This meeting will be conducted electronically in order for members, staff, and the public to comply with the Emergency Order Under MCL 333.2253 – Gathering Prohibition and Mask Order issued by Robert Gordon, Director of the Michigan Department of Health and Human Services, on October 29, 2021.

Members Present: Matt Lager, City of Kalamazoo, MI; Chris Flach, City of Portage, MI; Christina Doane, City of Kalamazoo, MI; Jeff Carroll, City of Kalamazoo, MI; Beth van den Hombergh, City of Kalamazoo, MI; Remi Harrington, City of Kalamazoo, MI;

Members Absent:

City Staff: Pete Eldridge, Assistant City Planner; Clyde Robinson, City Attorney; Deanna Benthin, Recording Secretary

Chair Lager called the meeting to order at 7:00 p.m.

Mr. Eldridge announced since there wasn’t a public hearing request there isn’t a call in phone number listed or a citizen comment period, they are only going over the 2020 annual report and electing officers.

MINUTES:

Ms van den Hombergh, moved to approve the minutes of January 14, 2021 as submitted, seconded by Mr. Carroll.

Motion approved by voice vote unanimously.

NEW BUSINESS:

Mr. Eldridge commented on the 2020 Annual Report, he welcomed the new Board Members Remi Harrington and Jeremy Terpening to the Board. He thanked the Board for easily transitioning into the Zoom meetings. He mentioned the NFP Overlay Standards the Natural Features Protection Ordinance and how the ZBA was the appeals mechanism for the NFP Standards, after they had been before the NFP Review Board and went over their criteria. He spoke to the Bow in the Clouds Preserve and the Heritage Community. There were twenty-one applications and forty-one total requests. They are receiving more complex projects with multiple variances. By looking at the outcome it looks like the ZBA is granting a lot more variances than they deny. However, he discusses a lot with the applicants before they come
before the Board, He lets the owners and developers know other previous applicant’s outcomes and failures on similar requests. He spoke to the trends and patterns of ground floor residential uses in commercial zones. They don’t want to just remove the commercial requirement from ground floor, they want the street front more pedestrian friendly in certain areas of the City and spoke to those requirements. It allows for a percentage of the ground floor to be used for residential. This new standard is in place for the new Downtown Zone Districts. They are systematically doing rezoning to Live Work 1 and Live Work 2 which allows for residential on the ground floor with a mix of commercial. He spoke to the trend of urban agriculture and indoor and outdoor growing of crops and community gardens. It’s a new trend that’s expanding, agriculture is a land use category and is an allowed use in many of the new zone districts created. He spoke to short term rentals and bed and breakfast requests and modified bed and breakfasts request. He spoke to the sign ordinance, there were no sign variances in 2020. They are in the process of updating the sign ordinance and spoke to the expansion of projecting signs into other zone districts. He spoke to the signage restrictions and content of the signs and regulating signs after recent court cases identified that sign ordinances should not be regulated based on content.

Attorney Robinson clarified on the courts overview of the sign content per the Reed vs. Gilbert case, and Central/Hudson case and content can’t be regulated as to size. Political and yard signs must be looked at as the same.

Mr. Eldridge stated they are reworking the ZBA application form with a review sheet the applicant answers in question form to give the Board more information. They’ll come in a form-based program. Virtual meetings will still go through March 31st, 2021 and discussed how the future meetings could possibly be set-up. Attorney Robinson expressed desire that virtual meetings would be extended until July or August if possible due to limiting the number of people to ten that can gather. He discussed the possibility of opening for a hybrid meeting of the Board with applicants connecting electronically. He spoke to the requirements of granting the variances and the unique circumstances of some requests. He urged the members to ask questions of the applicants for the finding of facts, in case there’s an appeal.

Chair Lager commented on the staff memo and that it’s helpful for him to have the thorough background.

**Ms van den Hombergh made a motion to reappoint Matt Lager as Chair and Jeff Carroll as Vice Chair and Christina Doane as Secretary for another term, seconded by Mr. Flach.**

**Motion approved by voice vote unanimously.**

**OTHER BUSINESS:**

Ms Harrington asked about the urban agriculture review and approval process and if there was a more seamless process in moving forward. Mr. Eldridge stated there is no special initiative moving forward. They may not need site plan in moving forward if it doesn’t take up the entire plot. He wasn’t aware of all the grants available currently and if any of these could be applied to urban agriculture.
ADJOURNMENT:

The meeting was adjourned at 7:45 p.m.

Submitted By ______________________________ Date ______________

Recording Secretary

Reviewed By ______________________________ Date ______________

City Staff

Approved By ______________________________ Date ______________