

**NEW BUFFALO TOWNSHIP PLANNING COMMISSION
REGULAR MEETING/PUBLIC HEARING
MARCH 8TH, 2023 6:30 PM
17425 RED ARROW HIGHWAY,
NEW BUFFALO, MI 49117
Minutes**

1. ROLL CALL & PLEDGE OF ALLEGIANCE

Present: Armstrong, Iazzetto, Lauricella and Levine

Absent: Arvanitis, Nesci, and Schmidt

Pledge of Allegiance was recited by the Commissioners.

2. PUBLIC COMMENT – Public comments were heard.

3. PUBLIC HEARING – ZONING ORDINANCE AMENDMENTS

Iazzetto moved, Armstrong seconded to open the public hearing on amendments to the zoning ordinance at 6:34p.m.

Motion carried.

The Planning Commission discussed the zoning ordinance amendments recommended by Zoning Administrator Brinkman. Brinkman explained the reasons for the amendments.

PUBLIC COMMENT - None

Armstrong moved, Levine seconded to close the public hearing on amendments to the zoning ordinance at 6:36.

Motion carried.

4. PUBLIC HEARING – ZONING MAP AMENDMENTS AND CORRECTIONS

Iazzetto moved, Armstrong seconded to open the public hearing on zoning map amendments and corrections at 6:38 p.m.

Motion carried.

The Planning Commission discussed amendments and corrections recommended by Zoning Administrator Brinkman. Brinkman explained the proposed changes and stated that if amendments are approved, changes to the zoning map would need to be approved to reflect those changes.

PUBLIC COMMENT - None

Levine moved, Armstrong seconded to close the public hearing on zoning map amendments at 6:46 p.m.

Motion carried

5. BUSINESS SECTION

a. Zoning Amendments

Armstrong moved, Iazzetto seconded to approve the following amendments to the zoning ordinance:

1. Remove Article 2.27 Harbor Country Drive District (HCD). Those parcels located within this district would revert back to their original zoning C-1; C-2; and AGR at the township/city border, west side of Harbor Country Drive.
2. Amend Article 4 Site Development Standards as follows:

Remove reference to HCD from 4.2 Required Parking subsection 8. Bicycle Parking (a) & (b) ii

4.2.3 Additional Requirements for Parking in Residential and Agricultural Residential Zones.

B. Lot Occupation. Parking areas shall be accommodated in paved **or 6 inches of compacted stabilized aggregate** (concrete, asphalt, brick, **gravel** and other similar materials) drive ways but may not occupy more than fifty percent (50%) of any yard. Such parking area shall provide two (2) parking spaces per dwelling unit where no garage is provided.

Amend Article 4.2.5 Parking Lot Design

A. Stormwater and Drainage. Except for one- and two-family dwellings, off-street parking areas shall be drained with internal site drainage to dispose of all surface water accumulated in the parking area in such a way as to preclude drainage of water onto adjacent property or toward buildings unless otherwise approved by the **Berrien County Drain Commission**. ~~Planning Commission. The Planning Commission may allow the upgrading of drainage without providing for full internal site drainage for existing~~

~~structures upon determination by the Township Engineer that development will not incur undue impacts on structures.~~

B. Materials and Surfacing. **When the access road is paved:** An entire parking area, including parking spaces, maneuvering lanes, and ingress and egress driveways, shall be covered with asphalt, concrete, brick, or other similar hard surface which meets drainage requirements in accordance with specifications approved by the Township. **When the access road is unpaved: A minimum requirement is 6 inches of compacted stabilized aggregate which meets drainage requirements in accordance with specifications approved by the Township.** The parking area shall be surfaced prior to the issuance of a permanent certificate of occupancy. In instances Article 4 Site Development Standards New Buffalo Township Zoning Ordinance 64 where a parking area is non-conforming, the expansion or significant improvement of the use of the land or structure shall require the paving of such parking area to conform with this Section. This surface shall be striped and maintained in good condition and free of weeds, dirt, trash, and debris.

F. Screening and Landscaping.

~~1. Off-street parking areas and loading zones located in a side yard in the C-2, C-1, and I districts shall be screened from the street with a forty two (42) inch high brick or decorative masonry wall, set back five (5) feet from the public street right-of-way. The outside of the wall shall include one shrub for every five (5) lineal feet of street frontage. This requirement also applies to side streets when parking areas have frontage on two (2) streets.~~

1. Off-street parking areas and loading zones for uses other than one-, two-, three- or four-family residential dwellings that are adjacent to, or across the alley from, a residential use or zoning district shall be screened **from the street.** ~~in either of the following ways between the parking lot and the adjacent residential use.~~
 - i. ~~An obscuring wall consisting of durable masonry materials and constructed at least seventy-two (72) inches in height.~~
 - ii. ~~A landscaped buffer consisting of one (1) evergreen plant of at least seventy-two inches in height and planted at intervals of no less than eight (8) feet.~~

4.2.6 Off-Street Loading Requirements

D. Pavement Types. All dedicated loading spaces shall be provided with a pavement having an asphalt or Portland cement binder to provide a permanent, durable, and dustless service. ~~The use of gravel shall be prohibited.~~

4.2.7 Nonmotorized Transportation

~~A. Intent and Purpose: Safe, nonmotorized transportation options shall provide public access within the Township through sidewalks and shared-use pathways. All new development, re-development, and amendments to previously approved site plans, including substantial additions or improvements to existing buildings with a construction~~

cost of twenty thousand dollars (\$20,000) or more within a twelvemonth period, shall be required to provide adequate nonmotorized transportation options as prescribed in this Section. New development in the AG-R, R-1, and R-2 districts shall be exempt from the following requirements unless part of a site plan under the land development options in Article 7.

~~B. General Provisions. Article 4 Site Development Standards New Buffalo Township Zoning Ordinance 68~~

- ~~1. Sidewalks and shared-use pathways shall maintain their grade and not decline in elevation to meet driveways, but rather driveways shall meet the grade of sidewalks and shared-use pathways.~~
- ~~2. All reasonable effort shall be made to avoid cutting trees when placing sidewalks or shared-use pathways.~~
- ~~3. The Planning Commission may modify a nonmotorized transportation requirement of this Section or the proposed design as submitted by the developer, upon review of a site plan or under the recommendation of the Zoning Administrator.~~
- ~~4. When required, permits must be obtained from the Michigan Department of Transportation and/or the Berrien County Road Department.~~
- ~~5. Sidewalk and shared-use pathway maintenance, including replacement in the case of inadequate construction or unsafe, defective, or non-conforming design, as determined by the Zoning Administrator, shall be the responsibility of the parcel owner, or adjacent parcel owner if constructed in the street right-of-way.~~
- ~~6. The owner of the property that fronts a sidewalk or shared-use pathway shall be responsible for maintenance of the shared-use pathway including patching cracked or deteriorated pavement, snow removal, and removal of debris.~~

~~C. Frontage Sidewalks: All properties in the Highway Commercial (C-2) and the General Commercial (C-1), and Harbor Country Drive (HCD) Districts shall have sidewalks that extend across the entire front property line of the property and shall align vertically and horizontally with any existing sidewalks on adjacent properties. All frontage sidewalks shall conform with the following:~~

- ~~1. Sidewalks must be constructed within the street right-of-way as long as a minimum of ten (10) feet from the curb or pavement edge of the street is maintained, or five (5) feet from the edge of an on-street parking area. If insufficient right-of-way exists, then frontage sidewalks may be located on private property with an appropriate public access easement recorded prior to issuing a land use permit.~~
- ~~2. Sidewalks must be constructed along both street rights-of-way for corner parcels.~~
- ~~3. For parcels located in the Harbor Country Drive district, sidewalks must conform with the applicable specifications of subsection 2.2.7.~~
- ~~4. Sidewalks must be a minimum of five (5) feet wide for parcels along roads and easements. Article 4 Site Development Standards New Buffalo Township Zoning Ordinance 69~~
- ~~5. Sidewalks must be constructed of concrete and have a minimum thickness of four (4) inches except in areas crossed by vehicular traffic, which shall have a minimum of six (6) inches. Pervious pavement is allowed and encouraged.~~

~~D. Shared-Use Pathways. The Planning Commission may approve the use of shared-use pathways on site plans as a means of providing nonmotorized transportation options. All shared-use pathways shall conform to the following specifications:~~

1. Minimum of ten (10) feet wide with two (2) feet of cleared shoulder on either side.
2. Constructed of asphalt with a minimum thickness of two (2) inches atop a six (6) inch aggregate base.
3. No more than five percent (5%) in grade.

~~E. Pedestrian Travelways. All developments in the Highway Commercial (C-2), General Commercial (C-1), and Harbor Country Drive (HCD) Districts shall provide clearly defined sidewalks or shared-use paths (referred to collectively as “pedestrian travelways”) extending between the frontage sidewalks to the main entrance of the adjoining buildings or land uses, or to the sidewalk fronting the building in the instance of a multi-entrance building. Such sidewalks or shared-use paths shall be constructed in keeping with the following requirements:~~

- ~~1. For properties with one hundred (100) feet or less of frontage abutting a public right-of-way, there shall be a minimum of one (1) designated pedestrian travelway.~~
- ~~2. For properties with more than one hundred (100) feet of frontage abutting a public right-of-way, there shall be a minimum of one (1) designated sidewalks or shared-use paths per vehicular access drive or one (1) designated route per three hundred (300) feet of frontage, whichever results in a greater number of travelways.~~
- ~~3. For properties with frontage abutting two (2) or more public streets, the minimum required designated routes shall be provided along each street.~~
- ~~4. Sidewalks or shared-use paths shall be at least five (5) feet wide.~~
- ~~5. When a frontage sidewalk does not exist, both a frontage sidewalk conforming with the Township standards and the connecting pedestrian travelway shall be installed.~~

4.3 Landscaping

4.3.1 Intent and Purpose

The intent of this section is to protect and manage vegetation to:

- A. Safeguard and enhance private and public property values and encourage continued investment in the community.
- B. Enhance community appearance and appeal, identify unique natural beauty, and promote quality development at a suitable scale.
- C. Preserve the ecosystem benefits delivered by vegetation, including stormwater management, soil stabilization, temperature modulation, and improved air and water quality.
- D. Provide visual screens between land uses of differing character and use intensities.
- E. Promote the use of native plant materials while discouraging the use of invasive plant materials.

4.3.2 Applicability

~~All uses requiring site plan review or that adjoin a parcel in an AG-R, R-1, R-2, C-1, or C-2 zoning district and/or rights-of-way shall be subject to the requirements of this Section.~~

~~A. Landscape Plan Required. A landscape plan is required for all construction in the following circumstances:~~

- ~~1. All new uses requiring a site plan review.~~

- ~~2. Additions to existing non-residential structures that increase the usable floor area by more than twenty five percent (25%).~~
- ~~3. Expansions or contractions of nonconforming sites that do not meet the landscape requirements of this section.~~

~~B. Exemptions.~~

- ~~1. The reconstruction of an existing structure of which fifty (50) percent or less of the floor area was destroyed or ruined by flooding, fire, wind, storm, or act of nature, and where the reconstruction will not result in an increase in size of the structure, parking facilities, or paved areas.~~
- ~~2. Interior remodeling or façade improvements that do not result in an increase in size of the structure, parking facilities, or paved areas. Article 4 Site Development Standards New Buffalo Township Zoning Ordinance 71~~
- ~~3. Any use, building, or structure for which only a change of use is requested, and which requires no structural modifications that increase its volume or scale.~~
- ~~4. The requirements of this section shall not apply to single-family detached dwelling units, or to parcels within the Agricultural Residential (AG-R) District.~~

4.3.3 General Standards

A. Planting Materials.

- 1. Plant material shall be healthy and free of insects, diseases, and physical damage.
- 2. Unless otherwise specified, the minimum size for plant materials installed shall be as follows:

(Table in Ordinance)

MINIMUM LANDSCAPE MATERIAL SIZE		Vegetation Type	Minimum Caliper (in)
Minimum Height (ft)	Minimum Spread (ft)	Deciduous Trees	2.5
1.5	6.0	Ornamental Trees	2.5
	2.5	Evergreen Trees	2.5
	2.5	Shrubs	2.5
		Hedges	2.5

- ~~3. Caliper of trunk shall be measured twelve (12) inches above ground.~~

B. Species.

- 1. Native plant species are recommended. Native plant species can be verified with the Berrien County Conservation District.
- 2. Invasive plant species shall be prohibited. The State of Michigan maintains a list of prohibited and restricted species established by the Michigan Natural Resources and Environmental Protection Act (Michigan Public Act 451 of 1994), regularly amended by Invasive Species Orders. The Berrien County Conservation District also maintains information about invasive species specific to southwest Michigan.

~~C. Site Design. Landscape areas must be protected from vehicular traffic using concrete curbs, vehicle stops, or other permanent barriers. Protecting significant trees requires locating buildings, roads, and sidewalks in areas of the site which will minimize tree destruction, as well as establishing Protected Root Zones (i.e. tree root buffer zones) to protect vegetation during road widening, sidewalk construction, and cut-and-fill activities.~~

~~D. Design Creativity. Creativity in landscape design is encouraged. Accordingly, required trees and shrubs may be planted at uniform intervals, at random, or in~~

~~groupings, depending on the designer's desired visual effect and, equally important, the intent of the Township to coordinate landscaping on adjoining properties. The Planning Commission will have discretion as to the appropriateness of proposed landscape design and strict adherence to the guidelines in this section.~~

E. Visibility. Landscaping and screening materials shall be laid out in conformance with the requirements for clear vision areas and shall not obstruct the visibility of motorists or pedestrians. In any instances where the requirements of this section would result in reduced clear vision areas established in subsection 1.19, the Planning Commission may waive the requirement.

F. Utilities. Where overhead and underground utilities are present, consideration shall be given to the location and mature height of species. Adjustments to the location of required planting areas may be approved by the Planning Commission to avoid conflict with such utilities provided the intent of the planting or screening requirements are maintained.

G. Maintenance. All required landscaped areas shall be maintained in a healthy condition and kept orderly in appearance. ~~Irrigation shall be provided to all required landscaping by means of a piped, permanent, and automatic underground system. The Planning Commission may approve an alternative form of irrigation, such as rain gardens or other green infrastructure, upon determining that these systems would provide a suitable alternative to underground irrigation.~~

H. Time Period. ~~Required landscaping shall be installed prior to the issuance of an occupancy permit. If a development is completed in seasons when plants cannot be installed, the developer shall submit a performance guarantee equal to the materials and labor for the required landscaping to ensure installations at the beginning of the next planting season.~~

I. Replacement. ~~When trees or shrubs planted in accordance with the requirements of this section die or are removed for any reason, they must be replaced during the next suitable planting season in a manner, quantity, and size approved by the Zoning Administrator.~~

4.3.4 Existing Vegetation

A. Preservation. Existing deciduous trees, evergreens, flowering trees, and shrubs shall be protected and incorporated into the site plan wherever feasible.

B. Credit. ~~The table below indicates the landscaping credit offered by preserving existing vegetation of different sizes and types.~~

(Table in Ordinance)

~~LANDSCAPING CREDIT Vegetation Type Maturation Landscaping Credit Deciduous Tree 3" or less caliper 1:1 Article 4 Site Development Standards New Buffalo Township Zoning Ordinance 73 Deciduous Tree 4" - 6" caliper 1:2 Deciduous Tree 7" - 9" caliper 1:3 Deciduous Tree 10" - 12" caliper 1:4 Deciduous Tree Greater than 12" caliper 1:5 Evergreen or Ornamental Tree 6' or less height 1:1 Evergreen or Ornamental Tree 7' - 12' height 1:2 Evergreen or Ornamental Tree 13' - 16' height 1:3 Evergreen or Ornamental Tree Greater than 16' height 1:4 Shrub Any size 1:1~~

C. Protection of Vegetation.

1. ~~Preserved trees shall be protected with high visibility barriers around the protected root zone. The protected root zone shall be a radius one and a half (1 ½) feet from the trunk for every one (1) inch of the tree caliper.~~
2. ~~Barriers shall not be supported by the trees.~~
3. ~~No grading, demolition, trenching, operation or storage of equipment, or other activity shall occur in the protected root zone.~~
4. ~~Healthy, younger trees on development site shall be preserved wherever possible to allow normal succession as older trees are lost.~~

4.3.5 Site Requirements

A. Ground Cover. All areas in C-1, C-2, HGD, and I Districts not covered by buildings, parking areas, driveways, walkways, pedestrian amenities, or other impervious surfaces shall be replanted with ground cover at a minimum. Ground cover may include:

1. Maintained lawn area.
2. Non-invasive wildflowers, vines, grasses, rushes, sedges, shrubs, or ferns.
3. Wood chips, mulch, or rock, provided this type of material does not exceed twenty percent (20%) of the total of any individual landscaped area.

~~B. Canopy Cover. All properties zoned MR, C-1, C-2, or I shall provide one (1) tree per four thousand (4,000) square feet of unpaved or undeveloped lot area for the first twenty four thousand (24,000) square feet, and one (1) tree per six thousand (6,000) square feet of unpaved or undeveloped lot area over twenty four thousand (24,000) square feet.~~

1. ~~Required trees may be planted at uniform intervals or arranged in groupings.~~
2. ~~The general site topography and any natural landforms unique to the property shall be maintained and made part of the development whenever possible to reinforce the local and regional character.~~

C. Screening of Equipment. Mechanical equipment, such as air compressors, pool pumps, transformers, sprinkler pumps, and similar equipment shall be screened on at least three (3) sides. Insofar as practical, said screening shall exceed the vertical height of the equipment being screened by at least six (6) inches within two (2) years of planting.

4.3.6 Landscape Buffers and Screening

A. Screening Between Incompatible Land Uses. Effective screening shall be provided as required between incompatible land uses. The Planning Commission shall make the final determination on the required screening method based on site conditions and the specific land use. Screening materials may include the following, separately or in combination:

1. ~~Vegetated Screens. Vegetated screens shall consist of evergreen trees planted no more than fifteen (15) feet apart and can be reasonably expected to achieve a complete visual barrier at a minimum height of six (6) feet in three (3) years. Deciduous trees may be incorporated for plant diversity provided the effectiveness of the screen is achieved.~~
2. ~~Berms. Berms shall be constructed with slopes no greater than one (1) foot of vertical rise for every three (3) feet of horizontal run with at least a two (2) feet flat surface on~~

top, sodded to provide adequate protection against erosion. Berms shall be landscaped with one (1) deciduous or evergreen and six (6) shrubs for every forty (40) lineal feet. Clustering of trees and shrubs is allowed upon approval of the Planning Commission.

3. Obscuring Walls or Fences. Obscuring walls or fences shall be constructed of durable materials and placed inside and along the property lines and shall otherwise comply with section 1.7. The Planning Commission has the authority to require specific materials based on the site conditions and the nature of the use. Walls and fences shall include one (1) vine or shrub for every ten (10) lineal feet, planted on the exterior face of the structure.

4. Greenbelts. Greenbelts shall occupy a prescribed buffer zone and consist of vegetated ground cover, along with one (1) deciduous or evergreen tree and six (6) shrubs for every forty (40) lineal feet. Clustering of trees and shrubs is allowed upon approval of the Planning Commission. Effort shall be made to link greenbelts on adjacent parcels to provide a continuous landscaped area.

B. Screening Required. The table below provides the instances when screening is required, along with applicable dimensions and buffer zones

(Table in Ordinance)

LANDSCAPE BUFFERING & SCREENING REQUIREMENTS	Zoning District	Minimum Screen Width (ft)	Minimum Screen Height (ft)	Screen Type Required	Instances and Locations
AG-R	R-1	10		Greenbelt	Rear and side property lines for nonresidential uses
R-2		10		Greenbelt	Rear and side property lines for nonresidential uses
MR		10		Greenbelt	All property lines and public right-of-ways
C-1		6		Vegetated Screen / Obscuring Walls or Fence	Side and rear lot lines abutting AG-R and R-1, R-2, and MR districts
C-2		6		Vegetated Screen / Obscuring Walls or Fence	Side and rear lot lines abutting AG-R, R1, R-2, and MR districts
HCD		6		Vegetated Screen / Obscuring Walls or Fence	Side and rear lot lines abutting AG-R, R1, R-2, and MR districts
I-20		6		Vegetated Screen / Obscuring Walls or Fence / Berm or combination	All rear and side property lines abutting all non-industrial districts and rights-of-way

4.3.7 Right-of-Way Landscaping

Properties zoned C-1, C-2, HCD, and I shall provide right-of-way landscaping along the street frontage that meets the following standards:

A. A landscape buffer shall be constructed along the right-of-way at a minimum width of five feet.

B. The landscape buffer shall include one (1) deciduous tree and six (6) shrubs for every thirty (30) feet of frontage. Trees shall be evenly spaced but shrubs may be clustered.

C. For properties in the Harbor Country Drive District, required landscaping standards shall satisfy the needs of right-of-way landscaping specified in Section 4.3.7.

4.4 Signs

Remove reference to HCD in Sign Regulations & Standards Tables for Freestanding Signs; Wall Signs; Awning; Projecting; Electronic Display; Environmental Activated; Small Temporary; Large Temporary

7.1.3 Qualifying Standards for Planned Unit Development

Planned Unit Development proposals shall meet the following qualifying standards to be considered under the PUD land development option:

- A. The PUD site, combined across all parcels, shall not be less than ~~ten (10)~~ **five (5)** acres in area

PREVIOUSLY PROPOSED AMENDMENTS

3. Article 1 General Provisions

Add and renumber moving forward:

1.4.4 Nonconforming Lots

A. Use of Nonconforming Lots. Any nonconforming lot of record shall only be used for any purpose authorized by the district in which it is located. This provision shall apply even though such lot fails to meet the requirements for area or width applicable in the district, provided that yard dimensions and other requirements not involving area or width, or both, of the lot shall conform to the regulations for district in which such lot is located. **The main building on such lot shall be located so that it meets at least 80 percent of each of the yard requirements of the district in which it is located.** Any required variances may be requested pursuant to the procedures and standards of this ordinance.

1.6 Fences

All fences shall:

- A. Be no taller than six (6) feet in the side or rear yards in residential ~~or mixed-use~~ districts.
- B. Be no taller than four (4) feet in the front yard in residential ~~or mixed-use~~ districts.

Add subsection **I. The height of fence posts shall be no more than 6 inches above fence.**

1.8 Minimum Dwelling Size Requirements

- A. All dwellings shall contain a minimum floor area in accordance with the following:
 - Single family (1 story) 960sqft, with at least 960sqft on the ground floor
 - Single family (1 ½ story) 1,150sqft with at least 768sqft on the ground floor
 - Single family (2 story) 1,440sqft with at least 720sqft on the ground floor
 - Two-family – 750sqft per unit
 - Multi-family –
 - Efficiency – 400sqft
 - 1 bedroom – 500sqft
 - 2 bedroom – 600sqft
 - 3 bedroom – 750sqft
 - 4 bedroom – 900sqft

The area of the building shall be determined by the exterior dimensions of the building.

- B. Multiple family dwellings shall have a minimum lot size of one acre and be served by public water and sanitary sewer facilities. A maximum of twelve dwelling units per net acre shall be permitted. Net acreage shall be the total site area, exclusive of any dedicated public right-of-way or private easement for either interior or abutting streets. No building shall exceed an overall length of 180ft. There shall be a minimum distance between contiguous buildings equal to the height of the taller building or 25ft, whichever is greater. In no case shall the minimum required setback be less than the height of the building.
- C. The first 20ft of the required front yard shall not be used for parking or aisles and shall be landscaped when developed.
- D. Where a side and/or rear yard abuts a Residential District, there shall be a minimum yard of not less than twenty feet, exclusive of parking and drives. Such yard shall be planted with site-obscuring plant cover as approved by the Planning Commission.

1.9 Exterior Lighting in Residential Areas

All lighting of a high intensity nature on residential properties, or residential districts, shall be directed away from, and if necessary, shall be shielded to prevent the shedding of light onto adjacent residential properties. All lights shall be directed to prevent the source of light from shining directly onto traffic in such a way that glare could create a safety hazard.

1.17.6 Design Requirements

N. The private street shall meet all requirement of the ~~BOCA~~ NFPA National Fire Prevention Code.

O. The maximum number of lots on a single access cul-de-sac or dead-end road shall not be more than 25.

P. A person or persons shall not erect, construct, place or maintain any bumps, fences, gates, chains, bars, pipes, wood or metal horses or any other type of obstruction on any private street designed to limit access or control vehicular speed.

1.20.2 Approval

1. Each resulting parcel has an adequate and accurate legal description and is included in a tentative parcel map showing area, parcel lines, public utility easements, accessibility, and compliance with the limitations in Section 1.21.1 ~~1.20.1~~.

3. The division meets all the requirements of Section ~~4.21.4~~ ~~1.20.1~~

1.23 Address Identification

New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than four (4) inches high with a minimum stroke width of one half (1/2) inch. Where required by the fire code official or Berrien County, address identification shall be provided in additional approved locations to facilitate

emergency response. Where access is by means of a private road and the building cannot be viewed from public way, a monument, sign, or other means shall be used to identify the structure. Address identification shall be maintained. **All building permit fees will include fee for Township green reflective address signs that must be installed before obtaining an occupancy permit.**

1.17.5 Procedure

A. After the application, along with all other required information, has been received by the Township Clerk, the Planning Commission shall set a date to hold a public hearing on the Article 1 General Provisions New Buffalo Township Zoning Ordinance 20 application. The Zoning Administrator shall send notice of the hearing in accordance with the Notice Requirements in Section 40-8. **10.7**

B. The Planning Commission shall consider the request based on the requirements of Section 4-18-6 **1.17.6**, as well as the approval standards of Section 4-18-7-**1.17.7**; and all other relevant provisions of this Ordinance. The Planning Commission shall make a recommendation to the Township Board to preliminarily approve, preliminarily approve with conditions, or deny the request.

2.2.1 Agricultural Residential AGR; Low-Density Residential R1; Medium-Density Residential R2; Manufactured Residential MR – Remove Parking Setback Standard from Table for front/side/rear. Creates non-conformances throughout the Township.

2.2.5 General Commercial C1; 2.2.6 Highway Commercial; 2.2.8 Union Pier District – Change table Maximum lot coverage to **contingent on proposed use.**

2.3.3 Properties with Multiple Zoning Designations

~~When an individual recorded parcel, which exists at the time of adoption of this ordinance, has more than one zoning classification, the zoning designation which comprises the majority of the parcel area shall be applied to the entire parcel.~~

Except as otherwise delineated, where there is a lot with General Commercial C1 split zoning along highway frontage, the C1 zone shall extend back from the lot line at the road 500 feet if the parcel is, on average, 1000 feet or more in depth, or if the average depth of the parcel is less than 1000 feet, the C1 zone shall include the full parcel.

Reason: You will only find this in Commercial areas.

4.4.17 Flags (eliminate section & table)

~~A. Definition. Any sign printed or painted on cloth, plastic, canvas, or other like material attached to a pole or staff and anchored along only one edge or supported or anchored at only two corners. B. Regulations and Standards. 1. Each flag shall be limited in size to three (3) feet by five (5) feet. 2. Poles shall be limited in height to thirty (30) feet~~

Article 13 Definitions

BUILDING HEIGHT: The vertical distance measured from the ~~finished grade to:~~

~~• The highest point of the roof surface for flat roofs; • To the deck line of mansard roofs; and • To the average height between eaves and ridge for the highest gable, hip, studio, and gambrel roofs. Article 13 Definitions New Buffalo Township Zoning Ordinance 172 • Seventy-five (75) percent of the height of an A-frame. • The number of habitable stories when maximum height is defined by stories, which shall not include attics or basements. • Where a building is located on sloping terrain, the height shall be measured from the average grade at the building wall.~~
Average grade to the highest point of the building. Height shall be measured from the average grade to the highest point of the roof surface or parapet wall that extends above the roof, whichever is higher.

SIGN: Any device, structure, fixture, painting, emblem, or visual that uses words, graphics, colors, illumination, symbols, numbers, or letters for the purpose of communicating a message. Sign includes the sign faces as well as any sign supporting structure. See Article 5 4 for definitions of individual sign types.

Roll Call Vote:

Armstrong	Yes
Arvanitis	Absent
Iazzetto	Yes
Lauricella	Yes
Levine	Yes
Nesci	Absent
Schmidt	Absent

Motion carried

b. Zoning Map Amendments

Iazzetto moved, Levine seconded to adopt the following amendments and corrections to the zoning map:

Add MR – Manufactured Residential District to Legend
Remove HCD – Harbor Country Drive District from Legend

Change from R2 to C1

11-13-2700-0001-00-5
11-13-2700-0002-00-1
11-13-2700-0003-00-8
11-13-2700-0004-00-4
11-13-2700-0005-00-1
11-13-2700-0006-00-7

11-13-2700-0007-00-3
11-13-2700-0008-00-0
11-13-2700-0009-00-6

Split Zoned Front 500ft C1 Back I

11-13-0019-0003-02-0
11-13-0019-0003-03-8
11-13-0019-0003-01-1
11-13-0019-0003-00-3
11-13-0019-0002-10-0
11-13-0019-0002-11-0
11-13-0019-0001-00-1

Change from PUD to I

11-13-0021-0003-00-5

Change from HCD to AGR

11-13-0015-0019-00-4
11-13-0014-0001-02-6
11-13-0014-0002-00-6

Change from HCD to C1

11-13-0015-0019-02-1
11-13-0015-0019-01-2
11-13-0015-0019-03-9
11-13-0015-0005-00-3
11-13-0015-0001-04-1
11-13-0015-0001-05-9
11-13-0015-0001-07-0
11-13-0015-0002-01-0
11-13-0015-0002-02-0
11-13-0015-0001-02-4
11-13-0015-0001-03-2
11-13-0015-0001-06-0
11-13-0015-0003-01-9

Change from HCD to C2

11-13-0015-0006-02-6
11-13-0015-0006-04-2
11-13-0015-0006-05-1
11-13-0015-0006-00-0
11-13-0015-0007-11-1
11-13-0015-0007-00-6
11-13-0015-0012-00-0
11-13-0015-0007-10-3
11-13-0015-0004-02-3
11-13-0015-0004-07-4
11-13-0015-0004-04-0
11-13-0015-0007-09-0
11-13-0015-0017-00-1
11-13-0015-0004-06-6

Roll Call Vote:

Armstrong	Yes
Arvanitis	Absent
Iazzetto	Yes
Lauricella	Yes
Levine	Yes
Nesci	Absent
Schmidt	Absent

Motion carried

a. Approve Minutes

Armstrong moved, Iazzetto seconded to approve the minutes from the Regular meeting February 7th.

Motion carried.

6. CORRESPONDENCE

Letter from Ron Farina

7. ADJOURNMENT

Iazzetto moved, Armstrong seconded to adjourn at 6:49 pm.

Motion carried

Respectfully submitted by,

Carol Schmidt
Planning Commission Secretary

Michelle Heit
Acting Recording Secretary