelling units as identified on the general development plan;
    - d. Change in the number of dwelling units;
    - e. Change in nonresidential floor area of over ten percent;
    - f. Change in lot coverage of the entire GDP of more than five percent;
    - g. Rearrangement of lots, blocks, and building tracts;
    - h. Change in the character or function of any street;
    - i. Reduction in land area set aside for common open space or the relocation of such area; or,
    - j. Increase in building height.
  3. The Planning Department shall have the authority to determine whether a requested change is major or minor, in accordance with this section. The burden shall be on the property owner to show the reasons for any requested change owing to changed physical or economic factors, or consumer demand.

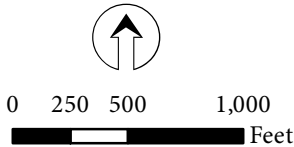
- J. Expiration, Extension and Revocation. The Development Agreement approved by the Township shall designate the timeframes and terms for the expiration, extension and revocation of plan approvals under this Article.

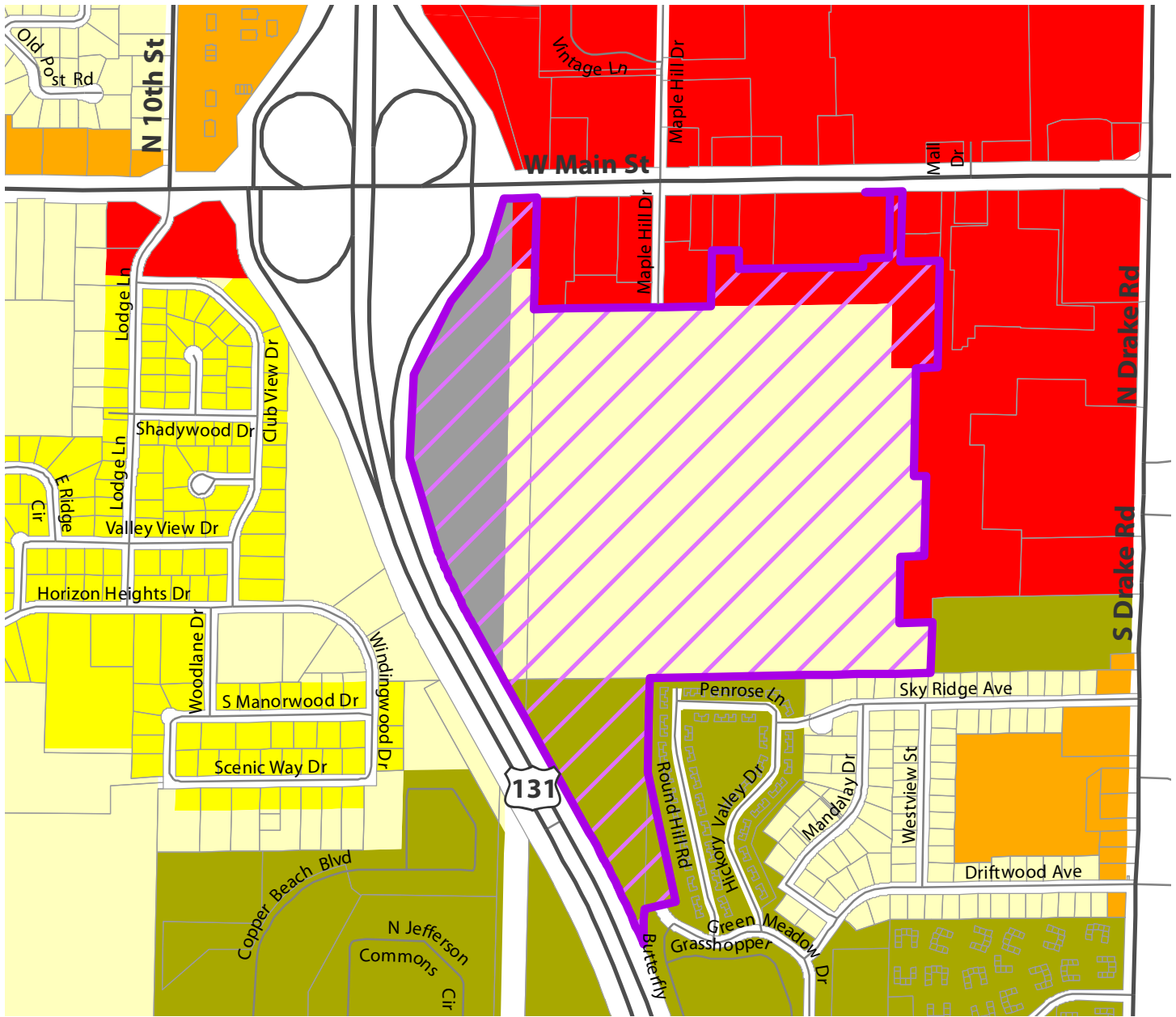


# Maple Hill South Mixed-Use Overlay District: Context Zones **DRAFT - 3/20/19**

-  Major Roads
-  Local Roads
-  Property Lines











Data Sources:  
 Oshtemo Township Zoning Map  
 Michigan Geographic Framework, v14.



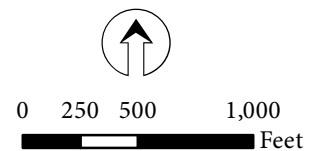


# Proposed Maple Hill South Mixed-Use Overlay District

DRAFT - 3/20/19

-  Proposed Maple Hill South Mixed-Use Overlay District
- Underlying Zoning Districts:**
-  R-1, Residence
-  R-2, Residence
-  R-3, Residence
-  R-4, Residence
-  I-1, Industrial
-  C, Local Business
-  Major Roads
-  Local Roads
-  Property Lines

Data Sources:  
 Oshtemo Township Zoning Map  
 Michigan Geographic Framework, v14.



# Maple Hill Drive South Sub-Area Plan

OSHTEMO TOWNSHIP MASTER PLAN UPDATE 2017





To engage community members, the Maple Hill Drive South Sub-Area planning process included a Visual Preference Survey. This image was the highest ranked image in the Public Amenities category.

## Introduction

This Maple Hill Drive South Sub-Area Plan is hereby incorporated as a sub-area plan of the Oshtemo Township Master Plan. A sub-area plan is an individual component of the overall Master Plan that provides a deeper evaluation of a specific area, such as a local business district or a neighborhood. A sub-area plan includes a vision, goals, principles, and future land use map just like the overall Master Plan, although in more detail than the Township-wide Plan.

The Oshtemo Township Master Plan 2011 specifically calls out the Maple Hill Drive South area as a sub-area (refer to Figure 8.1, Future Land Use) and recommends that a detailed sub-area plan be developed. As noted in the Master Plan 2011, the Maple Hill Drive South area is currently comprised of an existing golf course and smaller adjacent properties, and has strong potential to accommodate new development due to its location near West Main Street and US-131. Although the existing golf course is a “man-made” green space area, it exists as the only significant green space within this heavily developed portion of the Township. Given the strong potential for redevelopment of the site, it is critical to undertake a sub-area study, where a preferred development character can be identified, consistent with community goals and market demand.



## Study Area Context

The Maple Hill Drive South Sub-Area is located within the eastern portion of Oshtemo Township along the south side of West Main Street (M-43), between the US-131 interchange and the Township's border with the City of Kalamazoo (Drake Road forms the city-township boundary). More specifically, the sub-area is located to the south of West Main Street at the southern terminus of Maple Hill Drive. US-131 forms the sub-area's western boundary, while existing residential neighborhoods are located adjacent to the south. Existing commercial development, accessed by either West Main Street or Drake Road, is located immediately adjacent to the sub-area to the north and east. The sub-area location is shown on **Map 13**. In total, the Maple Hill Drive South Sub-Area comprises approximately 143 acres of land.

## Existing Conditions Assessment

### Existing Land Use Pattern

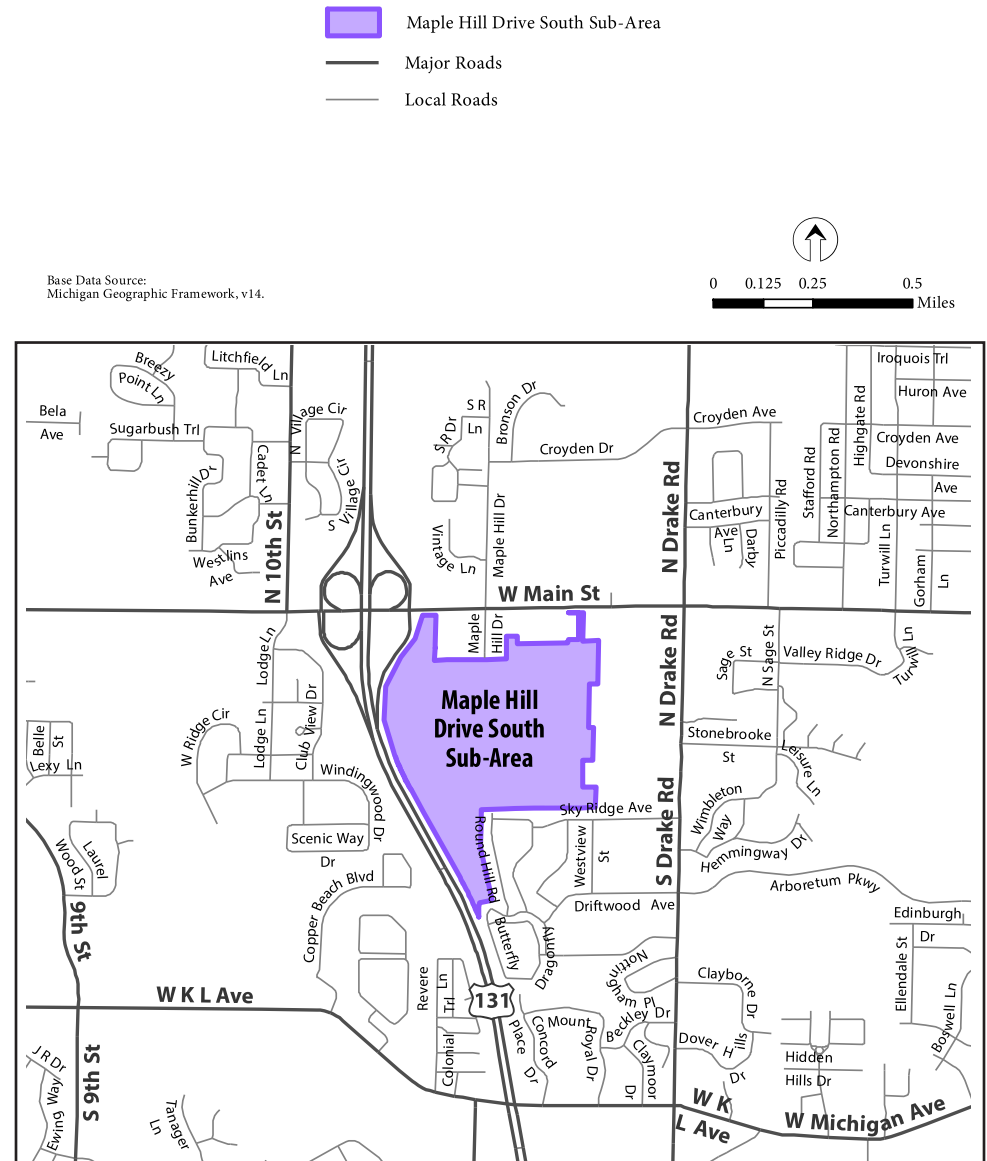
The sub-area consists of six separate parcels of land, including:

- Three parcels which combine to make up the Prairies Golf Club
- Two Consumers Energy electrical utility corridor parcels
- One parcel owned by the Michigan Department of Transportation (MDOT) and used as a maintenance garage

The commercial areas adjacent to the sub-area to the north (fronting West Main Street) and east (fronting Drake Road) include primarily automobile-oriented development, strip centers, and big box retail, along with adjacent outlots developed as service and retail uses. To the south is a mix of established low and medium density residential development. These include single-family detached subdivisions and residential attached condominiums. Multiple-family apartment complexes are slightly further to the south of the sub-area. The existing land use pattern of the sub-area and vicinity is shown on **Map 14**.

Given its close proximity to the sub-area, it is important to note a new commercial development currently under construction. This project, called Westgate, is located just north of the sub-area. Access to the

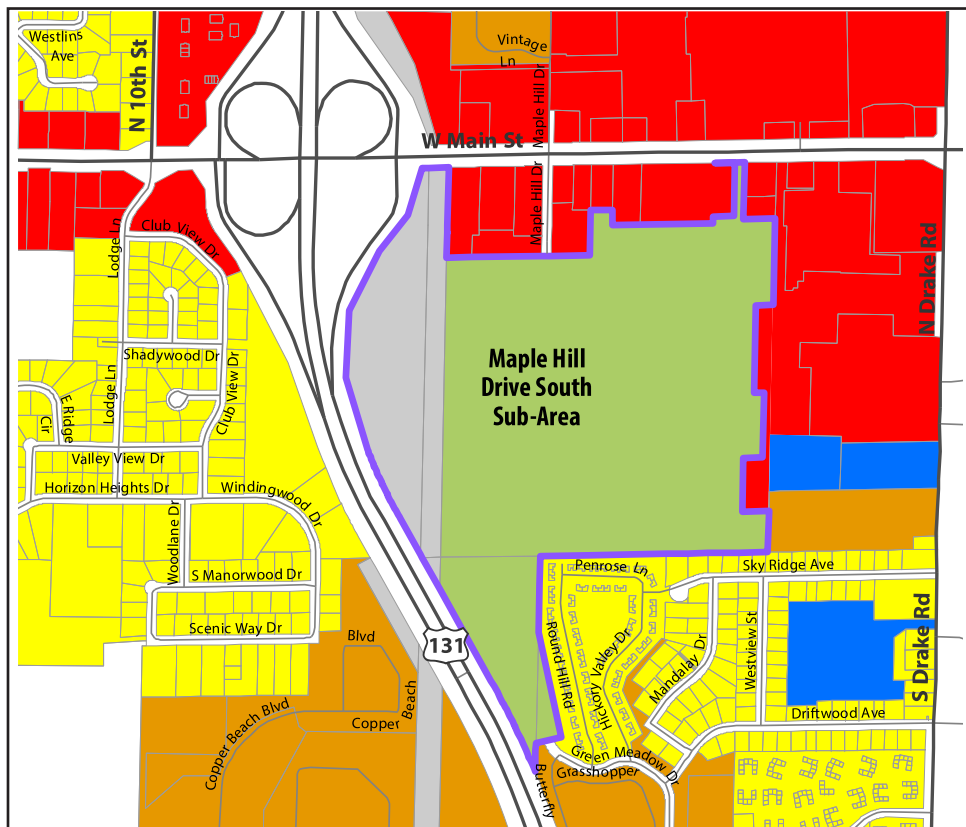
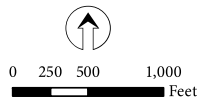
**Map 13**  
Maple Hill Drive South Sub-Area Location Map



**Map 14**  
**Existing Land Use Pattern**

- Low Density Residential (Single-Family Detached or Attached)
- High Density Residential (Multiple-Family Residential, Senior Housing, etc.)
- Institutional
- Golf Course
- Utilities
- Commercial, Service, Office, etc.
- Vacant Lands
- Maple Hill Drive South Sub-Area
- Major Roads
- Local Roads
- Property Lines

Data Sources:  
Wade Trim, May 2017  
Michigan Geographic Framework, v14.



development will be provided by West Main Street and Maple Hill Drive, and the project will also have frontage along US-131. The development will consist of several large big box retail stores, smaller retail stores, offices, three hotels, and several restaurants.

### Existing Zoning Pattern

The Maple Hill Drive South Sub-Area is presently zoned a combination of several zoning districts. The largest portion of the sub-area, generally encompassing the central portion of the golf course, is zoned R-2: Residence District, while the southern portion of the golf course is zoned R-4: Residence District. The MDOT maintenance garage site is presently zoned I-1: Industrial District. Finally, small segments of the sub-area near West Main Street are zoned C: Local Business District. **Map 15** shows the existing zoning pattern of the sub-area and vicinity.

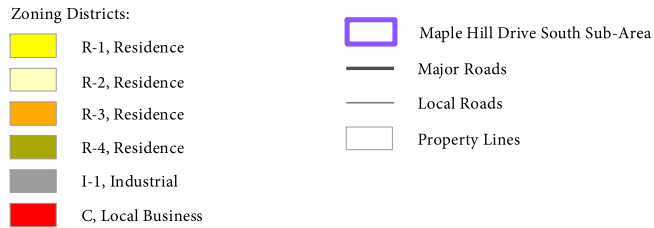
### Public Services/Infrastructure

#### Vehicular Transportation

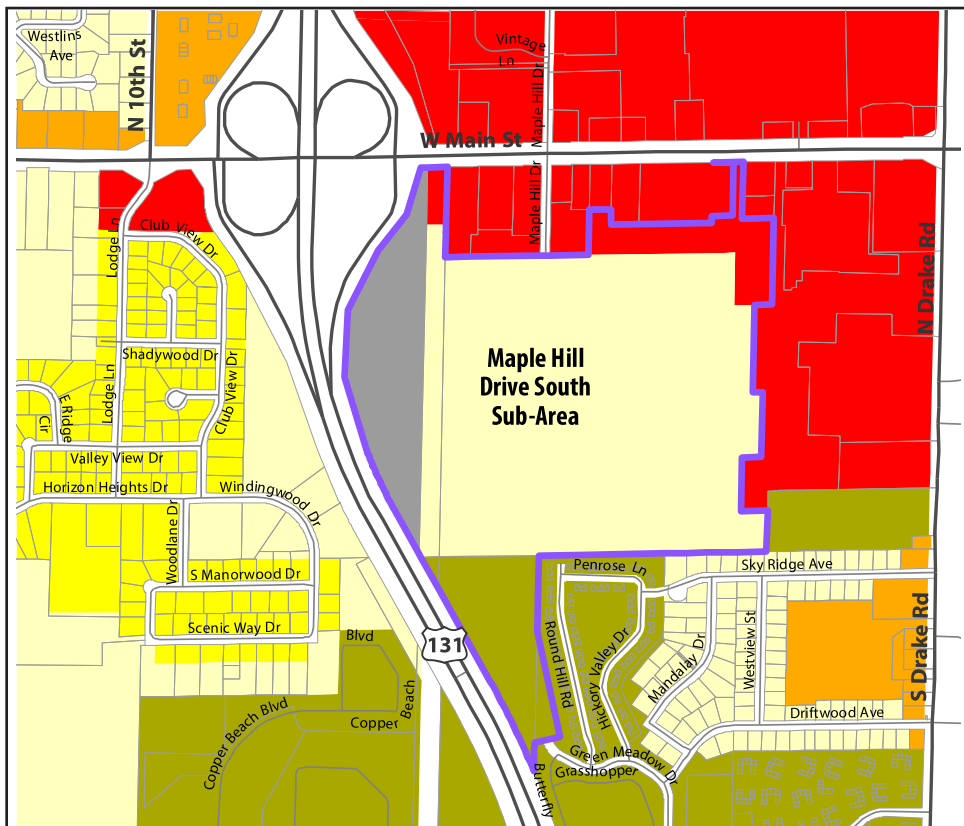
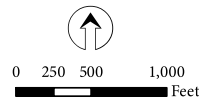
The primary vehicular routes providing access to the sub-area are West Main Street (M-43) to the north and North Drake Road to the east. Immediately to the west of the sub-area is US-131, a limited access interstate freeway with a controlled access interchange at West Main Street. Adjacent to the sub-area, West Main Street is a five-lane road (center turn lane) with a speed limit of 45 miles per hour. In 2015, according to MDOT, West Main Street had an average daily traffic count (AADT) of 29,900 vehicles. According to the Kalamazoo Area Transportation Study 2045 Plan, the segment of West Main Street adjacent to the sub-area is not presently “deficient” (where traffic volume exceeds capacity); however, segments of West Main Street both to the west and east of the sub-area are considered deficient. According to the 2045 Plan, treatment strategies for deficient road segments include: reducing person trips or vehicle miles/hours traveled; shifting automobile trips to other modes; and, improving roadway operations (signal timing, turning lanes, etc.).

Maple Hill Drive intersects West Main Street just to the north of the sub-area (at a signalized intersection) and terminates into a cul-de-sac at the northern edge of the sub-area. To the north, across West Main Street,

## Map 15 Existing Zoning Pattern



Data Sources:  
Oshtemo Township Zoning Map  
Michigan Geographic Framework, v14.



Maple Hill Drive provides access to numerous commercial and residential developments, including the new Westgate development noted earlier.

East of Maple Hill Drive along West Main Street, an existing driveway (unsignalized intersection) provides access to the existing golf course clubhouse. Just beyond that driveway is a signalized intersection with an unnamed service road, which provides access to the commercial properties immediately adjacent to the sub-area to the east.

Approximately one-quarter mile to the east of the sub-area is Drake Road, a County Primary Road. Drake Road is a five-lane road (center turn lane).

Several residential streets are located to the south of the sub-area, including Skyridge Avenue, Penrose Lane, and Green Meadow Road; however, none of these streets extend within, or provide access to, the sub-area.

### Public Transit

The sub-area is served by the Metro Transit (KMetro) bus system. Several bus lines serve the sub-area, including: Route 14, West Main; Route 3, West Michigan; and Route 7, Alamo. KMetro's ten year vision (adopted in 2015) includes a recommendation to convert two of these routes into "high frequency fixed routes." According to KMetro, a high frequency fixed route would operate at 15 minute intervals in the busiest travel times. Faster, more predictable service would attract new riders and save all passengers significant amounts of time that they spend waiting for buses (these routes currently operate on 30 minute intervals for trips and have an unpredictable finish time). Riders would be able to make more trips in less time and have a higher level of mobility.

### Non-Motorized Transportation

The sub-area is not currently served by non-motorized transportation routes such as trails or sidewalks. Presently, sidewalks are located along both sides of West Main Street to the north of the sub-area. No sidewalks are located on the west side of Drake Road near the sub-area. However, a planned 10-foot wide pathway along Drake Road is expected to be con-

structed in 2018. The existing residential neighborhoods to the south of the sub-area are not served by sidewalks. The nearest regional trail route is the Kal-Haven Trail, which is located approximately 2 miles north of the sub-area.

### Utilities

The Maple Hill Drive South Sub-Area and properties in the vicinity are presently served by a network of public water and sewer utilities (see **Map 16**).

Public water mains run along both West Main Street and Drake Road near the sub-area. A 12-inch diameter water main extends to the north edge of the sub-area along Maple Hill Drive, and an 8-inch water main extends into the sub-area along the golf course clubhouse driveway. An 8-inch water main also extends near the southern edge of the sub-area along Round Hill Road.

Public sanitary sewer mains run along both West Main Street and Drake Road near the sub-area. An 8-inch diameter sanitary sewer main extends to the north edge of the sub-area along Maple Hill Drive. An 8-inch sanitary sewer main also extends to the southern edge of the sub-area along Round Hill Road.

### Natural Features

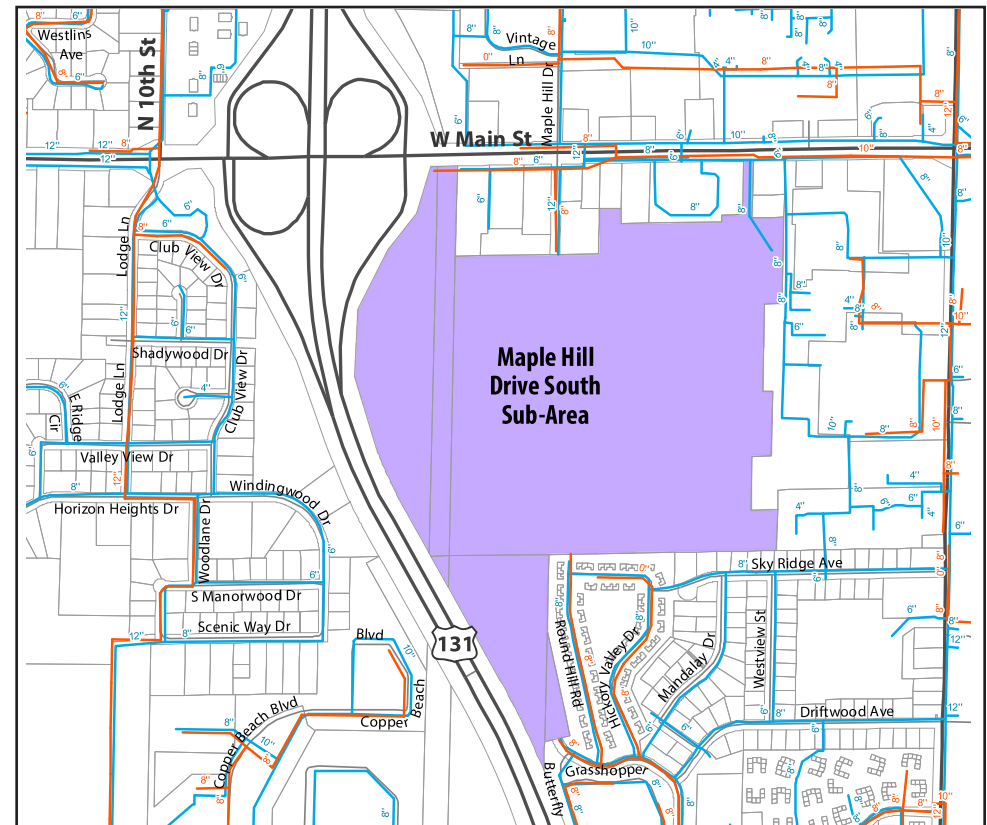
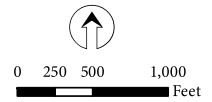
An existing golf course occupies much of the sub-area and features open space, trees and vegetation. Because of its significant size, the golf course is an important green space area. Further, it is one of the few large green space areas in this portion of the Township.

In terms of development constraints, the Maple Hill Drive South Sub-Area does not presently contain natural features that would prohibit or significantly hinder construction activity. The site is generally flat, with a few small ponds and some tree rows (part of the existing golf course). No streams or creeks extend through or near the sub-area. According to the National Wetlands Inventory, no wetlands are found in the sub-area. According to FEMA, no portion of the sub-area is within a 100-year floodplain.

## Map 16 Public Utilities

-  8" Public Water Mains
-  8" Public Sewer Mains
-  Maple Hill Drive South Sub-Area
-  Major Roads
-  Local Roads
-  Property Lines

Data Sources:  
Oshtemo Township, December 2016  
Michigan Geographic Framework, v14.





## Community Input

The primary means of community input in the Maple Hill Drive South Sub-Area planning process was a workshop held in March 2017. The purpose of the workshop was to inform and engage community members as part of the planning process to craft development preferences for the Maple Hill Drive South Sub-Area. In total, more than 50 interested citizens attended the workshop. Later in the planning process, an open house was held, where the draft plan was presented to the public for review and comment.

## Visual Preference Survey

One key element of the workshop was a visual preference survey, a technique for obtaining feedback related to physical design character through the ranking of a series of representative images. **Table 6** provides a snapshot of the average score for each photo, as voted by the workshop attendees. Additionally, image sheets displaying the ranked images for each category are included in this section.

In general, the visual preference survey results revealed a clear preference for lower-density residential development as opposed to higher-density residential development. Most preferred was single-family attached or detached development with densities of less than 8 units per acre. There was a general distaste for conventional multiple family development (apartments) and multi-story (3+ stories) high density residential development.

Mixed-use development that scored well included those that exhibited high quality building architecture and site amenities, were 2-3 stories in height, and had ground level retail with upper story residential/office. The most favored commercial images were those that featured local commercial establishments with high quality building architecture, site amenities, and landscaping. Big-box and strip commercial development was less preferred. Streets that incorporated pedestrian, bicycle and non-motorized amenities were most preferred. Images which featured public amenities, such as sidewalk cafes and community green space, were overwhelmingly preferred. The detailed results of the visual preference survey are provided in the **Appendix**.

**Table 6**  
**Visual Preference Survey Image Scores by Category**

Residential		Mixed Use		Commercial	
Photo Number	Photo Avg. Score	Photo Number	Photo Avg. Score	Photo Number	Photo Avg. Score
R-2	1.2	MU-4	1.2	C-7	0.9
R-4	0.5	MU-3	1.0	C-8	0.8
R-10	0.3	MU-2	0.2	C-2	0.1
R-1	0.1	MU-6	0.1	C-5	0.0
R-8	-0.2	MU-1	-0.1	C-1	0.0
R-9	-0.5	MU-7	-0.2	C-3	-0.3
R-7	-0.5	MU-5	-0.3	C-9	-0.3
R-3	-0.7	MU-10	-0.4	C-10	-0.4
R-5	-1.1	MU-9	-0.5	C-6	-0.8
R-6	-1.3	MU-8	-0.7	C-4	-1.5

Office		Streets/Sidewalks /Transit		Public Amenities	
Photo Number	Photo Avg. Score	Photo Number	Photo Avg. Score	Photo Number	Photo Avg. Score
O-5	1.0	S-2	2.1	PA-4	1.9
O-6	0.5	S-4	1.1	PA-6	1.6
O-2	0.4	S-7	0.9	PA-9	1.4
O-3	0.0	S-6	0.5	PA-1	1.4
O-10	-0.1	S-9	0.5	PA-8	1.2
O-9	-0.2	S-8	0.4	PA-2	0.9
O-8	-0.7	S-5	-0.2	PA-3	0.9
O-4	-0.8	S-10	-0.2	PA-7	0.3
O-7	-0.8	S-3	-0.4	PA-10	-0.5
O-1	-1.8	S-1	-0.5	PA-5	-0.6

While the visual preference survey revealed a preference for lower-density single-family development, the location of the sub-area (along major transportation routes and in close proximity to established commercial and higher intensity development) supports a denser residential product. Also, the Township Future Land Use Map directs higher intensity development toward this eastern edge of the Township, nearest the City of Kalamazoo. Given these factors, there is an opportunity to allow for increased residential densities within the sub-area.

## Residential Development

Photo R-2: Rank #1 - Score 1.2



Photo R-4: Rank #2 - Score 0.5



Photo R-10: Rank #3 - Score 0.3



Photo R-1: Rank #4 - Score 0.1



Photo R-8: Rank #5 - Score -0.2



## Mixed-Use Development

Photo MU-4: Rank #1 - Score 1.2



Photo MU-3: Rank #2 - Score 1.0



Photo MU-2: Rank #3 - Score 0.2



Photo MU-6: Rank #4 - Score 0.1



Photo MU-1: Rank #5 - Score -0.1



## Commercial Development

Photo C-7: Rank #1 - Score 0.9



Photo C-8: Rank #2 - Score 0.8



Photo C-2: Rank #3 - Score 0.1



Photo C-5: Rank #4 - Score 0.0



Photo C-1: Rank #5 - Score 0.0



## Office Development

Photo O-5: Rank #1 - Score 1.0



Photo O-6: Rank #2 - Score 0.5



Photo O-2: Rank #3 - Score 0.4



Photo O-3: Rank #4 - Score 0.0



Photo O-10: Rank #5 - Score -0.1





## Streets/Sidewalks/Transit

Photo S-2: Rank #1 - Score 2.1



Photo S-4: Rank #2 - Score 1.1



Photo S-7: Rank #3 - Score 0.9



Photo S-6: Rank #4 - Score 0.5



Photo S-9: Rank #5 - Score 0.5



## Public Amenities

Photo PA-4: Rank #1 - Score 1.9



Photo PA-6: Rank #2 - Score 1.6



Photo PA-9: Rank #3 - Score 1.4



Photo PA-1: Rank #4 - Score 1.4



Photo PA-8: Rank #5 - Score 1.2



However, sufficient protections would need to be implemented, such as a transition scheme consisting of the establishment of low-density uses and/or open space buffers, to ensure an appropriate relationship with adjacent low-density residential development to the south. Both the establishment of lower-density residential uses within the sub-area and the protection of existing low-density residential uses adjacent to the sub-area were highly desired by visual preference survey participants.

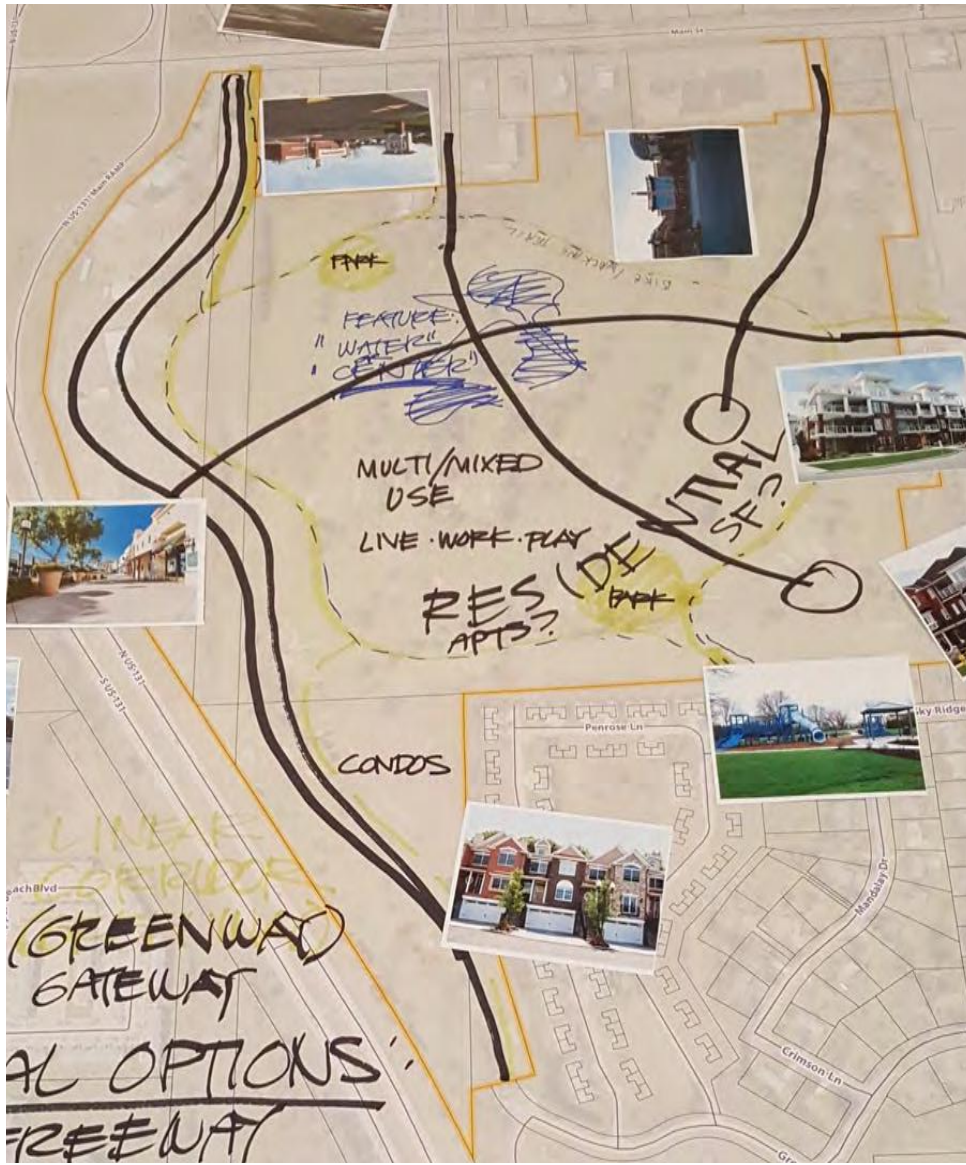
## Design Exercise

A second key component of the community workshop was a design exercise, where small groups (eight total) were formed and asked to identify design concepts and ideas for future development within the study area. To support this effort, small groups were given large aerial photographs of the study area, along with pre-established categories with precedent descriptions/imagery for land use types, building types and circulation route types. Below is a summary of the key themes or “shared values” that emerged as a result of this exercise.

## Land Uses

While the details of each group’s site design plan differed in the layout and scale of development on the site, overall, the plans had the following in common:

- A buffer consisting of open space and complimentary recreational uses, e.g. playgrounds, parks, trails, etc. should be located along the south property line between the site and the neighborhoods to the south
- Commercial and retail uses, including mixed-use buildings, should be located along the north property line (which is consistent with existing land uses on Main Street)
- A mixture of office and mixed-use buildings should be located to the west, adjacent to US-131



One of the small group concept plans prepared during the design exercise.

## Connections and Mobility

While the plans differed in how the site should be accessed or how the street network should traverse the site, several themes came out of the design process. The following provides a summary of how the design proposals dealt with connections and mobility.

- All eight groups suggested a street connection to the site from the north (Main Street) through an extension of existing streets and driveways into the site
- While three plans proposed extending the street network to make a connection to the existing neighborhoods south of the site, the majority of the plans proposed the creation of a large buffer area along the southern border
- Half of the plans proposed a street connection to the existing commercial area (and ultimately Drake Road) to the east
- Several plans suggested the creation of pedestrian trails and bicycle lanes on the site, potentially connecting into the existing street network of the neighborhoods to the south

The detailed results of the design exercise are provided in the **Appendix**.

## Vision, Goals, and Principles

The Oshtemo Township Master Plan 2011 contains Goals and Objectives to describe the vision for the Township as a whole and how to achieve them. These overall goals also apply to the Maple Hill Drive South Sub-Area and will help shape the development that occurs. However, due to the unique circumstances in this sub-area, the vision, goals, and principles established herein for the sub-area will further guide future land use and development.

The vision, goals, and policies established herein depict the ideal future of the Maple Hill Drive South Sub-Area. The vision is forward-looking, anticipating that development or redevelopment will not occur immediately, but rather, will occur in line with market demand over a longer period of time, five to ten years into the future, or beyond. This plan recognizes that the existing uses currently present within the sub-area,



including the Prairies Golf Club and the MDOT maintenance garage, remain viable at the present time. However, the plan is proactive and seeks to guide future development or redevelopment of the sub-area if and when it occurs.

### **Vision for the Sub-Area**

The long-term vision for the Maple Hill Drive South Sub-Area is to develop as an attractive and economically vibrant mixed-use district, consisting of a planned mixture of commercial, office and technology, residential, and public use, which features high quality and uniform building and site design standards, and which complements and is compatible with adjacent uses. Further, the sub-area will provide residents and visitors with a unique opportunity to meet their needs for housing, employment, services, entertainment, and recreation.

Without standards or controls, this area would likely develop at an elevated intensity due to the high traffic levels on West Main Street and the amount and success of surrounding commercial development. Uncontrolled development would likely be detrimental to the Township, especially to those residents who live south of this area. Therefore, clearly stating a vision for future land use and establishing goals and standards for improvement in this area is critical to the success of the Township's overall plan for growth and development.

### **Goals and Principles for the Sub-Area**

Goals and principles have been established for this sub-area which describe in greater detail how the vision for future development will be accomplished. The goals and principles are organized into overarching categories: Community Life, Physical Character, Land Use, and Access.

Future market conditions may change, development trends may evolve, and new ideas may emerge that were not anticipated; this plan is flexible enough to accommodate such changes. Regardless of the different uses developed in this area, the consistency will be in these goals and principles -- they will ensure that this sub-area develops consistently with the vision outlined by the community.

### **Community Life Goal and Principles**

Development in the Maple Hill Drive South Sub-Area will occur in a manner that enhances the existing quality of life of all those who live, work, and play in Oshtemo Township.

- Protect the integrity and quality of life of existing and future neighborhoods and surrounding residential areas through land use transitions and open space buffers.
- Open spaces and community gathering spaces should be provided within the sub-area to be used as locations to stimulate social interaction, civic events, and recreational activity.
- A distinct identity should be developed for the sub-area to promote a sense of place for the new community.
- Public spaces, such as parks and non-motorized facilities, will be encouraged within the sub-area. The use of Zoning incentives will be considered to foster the development of public spaces.

### **Physical Character Goal and Principles**

Site and architectural design within the Maple Hill Drive South Sub-Area shall follow exceptional and complementary standards to ensure long-term appeal, and create a unique and memorable experience for visitors and residents. Form and character standards shall be established so that appearance becomes as important as the specific uses established in this area. However, such standards must be flexible enough to allow for various aesthetic interpretations.

- Building design shall be elevated with varied building heights, architectural character, and high-quality building materials that provide visual interest at a pedestrian scale.
- The physical height and bulk of buildings shall reduce in size from north to south, providing compatibility in size to the adjacent residential neighborhoods or a substantial open space buffer that helps to mitigate impacts.
- Varied styles of residential development are encouraged to attract residents of diverse ages, incomes, and lifestyles.



***High-quality site and architectural design will ensure long-term appeal, and create a unique and memorable experience for visitors and residents.***

- The design, layout, and amenities provided within the development shall balance both pedestrian and vehicular needs, and shall work to enhance aesthetic appeal and the overall experience for both residents and visitors.
- A streetscape aesthetic shall be designed that includes public elements and integrated signage within the sub-area.
- Sustainable development principles, such as the use of storm water best management practices and the incorporation of “green” building design, will be encouraged and incentivized, in order to enhance the quality of the natural environment and limit off-site impacts.
- The western portion of the sub-area, with high visibility from US-131 and West Main Street, shall showcase strong unified design and architectural standards, with the potential for the incorporation of gateway features highlighting entry into Oshtemo Township.

### ***Land Use Goal and Principles***

Future development in the Maple Hill South Sub-Area will include a mix of uses, complementing the commercial character of the area while respecting adjacent residential development.

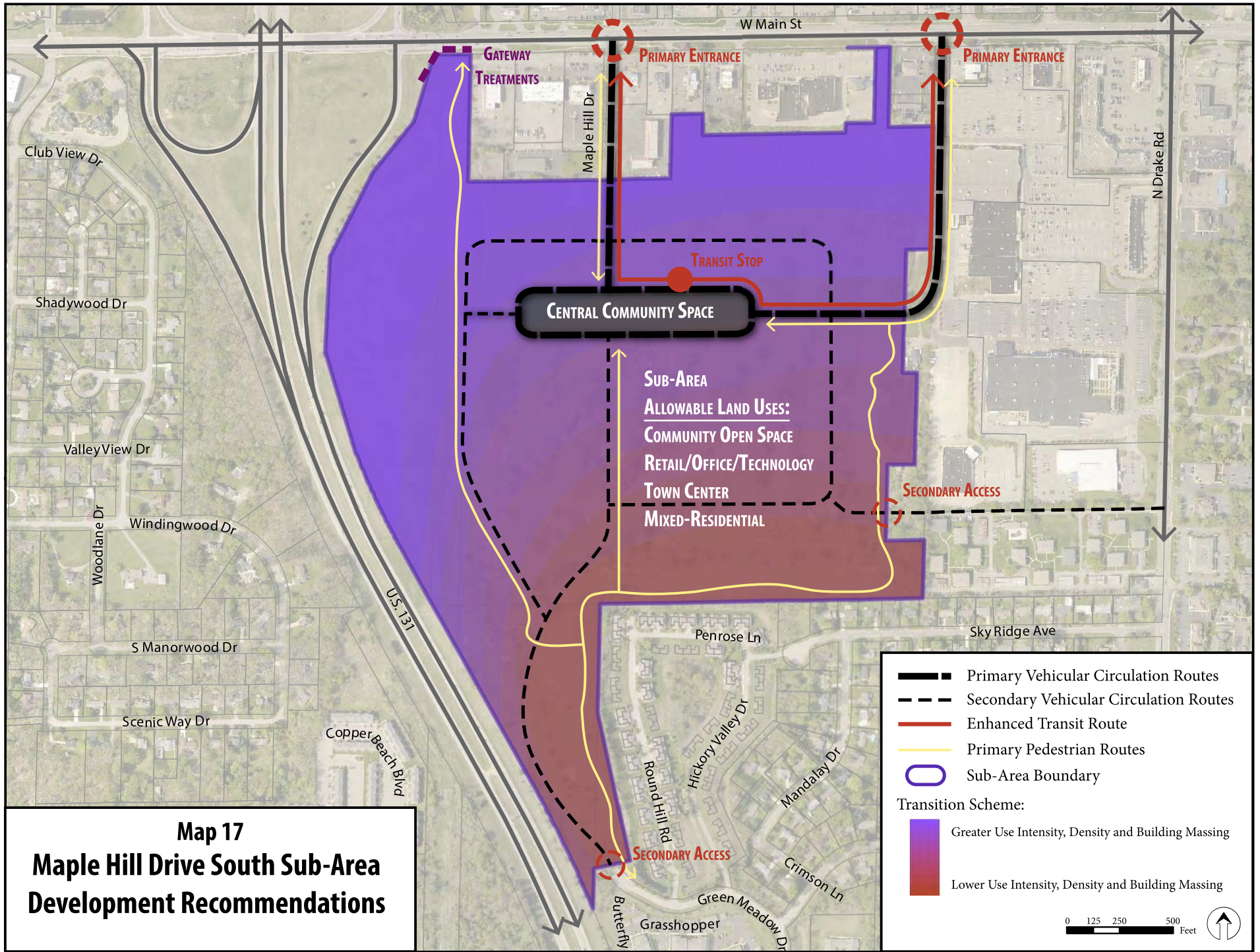
- Uses in the sub-area will include a compatible mix of residential, non-residential and public space.
- Development in the sub-area shall include passive open spaces, and will be designed to be reflective of the existing landscape and natural features (tree rows, ponds, etc.) of the site. Active plazas and civic spaces shall also be integrated into the overall development.
- To ensure compatibility with adjacent development, a transitional land use scheme shall be employed, with the least intensive and lowest density land uses to be located along the southern edge of the sub-area (adjacent to established residential areas), transitioning to more intensive and higher density land uses where adjacent to the freeway and existing commercial areas.
- The southern edge of the sub-area shall be exclusively occupied by residential land uses, to ensure compatibility with adjacent established residential areas. Further, if the height and bulk of any proposed residential construction is not equivalent to the existing development, a natural greenspace buffer/ vegetative screen shall be provided.

### ***Access Goal and Principles***

A safe, efficient, and balanced multi-modal transportation network will be established within the Maple Hill Drive South Sub-Area. The primary vehicular access to the sub-area will be provided from West Main Street; however, local connections to adjacent development should also be established.

- Ensure future development complies with the Township’s Access Management Plan.
- Require efficient vehicular and pedestrian interconnections between the varied development sites within the sub-area.





- Design the local transportation network in a manner that discourages direct connections between commercial development and adjacent neighborhoods limiting through traffic.
- Coordinate with MDOT and the Road Commission of Kalamazoo County to ensure future road improvements are consistent with this and other plans of the Township, including the Non-Motorized Facilities Plan.
- Opportunities for enhanced transit service within the sub-area should be explored and accommodated.
- Facilitate the establishment of a pedestrian and bicycle transportation network within the sub-area, with strategic connections to the broader non-motorized transportation network.
- Parking areas should be designed and located with care, to avoid overparking the site and to ensure the focus remains on the buildings and not the parking areas. Shared parking will be strongly encouraged.
- Sidewalks should be provided on every street to promote safe and efficient pedestrian routes within the development.

## Development Recommendations

Development recommendations for the sub-area, related to land use, density, circulation and connections, are further described below and are illustrated on **Map 17**.

### Land Use Types

To allow flexibility in future development of the site, this sub-area plan does not specifically delineate the geographical extent of land uses that would comprise the overall mixed-use development. However, consistent with the previously listed Land Use Goals and Principles, the following specific land use types would be encouraged:

#### Community/Open Space

The integration of community and open space uses within the development is critical to ensure an exceptional environment for visitors and



*Mixed-use buildings could contain first-floor commercial, retail, and/or office uses, with upper floor office and/or residential uses.*

residents. A central community space area is recommended as a sub-area focal point; this space would be designed to accommodate more active community functions, such as civic events, recreation, and entertainment. Passive open space areas are also recommended to serve as buffers and places to experience and enjoy nature.

#### Retail/Office/Technology

Particularly given its high visibility from US-131 and West Main Street, the sub-area is highly suitable to accommodate mixed-use or stand-alone buildings that would include retail, restaurant, entertainment, office, and technology use.

#### Town Center

A “town center” is envisioned as a central focal point, with compact, mixed-uses that will provide a nucleus to attract future growth. Development will allow for a mix of uses both vertically within buildings and horizontally within blocks. For example, mixed-use buildings could contain first-floor commercial, retail, and/or office uses, with upper floor office and/or residential uses. Mixed-use blocks allow for single-use buildings in a range of land uses within one block. Commercial uses, professional offices, entertainment facilities and cultural centers are encouraged. Pedestrian-oriented design is of paramount importance to create a sense of place.



### *Mixed Residential*

The sub-area is anticipated to accommodate a wide variety of residential styles. This could include higher density residential land uses within the town center and/or where adjacent to the existing commercial development on West Main Street. Such high density residential use could be accommodated within the upper levels of mixed-use buildings or stand-alone buildings. Or, more traditional residential uses that will serve as a buffer between mixed-uses within the sub-area and the adjacent neighborhoods south of the sub-area. Varied styles and types of residential use, from small lot detached homes to attached dwelling units, are expected to be accommodated, in a coordinated, pedestrian-oriented setting.

### **Density**

The overall recommended net density for the Maple Hill Drive South Sub-Area is 6 dwelling units per acre. Where extraordinary public benefit is provided, such as the inclusion of significant open space or civic amenities, the granting of a density bonus may be considered by the Township. Implementation of density bonuses will likely be devised on a sliding scale based on either the amount of land dedicated to a public purpose or the complexity of the public use.

### **Building Scale**

Within the sub-area, the scale of mixed-use or stand-alone buildings is proposed to be the greatest where adjacent to established commercial areas along West Main Street and along the US-131 frontage. Within the town center component of the development, buildings should maintain a massing similar to traditional small-town downtowns. A building scale transition scheme should be employed throughout the sub-area, with the scale of buildings in the southern edge being similar to and compatible with adjacent residential development to the south.

### **Circulation and Connections**

A conceptual internal circulation plan for the sub-area with proposed connections to adjacent properties is shown on **Map 17**. These recommendations are further summarized below.

### *Vehicular Circulation and Connections*

The primary vehicular access to the sub-area would occur through two entrances from West Main Street. Coordination with MDOT would need to occur to ensure safe and efficient access to the site through appropriate intersection design and signalization. Additionally, the eastern-most of the two proposed primary access drives extends beyond the sub-area into an adjacent private property. Coordination with this adjacent property owner would need to occur, and consideration should be given to making this a public road that would be dedicated to the Road Commission of Kalamazoo County.

Secondary vehicular access to the sub-area is recommended to occur from the south via Green Meadow Drive. In addition to providing access to the sub-area itself, this secondary vehicular access would serve an added benefit of offering access to West Main Street for the residents to the south, including the Canterbury House Apartments. Once this access through the sub-area to West Main Street is established, the Township will work with the Road Commission of Kalamazoo County to close the connection between Green Meadow Drive and Driftwood Avenue, a local residential street, which is commonly used as a cut-through to Drake Avenue.

Secondary vehicular access into the sub-area is also recommended from Drake Road to the east, via an existing, privately owned access drive serving an adjacent apartment complex. Coordination with the adjacent property owner would need to occur, and consideration should be given to making this a public road that would be dedicated to the Road Commission of Kalamazoo County.

### *Transit Connection*

**Map 17** shows a recommended transit route extending into the sub-area via West Main Street, with a transit stop near the central community green space. This is likely to be a KMetro bus route extension/modification of its current Route 14 along West Main Street.

### *Non-Motorized Circulation and Connections*

The establishment of an interconnected non-motorized circulation system, consisting of sidewalks, multi-use trails, crosswalks and pedestrian amenities (benches, bicycle racks, etc.), is critical for the success of the sub-area. Primary pedestrian routes recommended for the sub-area are conceptually identified in **Map 17**. Connections to existing and planned pedestrian networks outside of the sub-area, such as to the neighborhoods to the south, will be required.

### **Implementation/Zoning Plan**

To implement the Maple Hill Drive South Sub-Area Plan, an overlay zone with design guidelines related to building form within the sub-area is recommended to be developed and adopted by the Township. The overlay zone would provide guidance on uses, densities, and other bulk requirements for the sub-area. The overlay zone would likely include regulations pertaining to the following:

- Applicability of overlay zone
- Uses permitted
- Development standards, including building and site orientation, setbacks, minimum/maximum heights, required open space, parking, etc.
- Private/common open space standards
- Incentives for public spaces/uses, through residential density and commercial square foot bonuses
- Review and approval procedures and standards

Design guidelines would also be included as part of the overlay zone, which would provide direction on more subjective issues such as the general aesthetics of architectural character, building materials, signage, and landscape elements.