

THESE MINUTES ARE SUBJECT TO FORMAL APPROVAL BY THE WYOMING
PLANNING COMMISSION AT ITS REGULAR MEETING OF APRIL 20, 2010

PLANNING COMMISSION
MINUTES OF MARCH 16, 2010
CITY COUNCIL CHAMBERS
CITY OF WYOMING, MICHIGAN

MEMBERS PRESENT: Bloomquist, Bueche, Goodheart, Hegyi, Micele, Postema, Spencer,
Weller, Woodruff

MEMBERS ABSENT: None

STAFF PRESENT: Rynbrandt, Director of Community Services
Cochran, City Planner
DeLange, Chief Building Inspector
Lucar, Administrative Secretary

Chair Spencer called the meeting to order at 7:00 P.M.

APPROVAL OF MINUTES

The minutes of February 16, 2010 were approved as written.

APPROVAL OF AGENDA

Rynbrandt explained that Staff is using this meeting as an opportunity to revise the Zoning Code in a variety of areas. These amendments are proposed to tidy up specific areas of the Code, provide better clarity to the intent of the Code, and correct contradictions within the language of the Code.

The agenda was approved as presented.

AGENDA ITEM NO. 1

Request to amend Zoning Code Chapter 90 Section 90-45 Accessory Buildings and Uses.
This amendment pertains to exterior building materials. (Wyoming Planning
Department)

Cochran explained the City Zoning Code requires that pre-manufactured accessory buildings exceeding 120 square feet have a roof design similar to the primary building on the property. In addition, the exterior building material must be of a finished character. This standard has been in

place for several decades and is intended to primarily prohibit pole barns or other buildings of low quality construction.

It has been observed that new homes may incorporate expensive metal roofs of high quality. These roofs include no visible fastening system. Pre-manufactured accessory buildings that incorporate a high quality metal roof, but may not match the shingled roof of the residence, are prohibited under the ordinance. In addition, suitably attractive storage buildings constructed of recycled plastic are now available and can be assembled on site without contractor assistance. Staff believes the ordinance should be modified to allow the alternative buildings materials and still maintain our quality community standards.

Existing Zoning Code Section 90-45 (3):

Any pre-manufactured accessory building larger than 120 square feet shall be required to have a roof design in character with the primary building and the exterior building material shall be of a finished character.

Proposed amended Zoning Code Section 90-45 (3):

Any pre-manufactured accessory building larger than 120 square feet shall be in character with the primary building. Exterior building and roof materials shall be of a finished character with no visible exterior fastening system.

The Development Review Team suggested the Planning Commission recommend to the City Council the subject Zoning Code amendment.

Chair Spencer opened the public hearing. There were no comments and the public hearing was closed.

Motion by Postema, supported by Micele, to recommend to the City Council the subject Zoning Code amendment. Motion carried unanimously.

AGENDA ITEM NO. 2

Request to amend Zoning Code Chapter 90 Section 90-50 Repairs to: Parking and Storage of Vehicles in Residential Districts. This amendment pertains to clarification of the number of trailers stored per property. (Wyoming Planning Department)

Cochran noted for decades the City has enforced Zoning Code Section 90-50 such that only one trailer, of any type, may be stored in the open on residential properties. A recent public contact brought into question whether the existing ordinance clearly states this intent. The concern is whether the statement "These provisions shall also apply to utility trailers or trailers" under Section 90-50 (2) precludes the regulation of trailers elsewhere in the surrounding Zoning Code section. Staff acknowledges the Codes intent could be more direct. The following amendments are proposed to address this matter:

Existing Zoning Code Section 90-50 (initial statement):

The following provisions shall apply to repairs to parking and storage of motor vehicles, recreational vehicles or other vehicles in residential districts:

Proposed Zoning Code Section 90-50 (initial statement):

The following provisions shall apply to repairs to parking and storage of motor vehicles, recreational vehicles, all trailers, or other vehicles in residential districts:

Existing Zoning Code Section 90-50 (2):

No recreational vehicle including, but not limited to, special-purpose automobiles, boats, floats, rafts, camping or travel trailers or detachable travel equipment adaptable to light-duty trucks, excluding bicycles, motor bikes and motorcycles, unless attached to a licensed motor vehicle, shall be stored or parked anywhere on a public street or utility right-of-way or easement. These provisions shall also apply to utility trailers or trailers. Motor homes may be parked on a street not to exceed three days.

Proposed Zoning Code Section 90-50 (2):

No recreational vehicle including, but not limited to, special-purpose automobiles, boats, floats, rafts, camping or travel trailers or detachable travel equipment adaptable to light-duty trucks, excluding bicycles, motor bikes and motorcycles, unless attached to a licensed motor vehicle, shall be stored or parked anywhere on a public street or utility right-of-way or easement. Motor homes may be parked on a street not to exceed three days.

The Development Review Team suggested the Planning Commission recommend to the City Council the subject Zoning Code amendments.

Chair Spencer opened the public hearing.

Steve Bell, 5965 Ivanrest, asked if these amendments apply to all residential districts, even the Estate Residential district? He has several trailers on his property and thought an exception should be made for the ER district which has larger lot sizes.

A resident of 3850 Loraine said he has several trailers that will not fit in his garage. He has a lot that is all concrete that he currently stores his trailers on. Can exceptions be made to this amendment?

Chair Spencer closed the public hearing.

Motion by Woodruff to recommend to the City Council denial of the subject Zoning Code amendments. The motion failed for lack of support.

Motion by Bloomquist, supported by Goodheart, to recommend to the City Council the subject Zoning Code amendments. Discussion followed.

Cochran clarified these amendments would apply to all residential districts. A resident can go to the Board of Zoning Appeals to appeal the standard if they feel it is not appropriate for their situation.

Hegyí asked if this standard would apply to the R-4 multiple family district? Cochran responded affirmatively. DeLange commented that in 25 years he did not recall trailer storage ever being a problem in the apartment district. Relative to the R-3 duplex district, each parcel would be allowed one trailer.

Weller thought different standards could be considered for larger parcels.

A vote on the motion carried unanimously.

AGENDA ITEM NO. 3

Request to amend Zoning Code Chapter 90 Section 90-891 Residential District Regulations. This amendment pertains to required side yard setbacks in the R-2 Single Family Residential District. (Wyoming Planning Department)

Cochran explained the R-2 Single Family Residential district allows homes of 1,040 square feet on properties of 8,400 square feet and 65 feet in width. The City has not had any new subdivisions developed to R-2 standards for some time. However, infill development of older subdivisions has progressed. Staff noticed an irregularity in the required R-2 district side yard setbacks for the different types of homes allowed. One-story, bilevel, split level, and trilevel homes are all required to provide a minimum seven (7) foot side yard setback. Homes of 1 ½ story or two story construction are permitted a six (6) foot setback. Staff cannot justify the rationale for the different side yard setbacks. Comparatively, in the R-1 and the R-3 districts all homes, regardless of construction, are required to provide the same side yard setback. In those districts the side yard setback is increased to eight (8) feet due to the larger home, lot area and lot width requirements. Staff recommends the ordinance be amended to require a uniform side yard setback in the R-2 district.

Existing Zoning Code Section 90-891 Residential Districts (R-2 Zone):

Minimum Side Yard (feet)

1 ½ -story	6
Two-story	6

Proposed amended Zoning Code Section 90-891 Residential Districts (R-2 Zone):

Minimum Side Yard (feet)

1 ½ -story	7
Two-story	7

The Development Review Team suggested the Planning Commission recommend to the City Council the subject Zoning Code amendment.

Chair Spencer opened the public hearing. There were no comments and the public hearing was closed.

Motion by Bueche, supported by Postema, to recommend to the City Council the subject Zoning Code amendment. Discussion followed.

Goodheart mentioned the seven foot minimum side yard may create more nonconforming homes. Cochran noted there are many nonconforming homes in the R-2 zone already.

A vote on the motion carried unanimously.

AGENDA ITEM NO. 4

Request to amend Zoning Code Chapter 90 Section 90-792 (Definitions – pedestrian signs); Section 90-796 (General Standards for Permitted Signs – Illumination); Section 90-799 (Specific Sign Requirements: Nonresidential Districts – wall sign allowances, moving image signs, menu board allowances and permits); and Section 90-800 (Off Premise Advertising Signs – clarification of billboard spacing). (Wyoming Planning Department)

Cochran noted in January 2009 the City Council adopted substantial amendments to the sign regulations of the Zoning Code. These amendments had been brought forward from an appointed Sign Committee which were also reviewed and recommended to Council by the Planning Commission. During the past year staff has implemented the new regulations. As the standards were applied, staff began to notice several provisions that were inconsistent with what was understood to be the ordinance's intent. This has led us to recommend adjustments to the ordinance. The proposed amendments provide greater clarity as to the intent of the ordinance. In one instance, we believe prior standards may be more appropriate. The proposed amendments are primarily more accommodating to businesses.

PROPOSED AMENDMENTS:

The January 2009 amendments included the prohibition of pedestrian signs. These are employees of a business who stand along streets to attract attention to that business. The wording of the ordinance prohibits the pedestrian from wearing a sign. However, it does not prohibit the employee from wearing a costume to attract attention in the same manner as a sign. We believe

the intent of the ordinance was to prohibit pedestrian signage in all forms. The proposed amendment would prohibit all forms of pedestrian signage.

Existing Zoning Code Section 90-792 (Definitions – pedestrian signs):

Pedestrian sign: A temporary sign, including by way of example, placards and sandwich boards, held or worn by a person, displayed to passing motorists along major streets, and calling attention to a business, product, service or event.

Proposed amended Zoning Code Section 90-792:

Pedestrian sign: A temporary sign, including by way of example, placards and sandwich boards, held or worn by a person and displayed to passing motorists along major streets, or costumes worn by representatives for the business, which call attention to a business, product, service or event.

The City has had numerous electronic moving freestanding signs constructed during the last year. During that time we have had several complaints from motorists regarding the signs brightness levels. The signs adjustable brightness, close proximity to the roadways, and their line of sight, suggests that these factors contribute to the harshness of the lights. The City adopted a brightness level of 5,000 nits (candelas per square meter) for LED billboards. However no standard was established for other electronic signs. Research by staff discovered one community which regulates the brightness of signs. The City of East Lansing limits electronic signs to a maximum of 2,000 nits during the daylight hours and 500 nits at night. Staff recommends we incorporate the same standards and apply them to all electronic signs, other than billboards.

Existing Zoning Code Section 90-796 (5) (d) (General Standards for Permitted Signs – Illumination):

Illumination by bare bulbs, neon, luminous tubing or flames is prohibited. Signs shall have no exposed or flashing bulbs. Except as otherwise permitted in this article, no sign shall contain any visible moving parts or messages.

Proposed amended Zoning Code Section 90-796 (5) (d):

Illumination by bare bulbs, neon, luminous tubing or flames is prohibited. Signs shall have no exposed or flashing bulbs. Except as otherwise permitted in this article, no sign shall contain any visible moving parts or messages. All signs shall be limited to a maximum brightness of 2,000 nits during the daylight hours. In addition, they shall be reduced to a maximum of 500 nits from a half hour before sunset to a half hour after sunrise. Brightness shall be measured from the sign's face at maximum illumination.

Section 90-799 (Specific sign requirements: nonresidential districts) includes several references to projecting signs and implies their allowance. Projecting signs are those that are typically mounted at a 90 degree angle to a building wall. These have been prohibited in the City for a

considerable time and continue to be so under Section 90-795 (Prohibited Signs). The proposed amendment removes all inappropriate references to projecting signs.

Historically, the City allowed each commercial business to have one wall sign for each exterior wall. This allowed businesses to be identified from large nearby commercial centers. For instance, the businesses within Wilsontown Shopping Center just south of the Rivertown Crossing Mall are identified by their rear wall sign. The additional signage is believed to contribute to the overall vitality of the business. The 2009 amendments now limit the business to one wall sign per street frontage. As tenants change within a shopping center new businesses must comply with the new requirement. This positions the new tenant differently than the adjoining businesses. Also, because we have an extensive number of businesses with multiple wall signs, the pattern within the community is effectively set. Staff recommends we return to the previous standard of allowing one wall sign per exterior wall.

In addition, in Section 90-799-2 (Secondary Sign Requirements – Nonresidential Districts) a moving image sign as part of a wall, pole or ground sign is not permitted in the B-1 Local Business and RO-1 Restricted Office Districts. They are permitted by-right in all other commercial and industrial zoning districts. Upon further evaluation, staff believes that moving image signs are acceptable in the B-1 district as well. Most commercial uses are allowable in all business districts and prohibiting the moving signs in only one of the commercial districts is somewhat arbitrary. Staff does recommend that the moving signs remain prohibited in the RO-1 district. This is because the Office district typically has destination businesses that do not require extra attention signage. In addition, most RO-1 districts are relatively small and abut residential neighborhoods.

Also in Section 90-799-2 are provisions for menu boards. The ordinance limits businesses with drive up lanes to one menu board and one pre-menu board. Staff desires to amend this provision to one menu board and one pre-menu board per designated drive up lane. This additional allowance became evident with a business such as McDonald's and Checkers who utilizes two drive-up lanes. Both businesses were able to justify their need for the additional signage and received variances from the Board of Zoning Appeals. The additional boards should not be problematic as all such signs are required to not be visible from the street. In addition, confusing and non-applicable language stating "maximum total area for window signs percent of window area" is proposed to be removed.

For clarity of the many requested changes to the tables of Section 90-799, that section is highlighted with the proposed amendments.

Also in Section 90-799-4 (g) are requirements for trailer sign permits. Past practice has been to limit the weekly sign permits from Monday through Sunday. Staff desires to provide greater flexibility to the business owners by allowing the permits for a seven day period beginning on any given day. Additional unnecessary language in this section is also proposed to be removed.

Existing Zoning Code Section 90-799-4 (g) (Trailer sign requirements):

Trailer sign requirements. A permit shall be obtained and placed on the sign for each week, or part thereof, that the sign is displayed. Permits may be obtained for one week or consecutive multiples thereof, except that no property shall contain temporary signs visible from the street for more than eight weeks per calendar year. After the expiration of the permit, the sign shall be removed from the property or stored in a location that is not visible from the street.

Proposed Zoning Code Section 90-799-4 (g):

Trailer sign requirements. Permits shall be obtained for one seven day period or consecutive multiples thereof, except that no property shall contain trailer signs visible from the street for more than eight weeks per calendar year. After the expiration of the permit, the sign shall be removed from the property or stored in a location that is not visible from the street.

Zoning Code Section 90-800 establishes minimum distances between off-premise advertising signs (billboards). Since at least 1978, the distance between billboards has been measured from structure-to-structure. The pattern of billboards throughout the City reinforces this administration. Recently, legal action against the City was brought in an attempt to have the distance measured only from billboard faces oriented in the same direction. Essentially, a structure with one LED billboard face would not influence another LED billboard faced in a different direction. To fully clarify the intent of the ordinance, it is recommended that the word “structure” be inserted into Zoning Code Sections 90-800 (5), and (9)(a).

Proposed amended Zoning Code Section 90-800 (Off-premise advertising signs):

(5) Except as noted in subsection (9)(a), below, no off-premises advertising sign structure shall be constructed closer than 750 feet to another off-premises advertising structure in any direction. Except that no two off-premises advertising signs structures located on the same side of a freeway may be closer than 1,500 feet. Distances are to be measured along the freeway right-of-way line.

(9)(a) No off-premises LED advertising sign structure utilizing a moving image display shall be constructed closer than 4,000 feet to another off-premises LED advertising sign structure utilizing a moving image display. Off premises LED advertising signs may only be constructed to replace existing off-premises advertising signs.

The Development Review Team suggested the Planning Commission recommend to the City Council the subject Zoning Code amendments.

Chair Spencer opened the public hearing.

Ryan McPherson, representing Liberty Tax at 1029 – 28th Street, said his business has been in Wyoming for six years. About 30% of his business is generated through pedestrian advertising, which they are known for. Eliminating pedestrian advertising would hurt his business.

Lillian VanderVeen, 1930 – 28th Street, who also owns Lenger Travel at 2290 – 28th Street, would like the restrictions on banners, streamers, etc. to be re-considered by the Planning Commission and City Council. She pointed out on the overhead walkway by Taft Avenue the City has six banners displayed. If the City can have them, the businesses should also, at least on a temporary basis.

Matt Hofstee, 2006 Denwood, thought the window sign restrictions were too tough.

Doug Kochneff, 841 – 28th Street, Chairman of the Wyoming DDA, pointed out the original sign committee had recommended that banners, streamers, balloons and pennants remain in the ordinance. The Planning Commission had agreed, but the City Council took them out. He asked the Planning Commission to recommend to City Council that this be reconsidered.

Marge Wilson, 1751 – 28th Street, said the City has to take into consideration the economic hardships businesses are going through now. Placing more restrictions on them only makes it harder to bring in customers. She also thought the wavers in costumes were not detrimental to the community. A temporary permit should be considered.

Chair Spencer closed the public hearing.

Motion by Postema, supported by Bueche, to consider each item individually. Discussion followed.

Cochran recommended, if they wish to address the banners and streamers issue, these recommended changes could be deferred so all the changes could be presented in one package to City Council.

Section 90-792 Definitions – Pedestrian Signs:

Weller asked if the pedestrian advertising was done on private or public property? Cochran responded typically on public property.

Bloomquist asked if there are issues with safety or something else? Cochran replied there are issues with safety, because they are a distraction, and with aesthetics.

Postema asked if there have been any complaints on this issue? DeLange said most complaints were made by similar competing businesses who thought pedestrian advertising was unfair.

Section 90-792 – LED illumination:

DeLange explained the brightness levels. There needs to be the same restrictions across the board for these types of signs. Postema agreed with this amendment.

Section 90-799, Nonresidential Districts – Wall sign allowances, moving image signs, menu board allowances and permits:

Postema thought projecting signs should be allowed in certain areas, such as Metro Health Village and certain areas of the DC district. Goodheart agreed. Cochran thought projecting signs may be appropriate at some point, but they need to be part of an overall development plan of a street and form based code. This is still a work in progress.

Section 90-800, Off Premise Advertising Signs – clarification of billboard spacing:

Several Commissioners commented in favor of the language of specifying structure to structure spacing for billboards.

Polling of members after each item discussed resulted in the majority of Commissioners in favor of each item.

Postema withdrew his motion and Bueche withdrew his support.

Motion by Postema, supported by Woodruff, to have Staff consider again the banners and streamers portion of the ordinance and to defer one month the proposed sign amendments so they can be considered all together. Discussion followed.

Rynbrandt recommended they vote on the proposed sign amendments and then reconsider the banners and streamers wording later.

Goodheart questioned whether much effort should be made in reconsidering the banners and streamers issue if the City Council is going to reject it anyway. Bloomquist thought it should be brought back as a public hearing. Postema thought the original wording recommended by the Planning Commission should be reconsidered. He also did not think the City should be allowed to display banners and not the businesses.

Postema withdrew his motion and Woodruff withdrew his support.

Motion by Bloomquist, supported by Goodheart, to recommend to the City Council the subject Zoning Code amendments, except the wording in Section 90-792, Definition – pedestrian signs. Motion carried unanimously.

Motion by Hegyi, supported by Woodruff, to recommend to City Council the amendment of Section 90-792, Definition – pedestrian signs, as proposed by Staff. Discussion followed.

Postema did not think they should place restrictions on something that is so difficult to enforce. Weller recommended an annual permit with time limits. Goodheart and Micele agreed.

A vote on the motion failed 2 – 7, with Bloomquist, Goodheart, Micele, Postema, Spencer, Weller and Woodruff opposed.

Cochran noted that Staff will present suggested wording for pedestrian signs next month, based on comments from the public hearing and by the Commissioners.

Motion by Postema, supported by Bloomquist, to set a public hearing for next month to amend the ordinance wording regarding banners, streamers, balloons and pennants to the wording originally recommended by the Planning Commission. Discussion followed.

Bueche was concerned whether the City Council would ultimately overturn their recommendation. Rynbrandt emphasized the importance of following the government process which would include holding the public hearing and making their recommendation to City Council if the Planning Commission desired a change.

A vote on the motion carried unanimously.

AGENDA ITEM NO. 5

Request to amend Zoning Code Chapter 90 to establish standards for Alternative Energies. The amendments pertain to wind energy turbines; solar energy equipment; and outdoor wood fired boilers, stoves, or furnaces. (Wyoming Planning Department)

Cochran explained the Zoning Code does not provide appropriate standards for regulating wind energy turbines (WET), solar energy equipment (SEE) or outdoor wood fired boilers, stoves, or furnaces (OWFBSF). Wyoming has been contacted by residents and business owners desiring to obtain energy production beyond the customary electric and gas utilities. Those seeking alternative energy production may desire reduced energy consumption, diminished energy costs, and a reduced environmental impact. Rapid advancements in new energy generating technologies, with subsequent affordability and availability, are also increasing the desire for these devices.

The proposed ordinances are crafted to be relevant for Wyoming's global position. Most notably, the community is in a poor wind energy generating location. As such, the probability for the large wind energy turbines (LWET over 150 feet) are remote and are excluded from this ordinance. The most probable application of this ordinance will be for the small structure mounted wind energy turbines (SSMWET) to be mounted on residential and business buildings. However, we must also set appropriate standards for tower mounted turbines. Technology is advancing rapidly in obtaining energy from lower wind speeds and durations. To date we have not had an official request for a wind energy equipment installation.

The technology for energy generation from solar energy equipment is also advancing rapidly. First impressions may suggest that due to this areas frequent cloud cover we are not suitable for solar installations. In contrast to this perception, Padnos at 44th Street and Clay Avenue recently installed a solar panel array on the roof of their building. The installation is one-half the size of a football field, is the largest such array in Michigan, and provides power to Consumers Energy. That installation conforms with the proposed ordinance amendments. Our belief is the most common solar equipment installations will be roof mounted panels on residences.

To our knowledge, Wyoming has two existing outdoor wood fired furnaces (OWFBSF). These came to our attention from smoke concerns by nearby neighbors. These furnaces are the size of small accessory buildings, consume large quantities of wood, and operate continuously for several months. Staff concern with the furnaces is the quantity of smoke generated and the large volume of wood necessary to operate. As evidenced, the smoke may well be a nuisance to nearby property owners. In addition, the large quantity wood piles contradict community regulations attempting to diminish animal nuisances and neighborhood unsightliness. The furnaces are more typical in rural areas. The staff recommendation is to prohibit these devices.

The proposed Alternative Energies Ordinance is attached. The following are the major points of the Ordinance:

Wind Energy Turbines (WET)

Large wind energy turbines (LWET) - greater than 150 feet - not permitted.

Medium wind energy turbines (MWET) - between 70 and 150 feet -permitted by special approval use in commercial and industrial districts.

Small tower mounted wind energy turbines (STMWET) - up to 70 feet - permitted by right in all districts.

Small structure mounted wind energy turbines (SSMWET) - up to 15 feet above roof height -
-permitted by right in all districts.

SSMWET and STMWET allowed in all districts by-right.

15 foot minimum clearance blade tip to ground.

Must comply with existing noise ordinance.

Shall not interfere with communication systems.

STMWET monopole structure required.

STMWET locations in rear yards of occupied properties of a minimum one acre.

STMWET provide a 20 foot minimum setback to buildings (from base).

STMWET provides a setback equal to total height from property lines.

Two or more STMWET separated by total height.

Underground utilities required.

Permits (building and electrical) include:

- Site Plan

- WET specifications

- Documented noise compliance

- Evidence of utility company approval for connection of WET

- Maintenance plan

Automatic braking to prevent uncontrolled rotation.

Decommissioning within 12 months of useful life or City removal with charge to owner.

MWET Special Use Approval in commercial and industrial districts.

Upwind design.

Non-obtrusive color.

Shadow flicker analysis (30 hour maximum per year on adjoining occupied buildings).
Shall not produce vibrations off property.

All standards listed for STMWET and in addition:

- Setback from roads and communication / electrical lines by total height with potential waiver by the Planning Commission with documented collapse design
- Tower separations per manufacturer specifications
- Evidence of compliance with FAA requirements
- Greater decommissioning requirements
- Greater site plan requirements

Solar Energy Equipment (SEE)

Permitted by-right in all districts.

Located where least visibly obtrusive where functional.

Preferred roof installations with maintaining the same plane.

Roof mounted are limited to the height of the peak, or up to five feet above if flat roof.

Shall be located on side or rear facing roof unless proven ineffective.

Ground mounted shall be in the side or rear yard of the property and screened from public view.

Advised to obtain Solar Access Easements when appropriate.

Outdoor Wood Fired Boiler, Stove and Furnaces (OWFBSF)

Banned City-wide.

Definitions provided.

The Development Review Team suggested the Planning Commission recommend to the City Council the subject Zoning Code amendments.

Chair Spencer opened the public hearing.

Steve Bell, 5965 Ivanrest, said he currently heats with wood and knows the outdoor units are very effective. He thought they were fine for residents living on large parcels. Could residents apply for a Board of Zoning Appeals variance in this regard?

Chair Spencer closed the public hearing.

Motion by Weller, supported by Woodruff, to vote on each item individually. Motion carried unanimously.

Motion by Woodruff, supported by Bloomquist, to recommend to the City Council the Zoning Code amendment relative to Wind Energy Turbines. Discussion followed.

Goodheart had a number of suggestions regarding the wording, and pointed out a page was missing from their copy of the text. He would send Cochran the suggestions and discuss them with him.

Woodruff withdrew his motion and Bloomquist withdrew his support.

Motion by Woodruff, supported by Bloomquist, to defer this item until the next meeting. Motion carried unanimously.

Motion by Bueche, supported by Woodruff, to recommend to the City Council the Zoning Code amendment relative to Solar Energy Equipment. Discussion followed.

Spencer asked if there were height restrictions? Cochran stated there is not a specific height limit, but the panels must be screened from view and located in the least visibly obtrusive location where they are still functional.

Goodheart asked if a site plan is needed for ground mounted solar? Cochran replied a location plan is submitted to the Inspections Department for their permit.

A vote on the motion carried unanimously.

Motion by Hegyi, supported by Woodruff, to recommend to the City Council the Zoning Code amendment relative to Outdoor Wood Fired Boilers, Stoves or Furnaces. Discussion followed.

Weller thought banning these was too restrictive and they should be allowed on large lots. He did some research, and there is new technology out now. Many of these are smokeless and fall well below emission standards.

Hegyi withdrew his motion and Woodruff withdrew his support.

Motion by Hegyi, supported by Woodruff, to defer this item one month for Staff to research this and look into possible exceptions to banning them altogether. Discussion followed.

Woodruff was concerned as to how much wood could be stacked and stored on a piece of property. Cochran noted that Staff considered limiting maximum storage to four cords of wood. Goodheart said the size of the lot is the main consideration.

A vote on the motion carried unanimously.

PUBLIC COMMENT ON NON-PUBLIC HEARING AGENDA ITEMS

There was no public comment.

AGENDA ITEM NO. 6

28th Street Subplan.

The 28th Street Subplan Steering Committee has selected Nederveld & Associates, in association with several other area consulting firms, as the consulting team for this project. They are an excellent team of professionals. An application for a MEDC grant to help fund this project has been submitted and the awards will be announced in April.

PUBLIC COMMENT

Steve Bell asked the possibility of receiving a variance for the outdoor wood burner? He thought the Estate Residential zoning district should be allowed to have them. Cochran noted, if they are banned or prohibited, then the possibility of a variance is unlikely.

Postema asked the status of the proposed zoning ordinance that has been delayed for two years? Rynbrandt said she has not received any direction to bring the matter forward for Council consideration. As has been demonstrated by the passage of the revised sign ordinance, portions of the proposed code may be brought forward on a case-by-case basis. The current focus of City Council is the upcoming millage election. There will be more joint meetings with the City Council scheduled for after the election.

Bueche asked if the Tuffy parking situation had been resolved? Cochran said they have eight functional bays and 20 parking spaces. The owner provided a long term agreement for shared parking, with the adjoining rear property that had subsequently expired. The owner will be revisiting the agreement with that property owner and perhaps negotiating a property recombination.

ADJOURNMENT

The meeting was adjourned at 9:55 p.m.

Anthony Woodruff, Secretary
Wyoming Planning Commission

Kimberly S. Lucar, Administrative Secretary
Wyoming Planning Commission