



Agenda  
Natural Features Protection Review Board  
September 29, 2020  
Regular Meeting

Held virtually, pursuant to Executive Order No. 2020-75

4:00 p.m.

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- A. Call to Order
- B. Roll Call and Excuse Absent Members
- C. Adoption of Agenda
- D. Approval of Meeting Minutes from August 25, 2020
- E. New Business
  - 1. Recommendation that the NFP Review Board approve amendments to the Natural Features Protection Overlay District and related zoning code. (**Action:** Motion to approve the amendment to the Natural Feature Protection Overlay District and related zoning code and recommend adoption by the Planning Commission and City Commission).
    - i. Staff Presentation
    - ii. Board Questions
    - iii. Public Comment
    - iv. Board Discussion
    - v. Motion
- F. Old Business
  - 1. Approval of a recommendation to reappointment two directors of the board for new 3-year terms (Director Cole-Wick, Director Sylvester). (**Action:** Motion to recommend the Mayor and City Commission reappoint both Director Cole-Wick and Director Sylvester to new 3-year terms).
- G. Board Comments
- H. Staff Updates
- I. Citizen Comments
- L. Adjourn Meeting



Minutes of the  
Natural Features Protection Review Board  
August 25, 2020  
Regular Meeting

Held virtually, pursuant to Executive Order No. 2020-75

4:00 p.m.

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- A. Call to Order, 4:00 PM
- B. Roll Call and Excuse Absent Members

Board Members present:

Ashley Cole-Wick  
Bobby Glasser  
Paul MacNellis  
Allan Sylvester

Board Members absent/excused:

Erin Fuller  
Mitch Lettow  
Kyle Martin

Motion to excuse absent members: Paul MacNellis  
Support motion to excuse: Bobby Glasser  
Passed by voice vote

- C. Adoption of Agenda

Motion to approve agenda as presented: Paul MacNellis  
Support approval of agenda: Bobby Glasser  
Passed by voice vote

- D. Approval of Meeting Minutes from July 28, 2020

Motion to approve minutes from July 28: Paul MacNellis  
Support motion to approve minutes: Bobby Glasser  
Passed by voice vote

- E. New Business

1. Approval of a recommendation to reappointment two directors of the board for new 3-year terms (Director Cole-Wick, Director Sylvester). No action taken on the agenda item due to absences. Ms. McCarthy indicated that she would prepare a re-appointment recommendation and memo report for the next meeting.



## F. Old Business

The board continued their discussion of proposed amendments to NFP standards based on outcomes and experiences over the past year of NFP implementation.

The following amendments were discussed:

- Definition of Native Species.
- Section K. Site Development Standards, [2] Landscaping serving as a buffer between residential and non-residential uses and between a vehicular parking lot and a street shall not be reduced. Add: Plants used for perimeter screening from abutting residential uses are not limited to native species only but must not be listed as “invasive” according to the Midwest Invasive Species Network.
- Section K. Site Development Standards, (b) Plant Selection. Plants in Table 6.2-6 Prohibited Planting List shall not be planted on any portion of a parcel. Native species must be used for all site landscaping. Add: ...required under Appendix A, Section 6.2 Landscaping and Open Space or required elsewhere in Chapter 50.
- F.(3) Tree Removal criteria. Ms. McCarthy proposed clarifying when a tree is permitted to be removed. Board members were not supportive of changing this section and preferred to leave it more restrictive, as written.
- H.(b) Permitted Activities in the Setback. The board discussed allowing certain utility work in the slope and slope setback. The board agreed to reconsider this amendment in another year.
- L. NFP Review Bodies and Process, (c) Where Site Plan is required and a zoning review from the Planning Commission is requested and/or Zoning Board of Appeals is requested, [delete or the site is located within one hundred (100) feet of a Wetland or Water Resource] or site is adjacent to land publicly used for open space or recreation, the following shall occur prior to review by the NFP Review Board. (...noticing of all parcels within 300 feet of the project).
- Table 6.2-6 Prohibited Planting List. Ms. McCarthy asked board members to consider reviewing the table and adding invasive species not currently list. The board discussed authoritative sources that might be a better alternative to a fixed list published in the zoning code. Michigan Flor and Midwest Invasive Species Network were mentioned as possibilities.
- M. Bonding of Projects, (a) A bond is required for projects in the NFP Overlay District valued at \$100,000 or more. Change to “...\$1,000,000 or more or whenever the City Planner deems significant natural features are present on the site that warrant bonding”. Delete (b) A lien shall be applied to parcels for projects in the NFP Overlay District valued under \$100,000.



G. Board Comments

H. Staff Updates

Ms. McCarthy talked about an opportunity for comment on proposed plant lists for Allied Site Remedial Design. Jamie will keep the board informed about the project and planting lists recommendations from agencies like US Fish & Wildlife Service and Michigan NDR who are involved in the project.

I. Citizen Comments (none)

L. Adjourn Meeting (5:18 pm)

# INTER-OFFICEMEMO

**To:** NFP Review Board

**From:** Jamie McCarthy, Sustainable Development Coordinator

**Date:** September 23, 2020

**Subject:** Recommended amendments to Chapter 50 of the City of Kalamazoo Zoning Code and the Natural Features Protection Overlay District

## RECOMMENDATION

It is recommended that the NFP Review Board approve the amendments to the Natural Features Protection Overlay District and related zoning code standards.

## BACKGROUND

Phase 2 of the NFP project launched in late 2019 with a mapping analysis to identify overlooked natural feature areas within the city. With assistance from a Western Michigan University graduate program, Geographic Information Systems (GIS) and spatial analysis were used to identify significant slope areas (>20% grade), tree canopy coverage, wetlands, and waterways. The results of the mapping analysis were reviewed and refined by the NFP review board over the summer and a proposed expansion of the NFP Overlay District map was published for public comment.

From August 24 – September 21 the proposed map amendment was available for in-person viewing at City Hall, virtually viewing and pinning the map on the [www.ImagineKalamazoo.com](http://www.ImagineKalamazoo.com) website, and comments could be left by phone and email. In total over 230 people visited the website or sent email comments on the map. Over 60 completed the online survey and/or pinned suggestions on the map, and staff gave a presentation on the mapping process to the Oakland Drive Winchell Neighborhood Association.

The results of the public engagement include:

- 13 pins placed on the map for removal
- 146 pins placed on the map for addition

How pins match to unique parcel numbers:

- 100 parcels marked for addition
- There were multiple pins placed near the following areas:
  - Wooded wetlands between Stockbridge Avenue and John Street just west of Portage Creek
  - Wooded lots near the 1800-1900 blocks of Hazel Avenue
  - Vacant parcels around Glen Park (Oakland Drive Winchell Neighborhood)
  - Several City-owned parks or public service parcels with unique and significant natural features
  - Large wooded parcels around Kleinstuck Preserve
  - Large wooded areas owned by public schools

- 19 parcels marked for addition, already in NFP phase 1 or 2
- 16 parcels marked for addition, not in City boundary
- 18 parcels marked for addition, not included (no significant features, small lot size, substantial development)
- 47 parcels marked for addition, added to proposed map

Over the summer the NFP Review Board evaluated the zoning code standards for Chapter 50 Natural Features Protection to determine if text changes were warranted. The board reviewed site plans and variance requests that came before the board over the past year to determine if implementation of the standards was fulfilling the intent of the ordinance. The board discussed the possibility of text amendments that would help clarify standards to improve their application to cases and improve outcomes. At this time the board has elected not to make substantial changes to the zoning code and will re-evaluate again in one year.

Staff is recommending minimum amendments to the zoning code standards to improve interpretation and application of the NFP requirements. These amendments include:

- Section K. Site Development Standards, [2] Landscaping serving as a buffer between residential and non-residential uses and between a vehicular parking lot and a street shall not be reduced. **Add:** Plants used for perimeter screening from abutting residential uses are not limited to native species only but must not be listed as “invasive” according to the Midwest Invasive Species Network.
- Section K. Site Development Standards, (b) Plant Selection. Plants in Table 6.2-6 Prohibited Planting List shall not be planted on any portion of a parcel. Native species must be used for all site landscaping. **Add:** ...required under Appendix A, Section 6.2 Landscaping and Open Space or required elsewhere in Chapter 50.
- L. NFP Review Bodies and Process, (c) Where Site Plan is required and a zoning review from the Planning Commission is requested and/or Zoning Board of Appeals is requested, [~~delete or the site is located within one hundred (100) feet of a Wetland or Water Resource~~] or site is adjacent to land publicly used for open space or recreation, the following shall occur prior to review by the NFP Review Board. (...noticing of all parcels within 300 feet of the project).
- M. Bonding of Projects, (a) A bond is required for projects in the NFP Overlay District valued at \$100,000 or more. *Change to “...\$1,000,000 or more or whenever the City Planner deems significant natural features are present on the site that warrant bonding”.* Delete (b) A lien shall be applied to parcels for projects in the NFP Overlay District valued under \$100,000.

## **ATTACHMENTS FOR DOWNLOAD**

Proposed NFP Phase 2 Overlay District Map (<http://www.imaginekalamazoo.com/projects/nfp2/>)