

**Fremont Community Joint Planning Commission  
Meeting Minutes**

**Monday, October 25, 2010  
5:00 p.m. – 6:30 p.m.  
Fremont City Hall  
Council Chambers**

<b>Members Present:</b>	Sheridan Charter Township:	Tom Karnemaat
	Sheridan Charter Township:	Don Potter
	Sheridan Charter Township:	Jeff Wharton
	Sheridan Charter Township:	Jack Taylor
	City of Fremont:	Jim Breinling (Chair)
	City of Fremont:	Marcia Eib
	City of Fremont:	Peg May
	City of Fremont:	Jim Sloan
	City of Fremont:	Lon Vredeveld
	Dayton Township:	Kent Folkema
	Dayton Township:	Shirley Hooker
	Dayton Township:	Chuck Whitman

<b>Others Present:</b>	Sheridan Charter/Dayton Townships:	Peter Lance
	City of Fremont:	Michele Ribant

**Call to Order and Opening Remarks**

The meeting of the Fremont Community Joint Planning Commission was called to order at 5:02 p.m. by Jim Breinling.

**Review and Approval of Agenda**

A motion was made by Peg May, seconded by Chuck Whitman and carried to approve the agenda as presented.

**Review and Approval of Minutes**

A motion was made by Lon Vredeveld, seconded by Don Potter and carried to approve the minutes of the August 23, 2010 FCJPC meeting.

**Review and Acceptance of Joint Zoning Working Group Minutes**

A motion was made by Jeff Wharton, seconded by Jack Taylor and carried to accept the Joint Zoning Working Group minutes as presented for the following Joint Working Group meetings:

- 9-20-10 meeting
- 9-27-10 meeting
- 10-18-10 meeting

**Public Comment**

There was no public comment.

**Old Business**

There was no old business.

## **Report of the Chair**

Chair Breinling informed the FCJPC that an educational session on ZBA and Planning topics will take place on Monday, November 22, 2010 from 6 p.m. – 8:00 p.m. He said it will either take place at the Fremont City Hall or at the Fremont Area District Library. He invited the Townships to invite whoever in their township would benefit, such as the ZBAs and Planning Commission members. He also welcomed them to suggest topics they would like covered. Michele Ribant was asked to e-mail the FCJPC once the location has been determined.

Chair Breinling reviewed the working group notes in relation to the questions posed by the FCJPC at their August meeting.

Jeff Wharton asked where archery and rifle ranges were allowed. Jack Taylor indicated that outdoor ranges are allowed in agricultural districts. He said that indoor recreations facilities such as arcades, bowling, etc. are allowed as a Special Land Use in the Rural Commercial District.

## **Review of Revised Proposed Rural Commercial District Regulations**

Chair Breinling reminded the FCJPC that the Rural Commercial District consists of Reeman, Five (5) Mile Corner and Brunswick. Jeff Wharton questioned where exactly the Rural Commercial boundaries were located. After some discussion, it was determined that for the purposes of the discussion of the Rural Commercial District regulations the three (3) areas outlined by Chair Breinling were the areas where the Rural Commercial District regulations would apply. Chair Breinling reminded the FCJPC that at the end of the process, the entire FCJPC will take a close look at all the proposed district boundaries, and there will be opportunity to make adjustments if desired.

Chair Breinling reviewed the Rural Commercial District regulations section by section with the FCJPC. Chair Breinling said the “Purpose and Intent” section of the proposed Rural Commercial District regulations give a good description of what constitutes “Rural Commercial”. When Chair Breinling reviewed the “Uses” section, he informed the FCJPC that according to the recommendation of the Zoning Working Group, the use category “Fraternal or social club or lodge” should not be a SLU but rather it should not be permitted. He went on to say that the Working Group recommends that it should be permitted in the Urban Commercial District. Jeff Wharton said he thought that the “Fraternal or social club or lodge” use should be a SLU in the Rural Commercial District, but after some discussion, the consensus of the FCJPC was to not permit it in the Rural Commercial District but to permit it in the Urban Commercial District.

Marcia Eib indicated that Section C under the “Parking Requirements” section refers to restaurants, yet restaurants are not allowed under the Rural Commercial District Regulations. She thought that Section C should be amended accordingly, and she also suggested that menu board signs be deleted from this section since restaurants are not allowed. Lon Vredevelde said he thought that menu board signs should be kept in this section because the existing ice cream shop at Five (5) Mile Corner may want a menu board sign. This led into a discussion on whether restaurants should be allowed. It was explained the reason the Working group did not want restaurants in this district is because they wanted to direct this type of commercial business toward the City and not encourage growth from the City to Five (5) Mile Corner. Some members of the FCJPC felt the current owner of the ice cream shop should be able to sell his property and be able to market it for its current use, even if it remains vacant for over a year. It was pointed out that while the business is grandfathered in, any new owner of a business would have to purchase it before the time limit for vacancy of a non-conforming use kicks in, which in many zoning codes is one year. Members of the FCJPC commission want the Rural Commercial District regulations to continue not to permit restaurants, but they want the Working Group to develop language that would allow the existing business (ice cream shop) to sell his property to someone who may want to continue the use as an ice cream shop.

Lon Vredevelde indicated that the section on “Outdoor Display Areas” in the Rural Commercial District regulations does not take into account large equipment, such as tractors. The Working Group was asked to review the language to make sure it adequately addresses the needs of the various uses in the District in relation to outdoor display areas.

Lon Vredevelde also indicated that he was concerned about the language regarding political signs in the Rural Commercial District regulations. He said that the regulations allowed for only one sign. After some discussion, it was suggested that the regulation be changed to allow one political sign per issue or candidate.

Chair Breinling indicated that the working group will review the recommended changes to the Rural Commercial District regulations at their next meeting.

Chuck Whitman and Lon Vredevelde departed from the meeting.

### **Review of Some of the General Provisions**

The FCJPC reviewed each of the following General Provisions and had the following comments:

**Fences and Freestanding Walls:** It was pointed out that chain link fences are allowed in the Industrial District, so the regulation regarding chain link fences under “All Districts” should read as follows:

“No chain link fences are allowed in any front yards except in Agricultural Districts and Industrial Districts.”

It was also suggested that Commercial Districts be allowed to have chain link fences as well as retaining walls. It was also brought up that there are many retention ponds associated with commercial development, and the question was raised as to whether fencing should be required around them and whether the zoning ordinance should require the fencing. The Working Group was asked to address these issues.

Jim Sloan said he thought we should allow fencing in the front yard of Waterfront Districts for safety reasons related to children. A discussion ensued as to what constitutes a front yard in the Waterfront District. After discussing the pros and cons of the issue, it was the consensus of the FCJPC to leave the regulation as is and not allow fences in front yards in the Waterfront District.

Jeff Wharton said a section outlining the rules for the Institutional District regarding “Fences and Freestanding Walls” should be added. The Zoning Working Group will develop such language.

**Height Exceptions:** The word “chimney” is used twice in the list of structures that would be excepted from the height requirements. The first reference to “chimney” will be eliminated. Peter Lance questioned the meaning of “necessary mechanical appurtenances”. The issue will be addressed by the Zoning Working Group.

**Home Occupation:** Under section 5 of the “Home Occupation” section the wording “private property” should be replaced with “the premises”. Therefore, the sentence would read as follows:

“In addition, in agricultural districts a monument sign not to exceed six (6) sq. ft. may be erected on the premises.”

It was suggested that the definition of “Home Occupation” be amended to make reference to accessory structure. The new definition would read as follows:

“Home Occupation: An occupation customarily conducted within a dwelling or accessory structure by its occupants as a subordinate use. Without limiting the foregoing, a single-family residence used by an occupant of that residence to give instruction in a craft or fine art within the residence shall be considered a home occupation.”

**Main Building or Principal Use:** No changes were recommended.

**Outdoor Boilers or Outdoor Wood Furnaces:** No changes were recommended to either the regulations or to the definition as presented.

**Roadside Stands:** There was a discussion on whether roadside stands should be allowed in residential districts. After some discussion, the FCJPC decided to leave the regulation as written and to accept the definition of roadside stand.

**Single –family Dwellings: Regulations Applicable to All Single-family Dwellings:** No changes were recommended.

**Swimming Pools Private:** No changes were recommended.

**Temporary Uses or Buildings:** No changes were recommended.

### **Review of Special Land Uses**

Due to time constraints, the FCJPC did not review the proposed language to Special Land Uses dealing with Regulated Uses and Wireless Communications.

### **New Business**

There was no new business.

### **Commissioners' Discussion**

The Commissioners gave brief updates on community issues. Chair Breinling passed out an article on some of the positive things that the City of San Luis Obispo, California is doing to make their City more livable.

### **Next FCJPC Meeting**

December 13, 2010  
Dayton Township Hall  
5:00 p.m. – 6:30 p.m.

### **Adjournment**

There being no further business of the Commission, the meeting adjourned at 6:35 p.m.