

**CITY OF BIG RAPIDS
PLANNING COMMISSION MINUTES
March 15, 2017**

Chairperson Schmidt called the March 15, 2017, regular meeting of the Planning Commission to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

PRESENT Sue Bean, Jennifer Cochran, Paul Jackson, John Schmidt, Tim Vogel, Bill Yontz

EXCUSED

ABSENT Renato Cerdena

ALSO PRESENT Mark Sweppenheiser, Neighborhood Services Director
Cindy Plautz, Neighborhood Services Coordinator

There was 1 person in the audience.

APPROVAL OF MINUTES

Motion was made by Tim Vogel, seconded by Jennifer Cochran, to approve the minutes of the February 15, 2017, meeting of the Planning Commission as presented. Motion passed unanimously with all in favor.

PUBLIC COMMENT NOT RELATED TO ITEMS ON THE AGENDA

None heard.

PUBLIC HEARINGS

Recommendation on the Text Changes to Section 11.1:10 of the Zoning Ordinance (Requirements to obtain a Conditional Use Permit for a Home Occupation)

Chairperson Schmidt opened the public Hearing at 6:35 p.m.

Sweppenheiser reviewed his Staff Report saying that the ordinance governing Home Occupation in the R-1, R-2, and R-3 Zones (11.1:10) requires the applicant to apply for a Conditional Use Permit. Number 5 of the ordinance states that no clients or customers may visit on a regular basis to conduct business with the home occupation, and the home occupation shall not generate more than ten (10) business related vehicle trips in any one (1) day period. The proposed text change

would omit the portion of the regulation that reads as follows: no clients or customers may visit on a regular basis to conduct business with the home occupation.

He stated that looking at the past home occupations that were approved, the phrase in question was not applied. He noted that home occupations have not generated any adverse issues. Furthermore, the term “regular basis” is not defined. He also believes that the number of vehicle trips allowed per day could be reviewed and revised.

The City Attorney recommends removal of the text.

Vogel asked about the process of receiving the Conditional Use Permit. It is as follows:

- Application is made,
- those within 300 feet of the home are notified,
- a Public Hearing is scheduled and held at the Planning Commission Meeting,
- the Planning Commission makes a recommendation on the request to the City Commission,
- the City Commission decides to either allow or disallow the home occupation or, may require additional information to make the decision.

Those Who Wished to Speak in Favor of the Request

None heard.

Those Who Wished to Speak in Opposition of the Request

None heard.

Chairman Schmidt closed the Public Hearing at 6:45 p.m. and the Planning Commission entered into Fact Finding.

Schmidt asked if Attorney Williams knew the background of the creation of this ordinance. Sweppenheiser replied that he did not and that it was probably borrowed from another municipality.

Vogel did some research of other city’s ordinances pertaining to home occupations in the residential zones. He found that Big Rapid’s is pretty strict compared to those he reviewed. Some say which particular type of home occupation is allowed or disallowed. Compared to the other cities, he likes the Big Rapids ordinance.

The City has ordinances that govern signs and parking in the residential areas. Signs for home occupations are not permitted in residential areas.

Vogel also reported that other cities allow an additional person to work at the home occupation.

The Commission discussed the hours of operation and some thought 7:00 a.m. was too early and some thought 9:00 p.m. was too late. The hours of operation were left at 7:00 a.m. to 9:00 p.m.

The question of whether those that sell Mary Kay, Tupperware, Pampered Chef, etc., fall under the need to apply for a Conditional Use Permit was discussed. It was thought that the customer business associated with this type of home occupation was based outside the home, but now some are holding the parties in their own home. This would mean a lot of cars at the same time for several hours, maybe a couple times a week or perhaps more. However, in some cases, the neighborhood may not even know that this type of business is being conducted.

Sweppenheiser has not experienced any trouble with home occupations and believes if there is a problem, it would be dealt with individually. Schmidt however, believes parameters should be set up beforehand.

Home occupations are allowed by Conditional Use Permit and not by right in the R-1, R-2, and R-3 zones. Those that receive a permit are on the honor system and can also be monitored on a complaint basis.

The ordinance bans the stocking and selling of any product out of the home unless it is produced in the home. Fed X and UPS trucks also count in the number of trips allowed per day.

MOTION

Motion was made by Tim Vogel, seconded by Bill Yontz, to recommend approval to the City Commission for text change to Section 11.1:10 of the Zoning Ordinance (Requirements to Obtain a Conditional Use Permit for a Home Occupation), by removing the text from #5 that states: *No clients or customers may visit on a regular basis to conduct business with the home occupation.* Number 5 shall read: **The home occupation shall not generate more than ten (10) business related vehicle trips in any one (1) day period.**

Motion passed with Sue Bean, Jennifer Cochran, Paul Jackson, John Schmidt, Tim Vogel, and Bill Yontz in favor.

GENERAL BUSINESS

Adopt-an-Alley Initiative

Cochran reported on the progress of the initiative per the attached March 15, 2017 update. The Student Government president informed her that ten (10) Registered Student Organizations have indicated a desire to adopt an alley. The coordinator of the Big Event will be overseeing the Adopt-an-Alley initiative in the fall. Cochran has been working with Joy Pufhal, Dean of Student Life, on the signs that will identify the group/s that adopt a particular alley. Questions as

to which group will adopt which alley, how many signs per alley and who will be constructing and installing the signs are still to be determined.

Schmidt stated that the effort should be a 5 Star Event for volunteering students, meaning the students gain points toward community involvement.

Parking

Sweppenheiser would like to adjust the number of parking spaces required for rental units. Currently, properties with more than 3 units are required to have 1 space for each bedroom and 2 per unit. He believes this is excessive and that it hinders new development by overburdening the developer.

Cochran says that she sees a problem with current parking in that the tenants can't roll the poly carts out to the curb through muddy ruts and unimproved parking lots.

The Commission discussed aesthetics and that perhaps Big Rapids should be developing minimum standards for construction.

Sweppenheiser believes that part of the issue is that housing stock is getting old and deteriorating. At some point buildings need to be torn down and replaced. He reported that the Redevelopment Ready Community program has up to \$30,000 to re-do zoning ordinances, but the updating may cost up to \$100,000.

Sweppenheiser will come up with some suggestions to the Parking Ordinance for the next Planning Commission meeting.

Jackson said that the Zoning Ordinance lacks architectural design aspects and would like the group to look at it to perhaps come up with some parameters.

Schmidt said he will check with some people he knows that have experience in dealing with this subject.

There being no further business, motion was made by Paul Jackson, seconded by Bill Yantz to adjourn the meeting. The meeting was adjourned at 7:30 p.m. with all in favor.

Respectfully submitted,

Cynthia J. Plautz
Planning Commission Secretary