

**CITY OF FREMONT**  
**MINUTES OF THE REGULAR FREMONT PLANNING COMMISSION MEETING**

**Tuesday, September 13, 2011**  
**Fremont City Hall**

**Call to Order:** A regular meeting of the Fremont Planning Commission was held in the Council Chambers at the Fremont City Hall on Tuesday, September 13, 2011. The meeting was called to order at 4:00 p.m. by Planning Commission Chair Jack Butterick.

**Fremont Planning Commission Members Present:** Chair Jack Butterick and Commissioners Mike Carpenter, Marcia Eib, Don Henry, Peg May, Lon Vredeveld, and Jim Sloan

**Fremont Planning Commission Members Absent:** Dennis Caplis and Jim Breinling

**City Staff Present:** Michele Ribant, Fremont Zoning Administrator

**Review and Approval of Meeting Agenda**

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

**Approval of the Fremont Planning Commission Minutes**

A motion was made by Lon Vredeveld, seconded by Peg May and carried to approve the minutes as presented from the August 9, 2011 Regular Fremont Planning Commission meeting.

**Public Comment**

There was no public comment.

**Public Hearing – Text Amendments to the Fremont Zoning Ordinance addressing Community Gardens, Sidewalks and Garages**

Chair Butterick opened the public hearing at 4:05 p.m. No members of the public were present, so no public comment was received. The public hearing was closed at 4:06 p.m.

**Discussion on Community Gardens**

Mike Carpenter said that in the proposed Ordinance for community gardens there is language under two bullets that refers to fences or the compost area being “unsightly”. It was suggested that determination of what constitutes “unsightly” could be very subjective, so the following language was crafted to replace it:

- The community garden shall be maintained in a neat and orderly manner. Trash, weed and dirt piles and debris of any sort shall not be allowed to accumulate on site. Fences shall be maintained, and they should not pose a safety hazard. ~~or become unsightly.~~
- Composting is permitted provided it is properly maintained as long as it is contained and maintained so as not to emit excessive odors., ~~and the area does not become unsightly.~~

A motion was made by Don Henry, seconded by Jim Sloan and carried to recommend to the Fremont City Council approval of the proposed amendments to Chapter 22 “Zoning” of the Code of Ordinances regarding community gardens as outlined below, which includes the amendments proposed above:

**Article 2 – Definitions, Sec. 2.02 Definitions is hereby amended to add the following definitions:**

**ARTICLE 2 - DEFINITIONS, Sec. 2.02 Definitions**

**C. Definitions – C**

Cold Frame: An unheated outdoor structure with a top of glass or clear plastic, used for protecting seedlings and plants from the cold and that is used to extend the growing season.

Community Garden: An area of land managed and maintained by a group of individuals to grow and harvest food crops and/or non-food, ornamental crops, such as flowers, for personal or group use, consumption or donation. Community gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members.

**G. Definitions – G**

Greenhouse: A building made of glass, plastic or fiberglass in which plants are cultivated and that is used to extend the growing season.

**H. Definitions – H**

Hoophouse: A structure made of PVC piping or other material covered with translucent plastic, constructed in a “half round” or “hoop” shape that is used to extend the growing season.

Note: These additions will be placed in alphabetical order within each Section.

**U. Definitions - U**

**Uses 5. Government and Institutional**

- a. Religious institutional, including a church, temple, synagogue, mosque, parish house, convent and mission
- b. Social, fraternal and service organization, including athletic and social clubs, literary association, youth association
- c. Medical center, including hospital, rehabilitation center and clinic, and administrative offices
- d. Park, plaza, square, playground, walkway and similar uses
- e. Governmental services or offices
- f. Court or courthouse
- g. Police station and firehouse

- h. Community center and recreation center
- i. Library
- j. Museum
- k. Community Garden

**Article 4 “Estate District”, Section 4.01 A. “Uses”, “Government & Institutional” is hereby amended to add “Community Garden” under the Uses by Right category.**

**Article 4 “Neighborhood District”, Section 4.02 A. “Uses”, “Government & Institutional” is hereby amended to add “Community Garden” under the Uses by Right category.**

**Article 4 “Mixed Use District”, Section 4.03 A. “Uses”, “Government & Institutional” is hereby amended to add “Community Garden” under the Uses by Right category.**

**Article 5 “Multiple Family District”, Section 5.01 A. “Uses”, “Government & Institutional” is hereby amended to add “Community Garden” under the Uses by Right category.**

**Article 5 “Institutional District”, Section 5.03 A. “Uses”, “Government & Institutional” is hereby amended to add “Community Garden” under the Uses by Right category.**

**Article 5 “Institutional District”, Section 5.03 C. “Accessory Provisions”, “Accessory Buildings” is hereby amended to add the following language under this Section:**

“In addition to an accessory garage, one accessory structure or building of not more than 144 sq. ft. and 12 feet in height may be erected as long as it meets the setback requirements for accessory structures.

A detached accessory building or structure shall be located at least 10 feet from the main building.

A detached accessory building or structure shall be located at least 3 feet from the rear or side lot lines and shall be no closer to the front lot line than the RBL established by the main building.”

**Article 6 “General Provisions”, is hereby amended to add the following language:**

**ARTICLE 6 “GENERAL PROVISIONS”, Section 6.25 Community Gardens**

- Garden use shall be limited to hours of 7:00 a.m. to 9:00 p.m., but no activities shall occur on the site after dark.
- Accessory buildings/structures (hoophouses, coldframes, etc.) are permitted subject to the accessory building/structure size and setback regulations of the zoning district in which the community garden is located.
- Fences if used strictly for enclosing the garden area and not used as a permanent privacy fence may be made of wire, wood, chain link or ornamental metal, but the height of the fence shall not exceed the maximum height requirement for fences allowed in the district.
- The community garden shall be maintained in a neat and orderly manner. Trash, weed and dirt piles and debris of any sort shall not be allowed to accumulate on site. Fences shall be maintained and they should not pose a safety hazard.

- The site shall be served by a water supply sufficient to support the cultivation practices used on the site.
- The establishment of a community garden shall not alter the drainage pattern of stormwater runoff nor shall water flow off the site of a community garden from on-site watering activity by the members of the community garden.
- The edge of a garden plot or other obstruction (raised flower beds, benches, etc.) shall be a minimum of three (3) feet from all lot lines.
- Composting is permitted as long as it is contained and maintained so as not to emit excessive odors.
- Lighting is prohibited on the site of a community garden.
- Vehicle access to the site shall only be by way of driveway.
- Vehicles accessing the site shall not be parked on or over the public sidewalk or on any grass. Vehicles must be parked on a hard surface that is available due to the principal use that exists on the site.
- One free standing sign made of natural material consisting of no more than 12 sq. ft. shall be allowed in districts that allow community gardens, except a freestanding sign is not allowed on a property where a dwelling unit is located. The freestanding sign must satisfy the sign setback requirements of the district.
- One wall sign made of a natural material is permitted as long as it does not exceed 2 sq. ft.
- No community garden sign may be illuminated.
- Retail sales shall not be permitted on site.
- Gardening activities shall be conducted in a manner which is consistent with the activities and noise levels of the neighborhood in which they are located.
- Hoophouses are considered accessory structures in all Residential, Mixed-use, Multi-family, and Institutional Districts and shall satisfy the applicable district regulations.
- Cold frames in excess of 36 sq. ft. are considered accessory structures in Residential, Mixed-use, Multi-family, and Institutional Districts and shall satisfy the applicable district regulations. Cold frames less than 36 sq. ft. are not considered accessory structures and are allowed as long as they are located at least three (3) feet from the property line.
- Greenhouses are considered accessory structures in all Residential, Mixed-use, Multi-family, and Institutional Districts as long as they satisfy all the applicable district regulations. Greenhouses are not allowed as an accessory structure in the West Main District unless the planning commission approves a deviation request and the applicable standards for detached accessory buildings in the West Main District are adhered to.
- No community gardens, hoophouses, cold frames or greenhouses are allowed in front yards.

### **Discussion on Sidewalks and Garages in the Neighborhood District and Estate District**

Clarification was asked for in terms of when sidewalks would be required if the proposed language concerning sidewalks was approved. Chair Butterick clarified that the sidewalks would be required in areas where an existing sidewalk network exists or when a new subdivision development is proposed.

A motion was made by Marcia Eib, seconded by Lon Vredevelde and carried to recommend to the Fremont City Council approval of the proposed amendments to Chapter 22 “Zoning” of the Code of Ordinances on sidewalks and garages in the Neighborhood District and the Estate District as outlined below:

**Article 4, Section 4.01, “Estate District”, D. “Accessory Provisions” “Sidewalks”, “Dimensions” is hereby amended as follows:**

A minimum combined sidewalk and parkway width of 10 feet shall be provided for all lots in a new subdivision and for all new lots in a neighborhood where an established sidewalk network is established. Sidewalks will not be required on lots that are developed in neighborhoods without an established sidewalk network.

**Article 4, Section 4.01, “Estate District”, D. “Accessory Provisions” “Other”, “Accessory Buildings” is hereby amended as follows:**

One attached or detached accessory garage, not exceeding the ground floor area (GFA) of the main building, or 850 sq. ft., whichever is less, and 19 ft. in height (as measured to the peak of the roof of the building) is permitted.

Administrative departure: The height may be varied if the Zoning Administrator determines the height needs to be adjusted to be in keeping with the architectural design of the building.

**Article 4, Section 4.02, “Neighborhood District”, D. “Accessory Provisions”, “Sidewalks”, “Dimension” is hereby amended as follows:**

Dimensions: A minimum combined sidewalk and parkway width of 10 feet shall be provided for all lots in a new subdivision and for all new lots in a neighborhood where an established sidewalk network is established. Sidewalks will not be required on lots that are developed in neighborhoods without an established sidewalk network.

**Article 4, Section 4.02, “Neighborhood District”, D. “Accessory Provisions”, “Other”, “Accessory Buildings: Residential”, first section is hereby amended as follows:**

One attached or detached accessory garage, not exceeding the ground floor area (GFA) of the main building or 700 sq. ft., whichever is less, and 17 ft. in height (as measured to the peak of the roof) is permitted.

Administrative departure: The height of the garage may be varied if the Zoning Administrator determines the height needs to be adjusted to be in keeping with the architectural design of the building.

**Update on the Work of the Joint Planning Commission**

It was reported that the timeline for the completion of the Joint Zoning Ordinance has scheduled the participating planning commissions to be disbanded in January 2012 with the first meeting of the Fremont Community Joint Planning Commission anticipated in February 2012. It was explained that this is the goal, but there could be issues that hold up the process as the Joint Planning Commission works through the approval process.

**Unfinished Business**

There was no unfinished business.

### **New Business**

Chair Butterick referred the Commission to the Planning Commission roster that was included in the packet. He applauded the Planning Commission for their respectable attendance record.

Chair Butterick also said that all commission members with the exception of our new member, Mike Carpenter, have fulfilled their education requirement this year. He said that in the first year of membership on the Fremont Planning Commission, a new member must complete eight (8) hours of education and every year thereafter the member must complete three (3) hours. Chair Butterick reported that a basic education session on planning and zoning will take place on October 24, 2011. It was reported that the training to be conducted by Ryan Coffey of the MSU Extension Office will be held at 5:00 p.m. at the Dayton Township Hall as part of the Fremont Community Joint Planning Commission meeting.

### **Commissioners' Discussion**

Updates regarding developments and new businesses were provided.

### **Next Regular Planning Commission Meeting**

October 11, 2011  
4:00 p.m.  
City Council Chambers  
Fremont City Hall

### **Adjournment**

There being no further business of the Fremont Planning Commission, a motion was made by Don Henry, seconded by Jim Sloan and carried to adjourn the meeting at 4:50 p.m.

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Planning Commission Secretary, Marcia Eib

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Date