

PLANNING COMMISSION

December 16, 2010

The City of Portage Planning Commission meeting of December 16, 2010 was called to order by Chairman Cheesebro at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Four citizens were in attendance.

MEMBERS PRESENT:

Cory Bailes, Mark Siegfried, Miko Dargitz, Bill Patterson, and Chairman James Cheesebro.

MEMBERS ABSENT:

None.

MEMBERS EXCUSED:

Jim Pearson, Wayne Stoffer, Rick Bosch and Paul Welch.

IN ATTENDANCE:

Christopher Forth, Deputy Director of Planning and Development Services; Michael West, Assistant City Planner and Randall Brown, City Attorney

PLEDGE OF ALLEGIANCE:

The Planning Commission, staff and the audience recited the Pledge of Allegiance.

APPROVAL OF MINUTES:

Chairman Cheesebro referred the Commission to the December 2, 2010 meeting minutes. A motion was made by Commissioner Dargitz, seconded by Commissioner Bailes, to approve the minutes as submitted. The minutes were unanimously approved.

SITE/FINAL PLANS:

None.

PUBLIC HEARINGS:

1. Ordinance Amendment #10-A, Keeping of Hens and Other Animals. Mr. Forth introduced the item and summarized the December 10, 2010 staff report regarding an amendment to the Zoning Code initiated by the Planning Commission during the October 7, 2010 meeting in response to a request from a Portage resident to raise/keep chickens and other animals in residential areas. Based on Commission comments during the November 18th public meeting, Mr. Forth indicated that additional discussion was necessary prior to finalization of proposed ordinance language. Mr. Forth reviewed the discussion topics, options available and requested comments from the Commission. In regard to "Chickens as Pets, Specified Fowl and Other Animals," Commissioner Dargitz asked how the Commission would consider requests for keeping other specified fowl and animals. Mr. Forth indicated the ordinance language would allow the keeping of these

other specified fowl and/or animals, subject to a public hearing and Planning Commission review/approval. Attorney Brown discussed how flexibility and conditions could be built into the ordinance language. In regard to "Location on Lot/Parcel and Coop/Enclosure Requirements", Commissioner Patterson stated he prefers that flexibility be retained in the ordinance for coop and enclosure design since there are numerous alternatives available. Commissioner Dargitz indicated that rear yard placement and a 10-foot setback from property lines and 30-foot setback from adjacent residences for coops/enclosures seems reasonable. Mr. Forth and Attorney Brown discussed options available for inclusion in the ordinance language. In regard to "Number of Chickens Allowed," Commissioner Patterson indicated he would support an increase up to six. Chairman Cheesebro stated he would prefer limiting the number to four with Planning Commission review/approval necessary for any increase above four. Attorney Brown explained why Michigan Right-to-Farm Act reference would be removed from the working draft ordinance. The proposed ordinance is intended to address accessory uses to one and two family residences and not commercial farm operations. Commissioner Bailes indicated he does not believe a permit/fee is necessary given the results of the community survey conducted by staff and the minimal impacts/complaints reported by these other communities. Commissioner Patterson concurred, but indicated that information regarding the regulations would need to be effectively conveyed to citizens.

Chairman Cheesebro reconvened the public hearing. Seven citizens spoke in support of the ordinance amendment: Edward Rhinefelt, 8247 Lovers Lane; Charles Agusty, 1723 Romence Road; Jamie Jager, 8810 South Westnedge Avenue; Channon Mondoux, 6924 Angling Road; Dave Ostrem, 1515 Dogwood Drive; Fernando Costas, 7639 Harvest Lane and Mary Kindt, 1603 East Centre Avenue. Mr. Rhinefelt stated he supports up to six non-domestic animals such as chickens, rabbits and ducks that would cover 4-H projects and also believes that keeping of these animals should not have more regulations than the keeping of cats. Mr. Agusty stated the keeping of up to six chickens was reasonable, ZBA variances were costly/burdensome and did not believe slaughtering should be regulated since it was similar to someone cleaning fish, deer or other wild game. Ms. Jager stated she supports keeping up to six chickens, believes a 30-foot setback from an adjacent residence is too much, any permit/fee should be minimal and believes the issue of slaughtering should be a personal decision. Ms. Mondoux indicated that slaughtering should not be performed outdoors and chicken coops are exempt from the Building Code. Mr. Ostrem stated the keeping chickens also helps control mosquitoes and other insects. Mr. Costas indicated that specific design standards and regulations for coops should not be required. Ms. Kindt stated the ordinance should allow the keeping of up to six or eight chickens. No additional citizens spoke during the public hearing.

After a brief discussion, a motion was made by Commissioner Bailes, seconded by Commissioner Patterson, to adjourn the public hearing for Ordinance Amendment #10-A, Keeping of Hens and Other Animals, to the January 6, 2011 meeting. The motion was unanimously approved.

PLATS/RESIDENTIAL CONDOS:

None.

OLD BUSINESS:

None.

NEW BUSINESS:

1. Resolution Honoring Cory A. Bailes. Chairman Cheesebro read a resolution honoring Commissioner Bailes for his 2½ years of service to the Planning Commission. A motion was then made by Commissioner Patterson, seconded by Commissioner Dargitz, to adopt the resolution honoring Commissioner Bailes. Commissioner Bailes thanked everyone and stated it has been a privilege to serve on the Planning Commission.

STATEMENT OF CITIZENS:

None.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Christopher Forth, AICP
Deputy Director of Planning and Development Services