

**Fremont Community Joint Planning Commission
Meeting Minutes**

**Monday, June 27, 2011
5:00 p.m. – 6:30 p.m.
Sheridan Charter Township Hall
Council Chambers**

Members Present:	Sheridan Charter Township:	Don Potter
	Sheridan Charter Township:	Jack Taylor
	City of Fremont:	Jim Breinling (Chair)
	City of Fremont:	Marcia Eib
	City of Fremont:	Peg May (Arrived at 5:34 p.m.)
	City of Fremont:	Jim Sloan
	City of Fremont:	Lon Vredeveld
	Dayton Township:	Kent Folkema
	Dayton Township:	Chuck Whitman
	Dayton Township:	Shirley Hooker
Members Absent:	Sheridan Charter Township:	Tom Karnemaat
	Sheridan Charter Township:	Jeff Wharton
Others Present:	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 5:06 p.m. by Jim Breinling. The Joint Planning Commission was given a copy of the FCJPC 2011/12 budget, which outlined that each member would be getting paid \$50.00 per regular and working group meeting and \$10.00 per required hour of education.

Chair Breinling also said he would try to bring in a speaker on a relevant topic at either the July 25, 2011 or the August 22, 2011 FCJPC meeting so that the members could receive education credits during a meeting. He said that Kevin Hughes of the Department of Community Health will be asked to put on a presentation on “Safe Routes to School” and “Complete Streets”.

The FCJPC agreed that they would start meeting again every month on the 4th Monday of the month and that the Joint Planning Zoning Working Group would go back to meeting once a month on the 3rd Monday of the month.

Review and Approval of Agenda

A motion was made by Marcia Eib, seconded by Shirley Hooker and carried to approve the agenda as presented.

Review and Approval of Minutes

A motion was made by Lon Vredeveld, seconded by Chuck Whitman and carried to approve the minutes of the April 25, 2011 FCJPC meeting as presented.

Review and Acceptance of Joint Zoning Working Group Minutes

A motion was made by Don Potter, seconded by Jim Sloan, and carried to accept the minutes from the following Joint Zoning Working Group meetings:

- 5-16-11 Working Group minutes
- 5-23-11 Working Group minutes
- 6-20-11 Working Group minutes

Public Comment

There was no public comment.

Old Business

There was no old business.

Review of Revised Request for Proposals (RFP) for Proposed FCJPC Joint Zoning Ordinance

Chair Breinling indicated that feedback on the proposed RFP included the following:

- That item #5 on page 5 should read as follows:

“Creating an electronic version of the zoning map in a format approved by the FCJPC and ensuring its consistence with the text of the Joint Zoning Ordinance

- That the Budget and Timeline section of the RFP should not disclose the amount the FCJPC is willing to pay for the project. Chair Breinling explained that the working group felt it was important that the consultant or attorney who would respond to the RFP understand that the project is not a \$40,000.00 project, it is simply a review of an ordinance that is already written. The Working Group recommended that the cost of the project be reduced from \$8,000.00 to \$7,000.00. The language would read as follows:

“The cost of the review is projected not to exceed \$7,000.00 including misc. expenses.”

A motion was made by Chuck Whitman, seconded by Jack Taylor and carried to recommend the dissemination and approval of the proposed Request for Proposal to Review the Fremont Community Joint Planning Commission’s proposed Joint Zoning Ordinance with the aforementioned changes to the Township’s Boards and the Fremont City Council with the understanding that the dates in the RFP may change.

Review of Joint Zoning Ordinance Table of Contents

Chair Breinling indicated that the following Chapters/Articles must be reviewed by the Joint Zoning Working Group and that all other Chapters/Articles have been written:

- Chapter 2: Definitions
- Chapter 6, Article 1: Low Density Residential District (R-1)
- Chapter 6, Article 2: Medium Density Residential District (R-2)
- Chapter 6, Article 7: Lake District (R-LD)
- Chapter 7, Article 5: Access Overlay District (O-AO)
- Chapter 9: Special Land Uses

Chair Breinling said that all the Chapters which have been reviewed by the full FCJPC will be put on the City of Fremont’s website on or around July 1, 2011 so that the Boards, Council and members of the public may view and comment on the regulations being recommended for the Joint Zoning Ordinance.

Review of Proposed Chapter 1 “Title, Legal Basis, Purpose and Scope”

The FCJPC did not have any recommendations for change to Chapter 1 “Title, Legal Basis, Purpose and Scope”, so it agreed by consensus that Chapter 1 be put onto the City’s website for review and comment.

Review of Chapter 3 “General Provisions”

Chair Breinling indicated that the changes proposed by the FCJPC were incorporated into Chapter 3 “General Provisions”. He said that the issue on how to treat nonconforming buildings and structures when destroyed was discussed. Peter Lance outlined the issue and the alternatives. After much discussion the FCJPC decided by consensus to retain the following language proposed in Chapter 3, Section 3.11 C 3:

“Nonconforming Buildings and Structures

3. Reconstruction or Movement

Insert diagram

- a. Should a nonconforming building or structure be destroyed to an extent of more than seventy-five percent (75%) of its replacement value, exclusive of the foundation, it may be restored as it existed at the time of destruction, provided that restoration is commenced within six (6) ~~twelve (12)~~ months from the time the destruction occurred ~~and is completed within one (1) year from the date that the restoration commenced.~~ If reconstruction does not commence ~~occur~~ within the stated timeframe, it shall only be reconstructed in conformance with the provisions of this Ordinance.
- b. Should a nonconforming building or structure be destroyed to an amount equal to or less than seventy-five percent (75%) of its replacement value, exclusive of the foundation, it may be reconstructed in its previously nonconforming location
- c. Should a nonconforming building or structure be moved for any reason and for any distance, it shall be moved to a location that complies with the requirements of this Ordinance.”

The FCJPC decided by consensus to put Chapter 3 “General Provisions” on the City’s website for review and comment.

Review of Chapter 4 “Agricultural Districts”

Chairman Breinling explained that there are three (3) Agricultural Districts and that the purpose of each district was re-written and that the Commission should look at the purposes to make sure they are comfortable with them. At the meeting the Commission was provided with new language from Peter Lance that further revised the purpose of the AG-3 District. It was the consensus of the Commission that Peter Lance’s new language on the purpose for the AG-3 District replace the existing language. The new language reads as follows:

“The regulations of the Agricultural 3 District recognize lands that retain a relatively high proportion of agriculture and open space use, but due to urban proximity, population growth, soil characteristics and related factors, experience on-going transition to non-farm low-density residential development. This District is composed of land presently of a rural residential character where large lot single-family residential development has occurred or is likely to occur which does not require urban services such as municipal water supply or sanitary sewer access. However, agricultural activities and many of the uses provided for in other agricultural districts are permitted as well. Therefore, it is the intent that areas developed are done so as to buffer higher-intensity more

urban uses from more intense agricultural activities, which generally would be located in adjacent Agricultural Districts.”

Chair Breinling reviewed the differences between the three (3) Agricultural Districts. He indicated that the Ag 1 District included Dayton’s 11 Point Rule and Quarter/Quarter Zoning. He invited comment on any of the Agricultural Districts.

After much discussion on the use of agricultural land, it was decided that everyone should take time to review the Agricultural Districts carefully and provide feedback at any time. Chair Breinling stressed that as outlined in the Joint Comprehensive Plan that farmland preservation and open space preservation are important to the Fremont Community. He said that our Comprehensive Plan is based on the Ten Tenets of *Smart Growth*, which promotes preservation of these areas. It was the consensus of the Commission to put the three (3) Agricultural Districts on the City’s website for review and comment.

Review of Chapter 5 “Commercial Districts”

Chair Breinling said that the changes recommended by the Joint Planning Commission to the three (3) Commercial District regulations were incorporated. He reviewed some questions Commissioners had with regard to the Downtown Commercial District. He specifically reported on the following with regard to Chapter 5, Article 2 – Urban Commercial District (C-2):

- The term “driveway throat” will be defined in Chapter 2 “Definitions”.
- Encroachments permitted will not only be in writing but the length of time the encroachment is allowed will also be in writing.
- The following language was added to address outdoor temporary display areas:
 - Outdoor temporary display areas are permitted but shall be limited to the following:
 - If there is a sidewalk adjacent to a storefront, a display may be set against the front façade as long as there is at least five (5) feet for pedestrian passage.
 - Displays may be set against the rear or side façade as long as traffic flow is not impacted.
 - Displays may be set along any property line as long as the display does not exceed the height of the front façade of the principal building and does not impair the vision lines of vehicular traffic.
 - Displays are not to extend into adjoining sites.

It was the consensus of the FCJPC to put Chapter 5 “Commercial Districts” on the City’s website.

Review of Chapter 8 “Planned Unit Developments (PUDs)”

The FCJPC was informed that Chapter 8 “Planned Unit Developments (PUDs)” was taken from Sheridan Charter’s current Zoning Code. Chair Breinling said that any recommendations for change could be provided to Michele Ribant before the July 18, 2011 Joint Zoning Working Group. It was the consensus of the FCJPC to put Chapter 8 “Planned Unit Developments” on the City’s website.

Review of Chapter 10 “Administration”

Chair Breinling informed the FCJPC that the Working Group is gathering information, so they may decide whether to recommend retaining the section on “Unclassified Uses” in Chapter 10 “Administration”. He went on to say that if anyone had recommendations for change to Chapter 10 that they could provide the recommendations to Michele Ribant before the next Working Group meeting. It was the consensus of the FCJPC to put Chapter 10 “Administration” on the City’s website as presented.

Next Meeting

FCJPC Meeting
Sheridan Charter Township Hall
July 25, 2011
5:00 p.m. – 6:30 p.m.

Adjournment

There being no further business of the FCJPC, the Commission adjourned at 6:39 p.m.