

**OSHTEMO CHARTER TOWNSHIP  
PLANNING COMMISSION**

**MINUTES OF A VIRTUAL MEETING HELD SEPTEMBER 9, 2021**

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**Agenda**

**PUBLIC HEARING: CODE AMENDMENT, OUTDOOR LIGHTING STANDARDS**

**Consideration of an amendment to the Township Zoning Ordinance Section 54.60 Outdoor Lighting Standards, for recommendation to the Township Board. The proposed amendment would allow wall lights to be treated as pole lights when used to illuminate loading docks.**

**Discussion – Master Plan Updates**

**Discussion – Intent of the Sign Area Definition**

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A virtual meeting of the Oshtemo Charter Township Planning Commission was held Thursday, September 9, 2021, commencing at approximately 6:01 p.m.

**ALL MEMBERS WERE PRESENT:**

Bruce VanderWeele, Chair  
Micki Maxwell, Vice Chair  
Kizzy Bradford  
Deb Everett  
Alistair Smith  
Anna VerSalle  
Chetan Vyas

**REMOTE LOCATION**

Oshtemo  
Oshtemo  
Parchment  
Oshtemo  
Oshtemo  
Oshtemo  
Oshtemo

Also present were Iris Lubbert, Planning Director, James Porter, Township Attorney, Martha Coash, Recording Secretary and one guest.

**Call to Order and Pledge of Allegiance**

Chairperson VanderWeele called the meeting to order at approximately 6:01 p.m. and invited those in attendance to join in reciting the Pledge of Allegiance.

**Approval of Agenda**

Hearing no changes, the Chair let the agenda stand as published.

**Approval of the Minutes of the Meeting of August 26, 2021**

The Chair asked if there were additions, deletions or corrections to the Minutes of the Meeting of August 26, 2021. Hearing none, he asked for a motion.

Ms. Maxwell **made a motion** to approve the Minutes of August 26, 2021, as presented. Mr. Smith **seconded the motion**. The **motion was approved** unanimously by roll call vote.

Chairperson VanderWeele moved to the next agenda item and asked Ms. Lubbert for her report.

**PUBLIC HEARING: CODE AMENDMENT, OUTDOOR LIGHTING STANDARDS**  
**Consideration of an amendment to the Township Zoning Ordinance Section 54.60**  
**Outdoor Lighting Standards, for recommendation to the Township Board. The**  
**proposed amendment would allow wall lights to be treated as pole lights when**  
**used to illuminate loading docks.**

Ms. Lubbert indicated Section 54.60 regulates outdoor lighting standards which includes specific parameters for both wall mounted and pole mounted lights. The section that regulates wall mounted lighting allows wall lights to 1. illuminate a walkway or entrance into the building or 2. decoratively illuminate the façade.

Recently the Zoning Board of Appeals reviewed a variance request from Section 54.60 for a commercial site to use pole lighting standards for wall mounted lights illuminating the loading docks on the back of a building. The argument presented was primarily that the site needed that level of lighting on the rear of the building and a pole light at this location would create an unnecessary and dangerous obstacle for trucks to maneuver around. After discussion the Zoning Board of Appeals unanimously voted to approve the variance request and to send a request to the Planning Commission to consider an amendment to the ordinance to better address lighting for loading docks.

Staff presented the Zoning Board of Appeals request along with a drafted amendment to the Planning Commission at their regular August 12<sup>th</sup> meeting. After discussion and revisions, the Planning Commission unanimously motioned to forward the amendment to a public hearing.

She said the proposed amendment to Section 54.60 would allow wall lights to be treated like pole lights when used to illuminate loading docks and would consist of the following to be added under C. Pole-Mounted Lighting as #3:

- 3. Luminaires used for illuminating loading and unloading operations for any commercial, industrial, or other use shall be regulated using the same standards as B. Pole-Mounted Lighting of this Section.*

As there were no questions or comments from Commissioners, Chairperson VanderWeele moved to public hearing. No one was present who wished to comment, so he closed the hearing and asked for a motion.

Mr. Smith **made a motion** to approve the amendment as presented and to forward it to the Township Board for consideration and approval. Ms. VerSalle **seconded the motion**. The **motion was approved** unanimously by roll call vote.

Chairperson VanderWeele moved to the next item on the agenda and asked Ms. Lubbert for her presentation.

### **Discussion – Master Plan Updates**

Ms. Lubbert said the Michigan Planning Act of 2008 defines a master plan as a land use and infrastructure plan that sets forth local goals, objectives, and policies for community growth and/or redevelopment over the next 20-30 years. The Master Plan is an official document authorized by Michigan law serving as a basis for zoning and can be viewed as a blueprint for the community's future. The Planning Commission is tasked to review the Master Plan at least every 5 years and determine whether to 1) re-affirm the existing master plan, 2) amend the existing master plan, including sub area plans, or 3) prepare and adopt a new master plan. She noted that sub area plans satisfy the 5-year update requirement. Since the Village Theme Development Plan Update was approved in 2019, technically the next time the Master Plan needs to be reviewed is 2024.

Oshtemo's current Master Plan and its updates are outlined below with the most recent amendment completed in 2019.

- 2019 Village Theme Development Plan Update
- 2019 Go!Green Oshtemo
- 2017 Master Plan Update, included:
  - Maple Hill Drive Sub-Area Plan
  - Rural Preservation Strategy
- 2011 Master Plan
  - Genesee Prairie Sub-Area Plan
  - West Main Street Sub-Area Plan
  - 9th Street Sub-Area Plan
  - Century Highfield Sub-Area Plan

Although the Township completed updates to the Master Plan in 2019, large sections of the Township's Master Plan have not been reviewed or updated since 2017 and in some cases 2011. Oshtemo has a population of 23,747 residents and is a rapidly growing community; from 2010 to 2020 the population grew 6.8%. With the Township's growth, national changes to the housing and retail markets, and the diversifying needs of the population it is pertinent to review and update the Master Plan to best serve its residents and Township's interests.

Due to the level of detail and discussion needed, Ms. Lubbert recommended pursuing three separate master planning efforts over the next few years to both bring the Township's Master Plan up to date and create consolidated Master Plan documents. The three proposed master planning efforts are outlined below:

- **Housing Action Plan** – Thriving, inclusive communities have a diverse and affordable supply of housing. For Oshtemo to address the needs of its growing population and housing affordability challenges, a housing action plan is recommended. A housing action plan would ultimately allow the Township to understand community housing needs and translate them into programs and policies.
- **Market Study** – The study would review the supply, demand, and market potential for commercial development in Oshtemo Township. Strategies identified from this study will aim to bridge gaps between the current establishments and the need, while also reflecting the character of the Township. The Township has multiple commercial nodes, this study will help ensure that as the Township continues to grow these areas complement each other.
- **Master Plan Update** - This Master Plan update would focus on consolidating all the Township's various master plan documents for easy use and access for both citizens and Township staff, as well as clarify/eliminate duplications or contradicting recommendations.

Similar to the Planning Commission's role in past Master Plan updates, for each of the above plans the Planning Commission will work with Staff and consultant(s) in the role of 'steering committee.' The Planning Commission will facilitate work to identify expectations, roles, and priorities. All plans will also include community participation and stakeholder group meetings. She requested input from the Planning Commission on the outline above for working on the Master Plan updates. She also requested a Planning Commission decision whether to make a recommendation to the Township Board for authorization to proceed with a consultant on a Housing Action Plan following discussion.

Ms. Everett asked about the cost for a consultant and whether funding would come from the 2022 budget.

Ms. Lubbert said the Upjohn Institute is already working on a county-wide plan and she said they have provided a reasonable proposal not to exceed \$20,000 for a four phase year-long study that includes work with the Planning Commission and the public. Current consultant budget will cover that cost with no budget amendment needed and she recommended partnering with them.

Mr. Vyas said he is happy to see a focus on housing needs and projects for subsidizing housing for the community as a whole.

The Chair asked for a motion.

Ms. VerSalle **made a motion** to approve moving forward as recommended by the Planning Director and to send a request to the Township Board for consideration and approval. Mr. Vyas **seconded the motion**. The **motion was approved** unanimously by roll call vote.

Chairperson VanderWeele moved to the next item on the agenda and asked Ms. Lubbert for her presentation.

### **Discussion – Intent of the Sign Area Definition**

Ms. Lubbert said through review of a recent sign permit application, a portion of the signage ordinance was brought into question; specifically, the last sentence of the Sign Area definition highlighted below.

**“Sign Area** - The area shall be measured by means of the smallest square, circle, rectangle, triangle or combination thereof that will encompass the extreme limits of the writing, representation, emblem, lighting or other display, together with any frame or other material or other color forming an integral part of the display or used to differentiate it from the background against which it is placed. Where a sign consists solely of individual letters painted or mounted on a wall, any blank area which is more than ten percent of the area of the sign as otherwise computed shall be disregarded.

Where a sign has two or more faces, the area of all faces shall be included in determining the area of a sign, except that where two faces are placed back-to-back and are at no point more than two feet from one another, the area of the sign shall be deemed to be only the area of one face, or if faces are of different sizes, the area of the larger face.

Pole covers and other embellishments shall not be included in the area of measurement if they do not bear advertising copy or colors, patterns, logos that are a trademark or reasonably recognizable identification for the establishment and/or sign owner subject to the above provisions.

***The necessary supports or uprights on which the sign is placed may not exceed 30 percent of the permitted square footage of the sign, excluding those portions of the support structure below street grade.”***

She said it is both Planning and Legal Staff’s interpretation that this language would allow a monolithic type of pylon sign, but that that is not the intent of this section. It should be noted that ‘pole covers’ and ‘supports or uprights’ are not the same.

She requested the Planning Commission provide feedback on this section of the ordinance and whether a code amendment is needed to clarify the intent and provided

the following definitions of Ground Mounted Sign and Pole Sign (or Pylon Sign) for reference:

**“Ground Mounted Sign** - A sign which extends from the ground or that has a support placing the bottom thereof less than three feet from the ground. (Compare with "Pole Sign".)”

**“Pole Sign (or Pylon Sign)** - A sign with all parts of the display sign area at a height of eight feet or more, excluding the necessary supports, uprights or braces. (Compare with "Ground Mounted Sign."”)

Attorney Porter said when originally adopted the Planning Commission struggled with the definition of sign area, whether it should consist of just the lettered area or the entire area boxing the letters. Counting only the lettered area was endorsed. The question now is whether pole covers should be counted as part of the sign area and/or be limited in size to avoid monolithic signs.

After discussion, although Commissioners did not have an objection to the current wording, they were open to consideration of a language change if staff feels that to be appropriate. Ms. Lubbert was asked to do a little more investigation and to return with a recommendation.

### **PUBLIC COMMENT ON NON-AGENDA ITEMS**

There was one public comment from Carmine, who said he owns marijuana businesses in Van Buren County, has potential interest in Oshtemo Township and asked what the status is on addressing marijuana ordinance, and offered to assist in any way.

Ms. Lubbert said addressing this issue is on a Planning Commission to-do-list, but not at the top. She noted marijuana could be tied into the Master Plan update, or a consultant may be hired to assist staff.

Carmine offered to help from a consultant standpoint, perhaps providing questions for a consultant to address or helping to fund efforts.

Attorney Porter explained the Township must maintain independence and objectivity. When it comes to the point of holding public hearings, people in the industry could be helpful, but authority cannot be delegated to any third party.

Carmine noted he could summarize ordinances or identify marijuana as addressed within zoning across the state.

Ms. Lubbert said the more information the better, and said she would welcome that type of information. She noted when this issue is addressed multiple stakeholder meetings and public hearings would most likely be held.

## **OTHER UPDATES AND BUSINESS**

There were no updates or further business.

## **ADJOURNMENT**

With no further business to consider, Chairperson VanderWeele adjourned the meeting at approximately 6:47 p.m.

Minutes prepared:  
September 10, 2021

Minutes approved:  
September 30, 2021