



PLANNING COMMISSION WORKSHOP MEETING

January 10, 2023 | 5:00 PM | Township Hall Board Room

Meeting will be held in-person and available via Zoom at:

<https://us02web.zoom.us/j/82655434674>

ITEM 1. CALL TO ORDER

ITEM 2. ROLL CALL

ITEM 3. PUBLIC COMMENTS

ITEM 4. ADOPTION OF MEETING AGENDA

ITEM 5. APPROVAL OF MEETING MINUTES

A. December 13, 2022, Regular Meeting Minutes

ITEM 6. NEW BUSINESS

A. 2023 Planning Commission Meeting Schedule Amendment

B. Draft Miscellaneous Ordinance Amendments to Sections: 2.2, 36-4.1, 36-5.9, 36-5.12, 36-6.1, 36-6.2, 36-6.2.A, 16-84 (General Ordinances)

C. Draft Sign Ordinance Amendments

ITEM 7. OLD BUSINESS

A. Corners Business District Draft Ordinance Review

ITEM 8. COMMISSIONER COMMENTS

ITEM 9. PUBLIC COMMENTS

ITEM 10. ADJOURNMENT



PLANNING COMMISSION MEETING MINUTES – DECEMBER 13, 2022

CALL TO ORDER/ROLL CALL

Chair Corfman called the Planning Commission Meeting to order at 6:00 p.m. and Secretary Loeks called the roll. The following were present: Chair Corfman, Secretary Loeks, Commissioners Roberts, Eavey, and Matson. Also present was Zoning Administrator Lovely, Recording Secretary Kerr, and three interested persons. Absent Commissioner Buckham.

PUBLIC COMMENTS

There were no comments.

SET AGENDA

Chair Corfman reviewed the agenda. Motion by Loeks, seconded by Matson, motion carried, to adopt the agenda as presented.

MINUTES – November 25, 2022, Regular Meeting

Motion by Loeks, seconded by Davis, motion carried, to approve the Minutes of the October 25, 2022, Planning Commission Regular Meeting, as written.

NEW BUSINESS

PC#22-22 Texas Corners Brewing Company – Site Plan Approval Extension

The Texas Corners Brewing Company at 6970 Texas Drive received an approved site plan amendment for construction of a 50' x 24' shade shelter on the existing patio on November 9, 2021, and are now requesting a 12-month extension. The Zoning Ordinance states that the Planning Commission may grant a 12-month extension, prior to the expiration of the site plan if it continues to meet current Zoning Ordinance standards. There have been a few miscellaneous Zoning Ordinance amendments that were adopted and effective January 23, 2022. None of the amendments have an impact on the approved Site Plan.

Texas Corners Brewing Company General Manager Andrew Schultz explained that they plan to construct a pavilion structure covering the existing patio and they are proposing no changes to the approved plan. However, due to the difficulties experienced in the business environment and financial uncertainties this past year, they need more time to commence the project.

Motion by Roberts, seconded by Loeks, motion carried, to approve a 12-month extension to the original site plan amendment approved by the Planning Commission for Texas Corners Brewing Company until November 9, 2023, subject to the original conditions of approval.

2023 Planning Commission Meeting Schedule

The Commission reviewed the meeting schedule for 2023 with Mr. Lovely noting that only one meeting is scheduled for November and December beginning at 6:00 p.m.

Mr. Eavey suggested setting a consistent meeting time of 5:30 p.m. for both meetings. After discussion, a motion was made by Roberts, seconded by Davis, motion carried, to approve the 2023 meeting dates and times as presented, with the addition of noting that the single meetings in November and December will commence at 6 p.m.

49 Draft Miscellaneous Ordinance Sections

50 Mr. Lovely briefly went over the draft miscellaneous ordinance amendments and provided
51 suggested changes.

52 **Section 36-4.1** Accessory Uses, Buildings, and Structures in the Agricultural, Resource
53 Conservation, and Residential Districts.

54 Intent: Explore allowing accessory buildings without a principal use for parcels directly
55 across from a riparian lot.

56 *Amend Section 36-4.1.1. B*

57 Shall be operated and maintained on the same lot and under the same ownership as the
58 principal use. An exception to this requirement for accessory buildings can be applied for
59 parcels directly across the road or street from a riparian lot, subject to the following standards:

- 60 i. All other accessory building zoning requirements are met.
- 61 ii. Both parcels are on one deed.
- 62 iii. Said parcel is under the same ownership as the riparian lot containing a principal use.
- 63 iv. The landowner shall record a deed restriction to the title with the county register of
64 deeds which shall contain the following:
 - 65 a. Date of approval of the Building Permit by the Building Official and Zoning
66 Administrator.
 - 67 b. Legal description of both properties.
 - 68 c. A statement indicating that in no case shall the two parcels be separated on the
69 deed unless the accessory building is completely removed, including the
70 foundation.

71 *Discussion:*

72 On riparian lots is the accessory structure required to be directly across the street or can it
73 be 2 – 3 lots away, if it is under the same ownership. Is one deed required? Mr. Lovely
74 explained that you can have numerous parcels on one deed. The concern is that the parcels will
75 be sold separately and there needs to be connectivity binding the two parcels together.

76 Historically, lake lots were small, on private roads, and the lot extended across the private
77 road. An accessory building was allowed because it was essentially on the same lot. However, if
78 the primary structure is on a large lot and already has a 3-car garage should another large
79 accessory structure be permitted and if so, should there be a limit on size? The current
80 ordinance concerning front yard accessory buildings could apply which limits the size of the
81 structure and anything larger would require a special exception use.

82 Mr. Lovely explained that on riparian lots an accessory building can have 15% lot coverage
83 which is based on the rear and side yards. What should the percentage of lot coverage be for an
84 accessory building on a “cross lot” and what should the distance be from the primary lot? On
85 riparian lots when averaging for front yard (lake side) setbacks, 500 feet or 250 feet in each
86 direction is used. He suggested using the same standards for “cross lots” as the principal
87 structure with 15% lot coverage without sewer and 20% with sewer (for the R-2 district) and
88 meet all the setback requirements for the primary dwelling except for height. There also needs
89 to be “cross lot” flexibility allowing the accessory lot to be sold separately, if it is connected to
90 another dwelling, meeting the proximity requirements.

91 Based on discussion, Mr. Lovely summarized, that an accessory building is allowed across
92 the street if it is within 250 feet in either direction from the property line of the principal building,
93 must have road frontage on the same street, meet the zoning requirements for the principal
94 building, and consideration given to reducing the rear yard setback. The accessory parcel could

95 be sold to another qualifying riparian lot owner within the specified distance. He will have CIB
96 review the changes.

97 Joanne Potts stated that she is a riparian lot owner and has an accessory building across the
98 street situated between two residential structures, would one of those owners be allowed to
99 purchase the accessory structure? She is a realtor and requiring both parcels on one deed is a
100 nightmare and can also create problems for financing.

101 **Section 36-5.9 Access Management**

102 Intent: Require concrete curb and gutter for all public roads in all districts, and for public
103 roads and private roads or access connectors within the Corners Business District

104 Discussion:

105 Do not want to incentivize private roads. Valley gutters are often desired because it typically
106 decreases upfront costs. When repaving roads with valley gutters, adjacent grades can
107 sometimes not be matched, which can cause drainage problems. In addition, mill and overlay
108 projects can be more cost effective for roads with concrete curb and gutter as less material
109 needs to be milled and overlaid. A concrete curb helps to keep the road where it belongs. If a
110 road is extended that utilizes valley curbs how far should those curbs be allowed to extend?

111 *Add: Continuation of asphalt valley gutter to the next cross street, if requested, may be granted*
112 *by the Planning Commission.*

113 *Amend Section 36-5.9.5.A.vii*

114 Add: Concrete curb and gutter shall be required to match current Road Commission of
115 Kalamazoo County concrete curb and gutter specifications for access connectors.

116 *Amend Section 36-5.9.7*

117 Add: "Roads" ...and Concrete curb and gutter shall be required for all public and private
118 roads and streets.

119 **Section 36-5.12: Stub Roads and Cul-de-sacs That Abut Property Lines at the**
120 **Boundaries of Platted and condominium Subdivisions**

121 Intent: Require concrete curb and gutter for all public roads in all districts, and for public
122 roads and private roads or access connectors within the Corners Business District.

123 *Amend Section 36-5.12.2A. i*

124 Add: current Road Commission of Kalamazoo County and Township Access Management.

125 *Amend Section 36-5-12.2. B. i*

126 Add: current Road Commission of Kalamazoo County and Township Access Management.

127 Discussion:

128 This is confusing regarding private roads as RCKC has mandates the Township does not
129 want to enforce, allowing for greater flexibility. After reviewing the definition of private road,
130 commissioners felt the issue was addressed.

131 **Changes for Section 36-6:1 Site Plan Review**

132 Intent: Require concrete curb and gutter for all public roads in all districts, and for public
133 roads and private roads or access connectors within the Corners Business District. Clean up
134 conflicts between Site Plan Review table and other requirements within. Clean up Design
135 Review Committee verbiage in conjunction with the new draft CBD Ordinance.

136 *Amend Section 36-6.1.4. B.i. b*

137 Add: both public and private and must be constructed to the current Road Commission of
138 Kalamazoo County Standards. Concrete curb and gutter shall be required for all public and
139 private roads, streets, and access connectors.

140 *Amend Section 36-6.1.6*

141 Add: Zoning Administrator in accordance with the authorities granted in Table 36-6.1.1.

142 *Amend Section 36-6.1.7*
143 Add: A proposed amendment or modification of a previously approved site plan shall be
144 submitted for review by the Planning Commission or Zoning Administrator in accordance with
145 authorities granted in table 36-6.1.1

146 *Amend Section 36-6.1.1. A*
147 Change: Eliminate Design Review Committee.

148 *Amendment to Section 36-6.1.1. B*
149 Change: Eliminate Design Review Committee

150 **Section 36-6.2** Site Condominium Plan Review

151 Intent: Require concrete curb and gutter for all public roads in all districts, and for public
152 roads and private roads or access connectors within the Corners Business District.

153 *Amend section 36-6.2.4. B.i. d*

154 Add: roads and street both public and private.... Concrete curb and gutter shall be required
155 for all public roads and *private* roads and streets.

156 **Section 36-6.2A** CBD Mixed Use Site Condominium Plan Review

157 Intent: Require concrete curb and gutter for all public roads in all districts, and for public
158 roads and private roads or access connectors within the Corners Business District.

159 *Amend Section 36-6. 2A.5.C.i*

160 Add: Streets must be constructed to the current Road Commission of Kalamazoo County
161 Standards. Concrete curb and gutter shall be required for all roads and streets.

162 **Section 16-84** Township Board review; preliminary plat; final approval (General Ordinance)

163 Intent: Require concrete curb and gutter for all public roads in all districts, and for public
164 roads and private roads or access connectors within the Corners Business District.

165 *Amend Section 36-84. a.2.*

166 Add: Streets and concrete curb and gutter.

167 **Section 36-5.3** Screening, Fencing and Landscaping

168 Intent: Clarify the requirement. The proposed amendment may be too stringent, but it reflects
169 additional language to confirm interpretation. Intent was confirmed and additional language is
170 not needed. The trees are to be spaced by 15-feet in one plane of view but staggered to provide
171 more depth to the screen.

172
173 Draft Sign Ordinance Amendment

174 Due to the lateness of the meeting and the length of the Draft Sign Ordinance a motion was
175 made by Loeks, seconded by Eavey, motion carried, to postpone the Draft Sign Ordinance
176 Amendment to the January 10, 2023, meeting. One complaint, using trailer on property for off
177 premises sign. Current draft reflects initial attempt to regulate being as content neutral as
178 possible. Based on attorney recommendations, the Township could still stick with prohibiting off
179 premises signs, but this issue has not yet been litigated in light of the Supreme Court's decision
180 in *Reed v Town of Gilbert*. It is a trailer, it could be picked up and moved, not obstructing vision,
181 not in the right-of-way. The only option for enforcement of this case is the current language for
182 off premises signs and the size of the affixed sign.

183
184 **OLD BUSINESS**

185 Corners Business District Final Draft Ordinance Review

186 Mr. Lovely provided Commissioners with the Draft Corners Business District 12-1-2022
187 explaining the clarification and questions from the Township Board.

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C. SPECIAL EXCEPTION USE

xix. Add “accessory building” to avoid confusion.

D.DIMENSIONAL REQUIRMENTS

v. Building Size

The Township Board felt 60 feet is too narrow if “storefront” is interpreted as the overall width of the building adjacent to the frontage(s) Also, there is no definition for width of the building adjacent to the frontage(s). There is no definition for “storefront” in the Zoning Ordinance.

Discussion:

The intent is not to have a long expanse of façade wall i.e., if a building is 120 feet long there must be some type of offset or architectural relief every 60 feet. The façade would be the main front of the building or the public face wall.

F. DESIGN STANDARDS

iii Landscape and streetscape elements

h. Benches

Discussion:

Mr. Lovely explained that he spoke to Attorney Homier about this issue, and he did not express concerns about requiring benches on private property. He indicated that this would be like requiring a bike rack on site. The Township Board felt the DDA should pay for the benches. The goal of the benches is to enhance walkability and bring individuals to various sites. Mr. Lovely reviewed the ordinance and stated there is no requirement for bike racks. A consensus was reached to leave this section as is and add that the DDA would initially provide a bench/bike rack but not install them. Any repair or maintenance would be the responsibility of the owner. This will be brought to the DDA for their approval.

vii Nonresidential building design.

b. Facades

The Township Board felt the 50% transparent area created scenarios where more than one façade would be required to meet this standard. It is possible that it could apply to 3 or more facades in unique instances.

Discussion:

Facades require a definition. The goal of transparency is to show that there are people and product in the building. If one façade meets the 50% transparency could the percentage for the second façade be reduced. The use of the building will drive the need for transparent areas. Change to: *At least one façade facing public or private roads shall have transparent areas located 2 feet and 10 feet above grade that equals at least 25% of the façade.*

Update List of Needed Ordinance Amendments to Discuss Prioritization

Commissioners reviewed a list of Ordinances in need of amending. Mr. Lovely stated that the Waterfront district or overlay zone could be resolved by adding more sections. However, he would like the Lake Associations to be involved and CIB. The goal is to limit the number of applications for variances and recognize that lake lots are unique although there are some commonalities; one standard cannot apply to all. Variances typically sought are for setbacks, averaging, lot coverage, and loss of non-conformity. Mr. Lovely suggested that bringing in fill material should also be looked at and whether this is a concern for lake lots in The Township.

Priorities:

- CBD
- Waterfront district
- Sign Ordinance

- 236 • Updates and reorganization of the subdivision and site condominium ordinance
- 237 • Private and public solar ordinance *add wind turbines*
- 238 • Master Plan Recommendation: Development of 9th Street Sub-Area Plan districts.
- 239

240 **COMMISSIONER COMMENTS**

241 Commissioner Roberts stated the Board received 19 applications for the upcoming vacant
242 trustee position. Board members will rank the applicants and then set up interviews for the top
243 candidates. Additionally, several applications for the Superintendent position have been
244 received with a deadline submittal of December 31, 2022. She along with Supervisor Loeks and
245 Engineer Tom Wheat will be reviewing Sewer and Water expansion and projected repairs.

246 Chair Corfman stated that the Zoning Board of Appeals will be meeting in December 2022 or
247 January 2023 for administrative purposes.
248

249 **PUBLIC COMMENT**

250 There were no comments
251

252 **ADJOURNMENT**

253 Motion by Matson, seconded by Davis, motion carried to adjourn the meeting. The meeting
254 was adjourned at approximately 8:47 p.m.
255

256 Submitted: December 27, 2022

Approved:

257
258 Recording Secretary Kerr
259



7110 West Q Avenue
Kalamazoo, MI 49009
P: 269.375.1591
www.texastownship.org

STAFF MEMO

Meeting Date: January 10, 2023

Date: January 4, 2023

To: Planning Commission

From: John Lovely
Zoning Administrator

Regarding: 2023 Planning Commission Meeting Schedule Amendment

During the December 13, 2022, Planning Commission Meeting, the 2023 meeting schedule was reviewed and approved. Upon entry of the meeting dates on the website, staff noticed a conflict with the scheduling for the February Workshop and Regular Meetings. In order to bring the schedule in line with typical meeting dates, the 2nd and 4th Tuesdays of the Month, a minor amendment to the previously approved schedule is proposed by staff and is presented for the Planning Commission's review and consideration.

Thank You.

Attachments: Draft Amendment to 2023 Planning Commission Meeting Schedule

Planning Commission 2023 Meeting Dates

Workshop Meeting: 2nd Tuesday | 5:00 p.m.

Regular Meeting: 4th Tuesday | 6:00 p.m.

Development applications are reviewed at the regular Planning Commission meeting.

Meeting Type	Meeting Date	Application Deadline
PC Workshop	January 10	
PC Meeting	January 24	December 27, 2022
PC Workshop	February 14	
PC Meeting	February 28	January 31
PC Workshop	March 14	
PC Meeting	March 28	February 28
PC Workshop	April 11	
PC Meeting	April 25	March 28
PC Workshop	May 9	
PC Meeting	May 23	April 25
PC Workshop	June 13	
PC Meeting	June 27	May 30
PC Workshop	July 11	
PC Meeting	July 25	June 27
PC Workshop	August 08	
PC Meeting	August 22	July 25
PC Workshop	September 12	
PC Meeting	September 26	August 29
PC Workshop	October 10	
PC Meeting	October 24	September 26
PC Meeting*	November 14	October 17
PC Meeting*	December 12	November 14
PC Workshop	January 9, 2024	
PC Meeting	January 23, 2024	December 26

Application Deadline: four weeks prior to meeting date.

***Only one meeting planned in Nov. and Dec. Both meetings will begin at 6:00 p.m.**



7110 West Q Avenue
Kalamazoo, MI 49009
P: 269.375.1591
www.texastownship.org

STAFF MEMO

Meeting Date: January 10, 2023

Date: January 4, 2023

To: Planning Commission

From: John Lovely
Zoning Administrator

Regarding: Draft Miscellaneous Ordinance Amendments

The following Draft Ordinance Amendments have been generated between August 2022 and January 2023 based on conflicts within the current ordinance, public inquiries and at the request of Board members. During the December 13, 2022, Planning Commission Meeting, Commissioners reviewed these draft amendments and provided feedback. Necessary revisions based on this feedback have been made.

Proposed Zoning Ordinance Amendments:

Section 2.2: Definitions

Amendment to Private Road definition to state that it must meet RCKC and Township Access Management standards. This change is proposed concurrently with other access management and road design related amendments herein.

Section 36-4.1: Accessory Uses, Buildings, and Structures in the Agricultural, Resource Conservation, and Residential Districts

- Explore allowing accessory buildings without a principal use for parcels across the street from a riparian lot. Following Commissioner and Public input during the December 13, 2022, Planning Commission Meeting, two different options are provided for review – Option A and Option B. Option A is intended to allow for riparian lot owners to purchase a lot across the street from any street containing riparian lots on one side. Option B allows for this same scenario but limits the allowable distance to 250-feet. Would it be worth considering allowing for this scenario for any lot across the street from riparian lots, so long as this is limited to lots across the street from riparian lots on the same body of water?
- A residential building permit application brought to light that in some scenarios, allowing for accessory structures in the front yard would be a reasonable request based on the size and setting of the lot. The applicant requested that Staff provide options for allowing this. The only options are a text amendment, variance, or appeal to the Zoning Administrator's interpretation. The applicant agreed with the interpretation of the current code. An argument for a variance would not meet the criteria of demonstrating a hardship due to the large size of the lot. A draft

amendment to Section 36-4.1.2 is provided for review and consideration. If the Planning Commission is open to this amendment, appropriate modifications will be made to the draft to reflect input from Commissioners.

Section 36-5.9: Access Management (Design Standards for Access Connectors and Roads)

- Modified to clarify the requirements for access connectors and public/private roads. Concrete curb and gutter to be required for all per Commissioner comments at the December 13, 2022, Planning Commission Meeting.

Section 36-5.12: Stub Roads and Cul-de-sacs That Abut Property Lines at the Boundaries of Platted and Condominium Subdivisions

- Modifications to these ordinance sections are proposed for the purpose of referencing Road Commission of Kalamazoo County and Township Access Management standards. No changes from the December 13, 2022, Planning Commission Meeting.

Section 36-6.1: Site Plan Review (Standards)

- Modified to clarify the requirements for access connectors and public/private roads. Concrete curb and gutter to be required for all per Commissioner comments at the December 13, 2022, Planning Commission Meeting.
- Clean up proposed for two separate sections to match authorities granted in Table 36-6.1.6.

Section 36-6.2: Site Condominium Plan Review

- Modified to clarify the requirements for public/private roads. Concrete curb and gutter to be required for all per Commissioner comments at the December 13, 2022, Planning Commission Meeting.

Section 36-6.2A: CBD Mixed Use Site Condominium Plan Review

- Modified to clarify the requirements for access connectors and public/private roads. Concrete curb and gutter to be required for all per Commissioner comments at the December 13, 2022, Planning Commission Meeting.

Proposed General Ordinance Amendments:

Section 16-84: Township board review; preliminary plat; final approval (General Ordinances)

- Modified to clarify the requirements for public/private roads. Concrete curb and gutter to be required for all per Commissioner comments at the December 13, 2022, Planning Commission Meeting.

If the Planning Commission approves of the revisions that were made to the above draft ordinances at the January 10, 2023, Workshop Meeting, the draft amendments will be finalized and prepared for an

Planning Commission
Miscellaneous Ordinance Amendments Review
January 4, 2023

upcoming meeting in which a Public Hearing will be held for other major amendments that we are working on, such as the Corners Business District. If it is anticipated that more time is needed for other major amendments, a Public Hearing will be scheduled for the next available meeting for the Draft Miscellaneous Ordinance Amendments alone.

Thank You.

Attachments: Draft Miscellaneous Ordinance Amendments

Miscellaneous Ordinance Amendments 1-4-2023

Proposed Zoning Ordinance Amendments:

Changes for **Section 2.2: Definitions**

Amendment to **Private Road** definition as follows:

Road, private means a private right-of-way or easement approved by the township as part of a PUD district, OSP project, ~~or~~ site condominium development **or other permitted development**. Private roads shall **meet** ~~adhere to the minimum road construction standards established by the Road Commission of Kalamazoo County, except geometric and layout requirements.~~ current Road Commission of Kalamazoo County and Township Access Management standards.

Changes for **Section 36-4.1: Accessory Uses, Buildings, and Structures in the Agricultural, Resource Conservation, and Residential Districts**

Amendment to Section **36-4.1.1.B** as follows:

Option A

1. General Requirements. Accessory buildings and structures:

B. Shall be operated and maintained on the same lot and under the same ownership as the principal use. An exception to this requirement for accessory buildings **and structures** can be applied for **non-riparian lots** ~~parcels directly across the road or street from a riparian lot~~ with frontage on a road or street also containing ~~street side riparian lot frontages~~, subject to the following standards:

- i. All other accessory building zoning requirements are met, **except for lot coverage**. **Maximum allowable lot coverage for accessory buildings calculated as a percentage of side and rear yard areas shall instead be calculated based on the area of the entire lot.**
- ~~ii. Both parcels are on one deed.~~
- ii. **The non-riparian lot is under the same ownership and adjacent to the same body of water as the riparian lot containing the principal use.**
- ~~iii. The landowner shall record a deed restriction to the title with the county register of deeds which must contain the following:~~
 - ~~a. Date of approval of the Building Permit by the Building Official and Zoning Administrator.~~
 - ~~b. Legal description of both properties.~~
 - ~~c. A statement indicating that the in no case shall the two parcels be sold separately d on the deed unless the accessory building is completely removed, including the foundation.~~

Option B

1. General Requirements. Accessory buildings and structures:

B. Shall be operated and maintained on the same lot and under the same ownership as the principal use. An exception to this requirement for accessory buildings **and structures** can be applied for **non-riparian lots** ~~parcels directly~~ across the road or street from a riparian lot, **within 250-feet of the parcel containing the principal use**, subject to the following standards:

Miscellaneous Ordinance Amendments 1-4-2023

- iii. All other accessory building zoning requirements are met, **except for lot coverage. Maximum allowable lot coverage for accessory buildings calculated as a percentage of side and rear yard areas shall instead be calculated based on the area of the entire lot.**
- ~~iv. Both parcels are on one deed.~~
- iv. Said parcel is under the same ownership as the riparian lot containing the principal use.
- v. The landowner shall record a deed restriction to the title with the county register of deeds which must contain the following:
 - d. Date of approval of the Building Permit by the Building Official and Zoning Administrator.
 - e. Legal description of both properties.
 - f. A statement indicating that the in no case shall the two parcels be **sold separately ~~d-on-the deed~~** unless the accessory building is completely removed, including the foundation.

Amendment to Section 36-4.1.2 as follows (Use Standards for Accessory Uses, Buildings and Structures):

2. Front Yard Accessory Buildings **and Structures**

A. One front yard accessory building **and/or structures are is** permitted on non-riparian parcels in the A, RC, R-1, R-1A, and R- 2 zones if the following standards can be met:

- i. The accessory building **and/or structures, together,** may not exceed 2% of the front yard building envelope or 900 square feet, whichever is **lesser** greater.
- ii. The accessory building **and/or structures** must be setback twice the required front yard setback for the district where it is located.

B. To maintain the traditional residential character and customary front yards found in subdivisions and site condominiums, front yard accessory buildings **and structures** are prohibited on lots within platted subdivisions and building sites within single-family site condominiums, **except as otherwise indicated in Section 36-3.4 (add hyperlink).**

C. Special Exception Use. An otherwise permissible front yard accessory building **or structure** that does not comply with the applicable size or lot coverage requirements may be permitted as a special exception use if approved by the Planning Commission subject to [Section 36-6.3](#) and if the following conditions are met:

- iii. The accessory building **and/or structures are is-located setback** at least twice the **required** front yard setback for the zoning district in which it is located.
- iv. The accessory building **and/or structures** shall not have a material adverse impact on surrounding properties.

Changes for **Section 36-5.9: Access Management**

Amendment to Section 36-5.9.5.A.vii as follows (Design standards for Access Connectors):

All access connectors will be paved with hot mix asphalt or concrete. **Concrete curb and gutter shall be required to match current Road Commission of Kalamazoo County concrete curb and gutter specifications. Continuation of bituminous valley gutter to the nearest intersection, if present on an existing access connector, may be approved by the Planning Commission.**

Miscellaneous Ordinance Amendments 1-4-2023

Amendment to Section 36-5.9.7 and 36-5.9.7.b.i as follows (Design Standards for Roads):

7. **Roads Streets.** The Planning Commission may determine if the arrangement of roads streets must continue existing roads streets from adjoining areas into the proposed condominium development. Where adjoining areas are not developed, the arrangement of proposed condominium streets may be extended to the subject parcel(s) boundary for the future projection extension of roads streets as long as the design discourages use by through traffic. Permanent dead-end roads streets must be limited to 1,320' in length for adequate fire and emergency vehicle access. The Planning Commission may waive these standards, subject to the applicant demonstrating that adequate public safety access will be provided and approval from the Texas Township Fire Department. All proposed roads streets must be constructed to current Road Commission of Kalamazoo County standards ~~including traffic control devices and signs~~. Concrete curb and gutter shall be required for all public and private roads ~~and for private roads and streets within the Corner's Business District~~. Continuation of bituminous valley gutter to the nearest intersection, if present on an existing road or street, may be approved by the Planning Commission. Private roads may be allowed by the Township if they will not adversely affect public health, safety or welfare. In determining whether private roads are allowable, the Township must require the following:

b. The private road must be constructed to Road Commission of Kalamazoo County design and geometric standards with the following exceptions:

- i. Design standards mean roadbed and other construction-related details and standards that shall follow Road Commission of Kalamazoo County design standards. Concrete curb and gutter shall be required for all public and private roads ~~within the Corner's Business District~~. Continuation of bituminous valley gutter to the nearest intersection, if present on an existing road, may be approved by the Planning Commission.

Changes for Section 36-5.12: Stub Roads and Cul-de-sacs That Abut Property Lines at the Boundaries of Platted and Condominium Subdivisions

Amendment to Section 36-5.12.2.A.i as follows (Stub Road Standards):

Be constructed to ~~RCKC~~ current Road Commission of Kalamazoo County and Township Access Management standards, and end at the boundary of the platted or condominium subdivision; and

Amendment to Section 36-5.12.2.B.i as follows (Cul-de-sac Standards):

Be constructed to ~~RCKC~~ current Road Commission of Kalamazoo County and Township Access Management standards, and abut the boundary line of the platted or condominium subdivision tangentially;

Changes for Section 36-6.1: Site Plan Review

Amendment to Section 36-6.1.4.B.i.b as follows (Site Plan Review Standards):

Roads, either public or private, and streets access connectors serving more than one structure, or ten dwelling units shall ~~must be equal to county road commission standards of construction and drainage~~ constructed to the current Road Commission of Kalamazoo County and Township Access Management standards, ~~including traffic control devices and signs~~.

Miscellaneous Ordinance Amendments 1-4-2023

Amendment to Section 36-6.1.6 as follows (Clean up):

Conformity to an Approved Site Plan. Development of the subject parcel shall be in complete conformity with the approved site plan and any amendments thereto approved by the Planning Commission ~~or Zoning Administrator in accordance with authorities granted in Table 36-6.1.1.~~ A building permit must be obtained, and onsite construction commenced within 12 months of site plan approval. No site work shall be undertaken until a building permit has been issued. If substantial progress has not been made within 12 months of issuance of a building permit, the site plan shall become void, and the developer shall make a new application for approval before proceeding. Substantial progress is defined as completion of footings and foundation wall to grade elevation. If a site plan becomes void, the site shall be restored to preconstruction conditions. The Planning Commission is authorized to require a deposit of security in accordance with Section 36-6.1.8 as a condition of site plan approval to assure that conditions on the site are restored in the event an approved site plan becomes void. The Planning Commission may grant a 12- month extension of the previous approval if requested prior to the expiration of the site plan and if it finds that the approved plan continues to meet current Zoning Ordinance standards.

Amendment to Section 36-6.1.7 as follows (Clean up):

Amendment to Site Plan. A proposed amendment or modification to a previously approved site plan ~~may~~ shall be submitted for review ~~in the same manner as the original application for site plan review by the Planning Commission or Zoning Administrator in accordance with authorities granted in Table 36-6.1.1.~~

Changes for **Section 36-6.2: Site Condominium Plan Review**

Amendment to Section 36-6.2.4.B.i as follows (Design Standards for Roads):

~~Streets Roads~~

Amendment to Section 36-6.2.4.B.i.d as follows (Design Standards for Roads):

All ~~proposed streets roads, public and private,~~ must be constructed to the ~~current~~ Road Commission of Kalamazoo County standards, ~~including traffic control devices and signs.~~ Concrete curb and gutter shall be required for all public and private roads ~~and for private roads and streets within the Corner's Business District.~~ Continuation of bituminous valley gutter to the nearest intersection, if present on an existing road, may be approved by the Planning Commission.

Amendment to Section 36-6.2.4.B.i.e.2.A as follows (Design Standards for Private Roads):

Design standards mean roadbed and other construction-related details and standards that shall follow Road Commission of Kalamazoo County design standards. ~~Concrete curb and gutter shall be required for all private roads within the Corner's Business District.~~ Continuation of bituminous valley gutter to the nearest intersection, if present on an existing road, may be approved by the Planning Commission.

Miscellaneous Ordinance Amendments 1-4-2023

Changes for **Section 36-6.2A: CBD Mixed Use Site Condominium Plan Review**

Amendment to Section 36-6.2A.5.C.i as follows:

All roads, either public ~~and~~ or private, ~~and streets~~ and access connectors, ~~both shall~~ must be paved with hot asphalt mix and constructed to ~~the then existing RCKC current "Procedures, Guidelines and Specifications for Developing New Public Roads"~~ the current Road Commission of Kalamazoo County and Township Access Management standards.

Proposed General Ordinance Amendments:

Changes for **Section 16-84: Township board review; preliminary plat; final approval**

Amendment to Section 16-84.a.2 as follows:

All roads and streets shall require concrete curb and gutter constructed to current Road Commission of Kalamazoo County Standards.