

**CITY OF**  
**PORTAGE**  
*A Place for Opportunities to Grow*

# **PLANNING COMMISSION**

**January 6, 2011**

# **CITY OF PORTAGE PLANNING COMMISSION**

## **A G E N D A**

**January 6, 2011  
(7:00 p.m.)**

**Portage City Hall Council Chambers**

### **PLEDGE OF ALLEGIANCE**

### **APPROVAL OF MINUTES:**

- \* December 16, 2010

### **SITE/FINAL PLANS:**

### **PUBLIC HEARINGS:**

- \* 1. Special Land Use Permit: Auto World of Portage, 7940 South Sprinkle Road
- \* 2. Ordinance Amendment #10-A, Keeping of Hens and Other Animals

### **PLATS/RESIDENTIAL CONDOS:**

### **OLD BUSINESS:**

### **NEW BUSINESS:**

### **STATEMENT OF CITIZENS:**

### **ADJOURNMENT:**

### **MATERIALS TRANSMITTED**

December 7, 2010 City Council meeting minutes  
November 8, 2010 Zoning Board of Appeals meeting minutes  
November 2010 Summary of Environmental Activities Report  
Community Development Block Grant (CDBG) Program – Notice of Public Hearing

Star (\*) indicates printed material within the agenda packet.

PLANNING COMMISSION

December 16, 2010

DRAFT

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 18<sup>th</sup> 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

**DRAFT**

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:**

**DRAFT**

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

**TO:** Planning Commission **DATE:** December 30, 2010  
**FROM:** Jeffrey M. Erickson, Director of Community Development  
**SUBJECT:** Special Land Use Permit: Auto World of Portage, 7940 South Sprinkle Road

**I. INTRODUCTION:**

A Special Land Use Permit application has been submitted by Auto World of Portage requesting approval to re-establish a new/used automobile dealership. As background, the site was originally granted a Special Land Use Permit in 1995 to establish the new/used automobile dealership (Car Corner). Between 1995 and 2006, the property was occupied by at least three automobile dealerships including Car Corner, Thornapple Motors and most recently Mall City Motors. The site has remained vacant since 2006. Consistent with Section 42-461.E.4 and since the use has been abandoned for at least six months, the original Special Land Use Permit approval has expired. The applicant is requesting Special Land Use Permit approval to re-establish the new/used automobile dealership with no exterior site changes proposed.

**II. BACKGROUND:**

The following information is provided for Commission consideration:

Existing Land Use/Zoning	<ul style="list-style-type: none"> <li>• Subject site is approximately 1.0 acre, zoned B-3, general business and occupied by a 2,100 square foot building with site improvements.</li> <li>• Kalamazoo Stripping and Derusting zoned I-1, light industry borders the site to the west, while D &amp; A Auto Body zoned I-1, light industry and I-2, heavy industry borders the site to the north.</li> <li>• Stryker Instruments zoned I-2, heavy industry is to the south, across East Centre Avenue.</li> <li>• Various retail establishments zoned B-3, general business border the site to the east, across South Sprinkle Road.</li> </ul>
Comprehensive Plan	<ul style="list-style-type: none"> <li>• Future Land Use Map component of the Comprehensive Plan identifies the subject site along with other properties located at the East Centre Avenue/South Sprinkle Road intersection as appropriate for general business land use. Adjacent properties located to the north and west are designed for general industrial land use.</li> </ul>
Access	<ul style="list-style-type: none"> <li>• Existing full service driveways from South Sprinkle Road and East Centre Avenue.</li> <li>• South Sprinkle Road is classified as a major arterial street with an average weekday traffic volume of approximately 16,200 vehicles per day (2004), capacity 32,500 vehicles per day based on a level of service D.</li> <li>• East Centre Avenue is classified as a major arterial street with an average weekday traffic volume of approximately 10,200 vehicles per day (2004), capacity is 34,200 vehicles per day based on a level of service D.</li> </ul>
Environmental Issues	<ul style="list-style-type: none"> <li>• A review of the City of Portage Sensitive Land Use Inventory Map does not identify any environmentally sensitive areas (100-year floodplain, wetlands) at the subject site.</li> </ul>
Historic District/ Structure	<ul style="list-style-type: none"> <li>• The subject site is not located within a historic district and does not contain any historic structures.</li> </ul>
Land Development Regulations	<ul style="list-style-type: none"> <li>• The application has been submitted under Section 42-262.C.1, <i>Special Land Use</i> in the B-3 zoning district: "Vehicle dealerships, licensed by the</li> </ul>

	<p><i>state for the sale and rental of new or used motor vehicles and/or recreational vehicles, including accessory uses when related and incidental thereto subject to the following:</i></p> <p><i>a) All vehicles that have been prepared for sale and are ready for sale shall be located in vehicle display areas, which shall be of asphalt, concrete or other hard surface and shall be graded and drained as to dispose of all surface water accumulated within the area.</i></p> <p><i>b) Ingress and egress to and from the outdoor sales area shall be at least 60 feet from the intersection of any two streets.</i></p> <p><i>c) No major vehicle repair or refinishing shall be done on the site.</i></p> <ul style="list-style-type: none"><li>• Section 42-462, <i>General Standards for Review of Special Land Uses</i>, sets forth additional criteria for evaluating a special land use and allows conditions to be established.</li></ul>
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### III. ANALYSIS:

The proposal to re-establish the new/used automobile dealership at the site fulfills the requirements for issuance of a Special Land Use Permit. The facility will be licensed by the State of Michigan and only minor vehicle servicing will be conducted at the site: No major vehicle repair or refinishing will occur. Vehicle display and employee/customer parking will occur on existing asphalt surfaces and ingress/egress to the site is in excess of 60 feet from the East Centre Avenue/South Sprinkle Road intersection.

As part of the administrative review of the application, the Department of Community Development discussed with the applicant and property owner the lack of greenstrip landscaping along the East Centre Avenue and South Sprinkle Road frontages. While a minimum 10-foot greenstrip is provided, landscaping consistent with current ordinance standards (trees and shrubs) is not present within these greenstrip areas. Installation of greenstrip landscaping will improve the appearance of the site and eliminate this existing nonconformity. To minimize potential vision obstructions, installation of trees only (no shrubs) is recommended along the South Sprinkle Road frontage, while installation of trees and shrubs is recommended along the East Centre Avenue frontage. Consistent with current ordinance requirements and per Sections 42-461.E.2 and 42-462.A, deciduous tree plantings (minimum 2½ inch caliper) are recommended at 30-foot spacing, while shrub plantings (36 inches above the grade of the parking lot) are recommended at approximate 3-foot spacing within these greenstrip areas. As the Commission may recall, similar landscaping enhancement conditions were placed on other special land use permit approvals involving Femito Auto, 8139 Portage Road (February 2009), Portage Road Auto Sales, 9008 Portage Road (January 2004), among others.

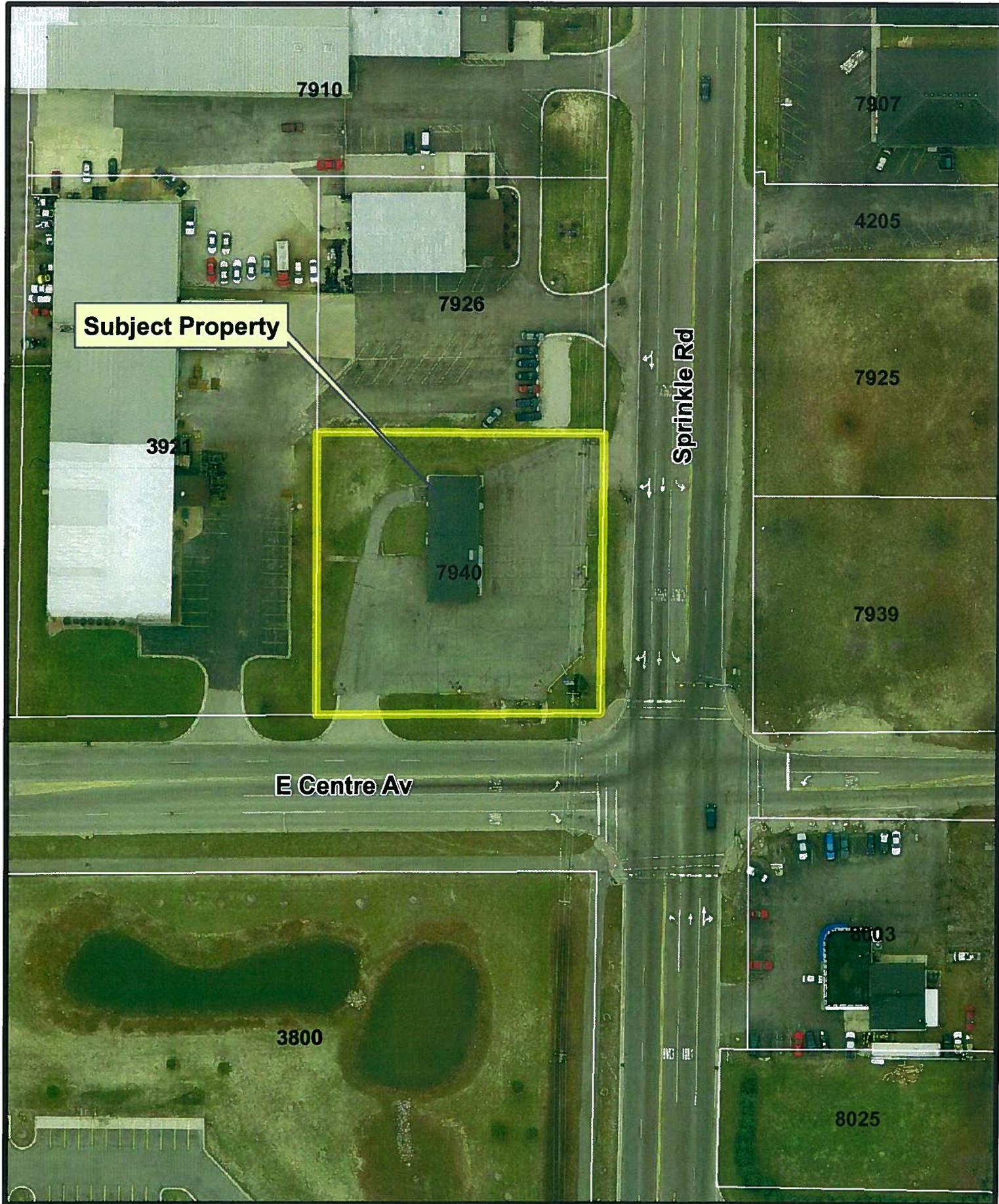
In accordance with statutory requirements, residents/property owners within 300 feet of this property have been notified in writing of the application and Planning Commission meeting. A notice was also placed in the local newspaper.

### IV. RECOMMENDATION:

Based on the above analysis and subject to any additional information brought before the Planning Commission during the public hearing, staff recommends that the Special Land Use Permit for Auto World of Portage, 7940 South Sprinkle Road, be approved subject to the installation of greenstrip landscaping (trees and shrubs) along the East Centre Avenue frontage and (trees only) along the South Sprinkle Road frontage, consistent with ordinance standards.

Attachments: Vicinity/Zoning Map  
Aerial Photograph  
Special Land Use Permit Application and related materials  
Site Plan





0 25 50 100 Feet

# Special Land Use Permit 7940 South Sprinkle Road

5/5

CITY OF PORTAGE A Place for Opportunities to Grow

Department of Community Development

APPLICANT INFORMATION			
Name: AUTO WORLD OF PORTAGE		Telephone Number: 269-649-2000	
Address: 13475 PORTAGE RD	City: VICKSBURG	State: MI	Zip Code: 49097
OWNER INFORMATION			
Name: James L. Murphy		Telephone Number: 269-207-1193	
Address: 491 Rustichone	City: Vicksburg	State: Mich	Zip Code: 49097
PROPERTY INFORMATION			
Address: 7940 Sprinkle RD	zoning Code: B-3	Lot Area (sq. ft.): 0.77	
PROPOSED USE			
Used CAR Lot Letter Attached on BACK			
OWNER CERTIFICATION			
I hereby certify that I am presently the legal owner for the above-described property and all of the above information is true and accurate. I further acknowledge that approval of this Special Land Use Permit constitutes an agreement with the City of Portage and all conditions or limitations imposed shall be fulfilled.			
Signature: <i>James L. Murphy</i>		Date: 12-13-2010	
Signature: <i>Monte Lang</i>		Date: 12-13-2010	

RECEIVED DEC 14 2010 COMMUNITY DEVELOPMENT

X

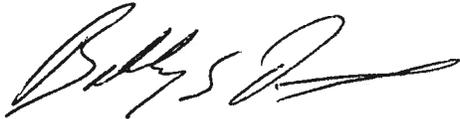
**Auto World of Portage**  
**7940 Sprinkle Road**  
**Portage, MI 49002**  
December 13, 2010

City of Portage

To Whom it May Concern:

We are writing to inform you of the future operations of Auto World of Portage. Auto World is going to be a retailer of used motor vehicles, operating as a satellite store to Vicksburg Chrysler Dodge Jeep, inc. Auto world will feature used vehicles ranging between 2000 and 2011 in model year.

Sincerely,

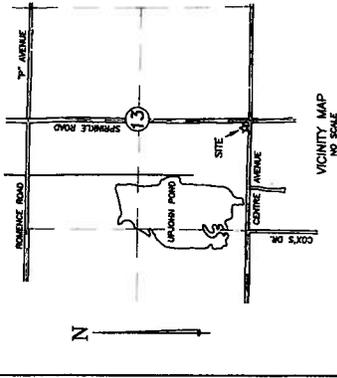
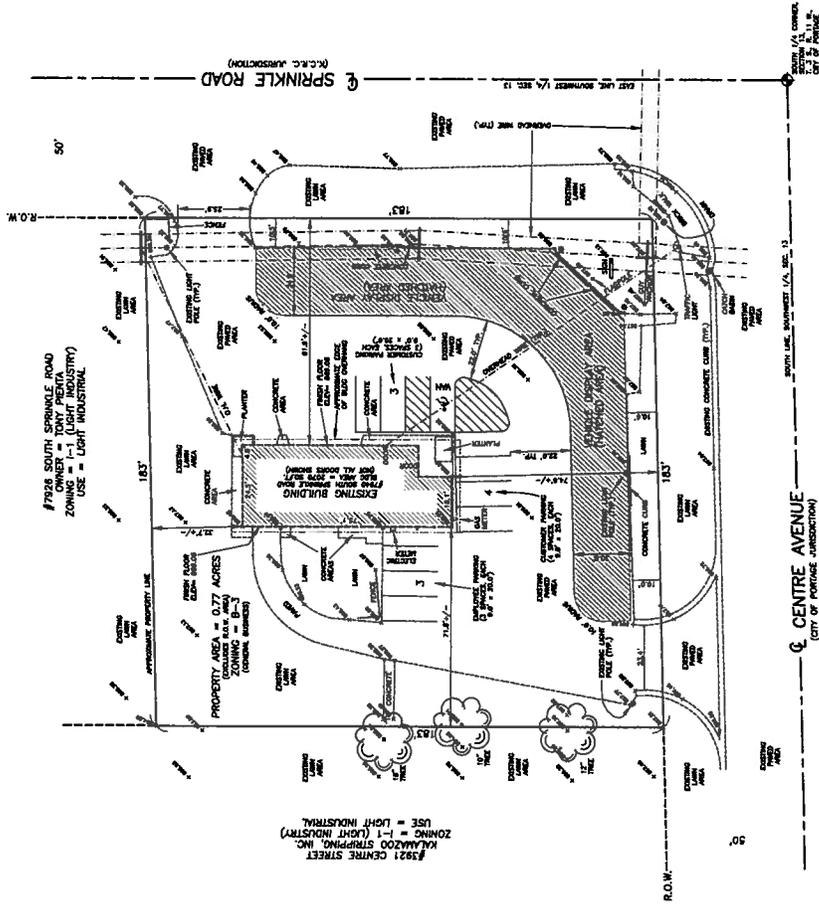
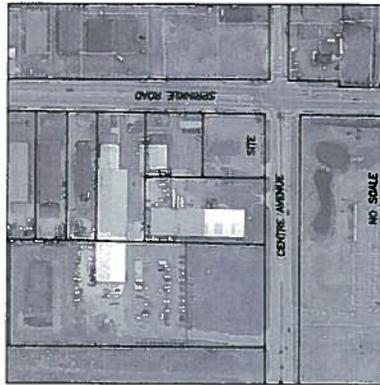
A handwritten signature in black ink, appearing to read "Bob Dixon", with a long horizontal flourish extending to the right.

Bob Dixon  
Auto World Sales Manager

**PROPERTY SKETCH for  
VICKSBURG CHRYSLER-DODGE-JEEP, INC.  
@ 7940 SOUTH SPRINKLE ROAD  
in PORTAGE, MICHIGAN**



**AERIAL PHOTO**  
(From 2009 - Microsoft and ArcGIS)



**VICINITY MAP**  
NO SCALE

**NOTE: SHOWN PARKING SPACES SHALL BE STRIPED ON SITE AS SHOWN ON THIS PLAN. BARRIER FREE SPACE (VAN SPACE) MAY NEED TO BE RELOCATED.**

**NOTE: EASEMENTS HAVE NOT BEEN SHOWN ON THIS DRAWING.**

**RECEIVED  
DEC 14 2010  
COMMUNITY DEVELOPMENT**

**APPLICANT:  
VICKSBURG CHRYSLER -  
DODGE - JEEP, INC.  
13475 PORTAGE ROAD  
VICKSBURG, MI 49097  
(269) 649-2000**

**PROPERTY OWNER:  
J. MURPHY  
491 RUSTIC LANE  
VICKSBURG, MI 49097**

**NOTE: THIS PROPERTY SKETCH WAS DEVELOPED FROM FIELD MAPPING BY INGERSOLL, WATSON & McMACHEN, INC. DATED 12/09/2010 & IS INTENDED FOR CITY USE RELATIVE TO SPECIAL LAND USE REVIEW.**

PROPERTY SKETCH	DATE: 12/10/2010
VICKSBURG CHRYSLER-DODGE-JEEP, INC.	SHEET: 1
INGERSOLL, WATSON & McMACHEN, Inc.	DWG. NO.: 35982
CONSTRUCTION DATE: UNDETERMINED AND LATER DETERMINED	
122 East Miller Road - Ann Arbor, Michigan 48106 - Area 001 301-2010 - Fax 301-301-0000	



**TO:** Planning Commission **DATE:** December 30, 2010

**FROM:** Jeffrey M. Erickson, Director of Community Development

**SUBJECT:** Ordinance Amendment #10-A, Keeping of Hens and Other Animals

During the December 16, 2010 meeting, the Planning Commission reconvened the public hearing regarding the above captioned ordinance amendment and reviewed the various discussion topics outlined in the December 10, 2010 Department of Community Development staff report. Since only five Commissioners were present during the December 16<sup>th</sup> meeting, it was determined that additional discussion and consensus regarding the proposed ordinance amendment was necessary by the full Commission, Department staff and the City Attorney can finalize revisions to the draft ordinance language if needed, once the Planning Commission has reached consensus on the ordinance language. To facilitate discussion, attached is a copy of the December 10<sup>th</sup> Department of Community Development staff report. A copy of the draft minutes from the December 16<sup>th</sup> Planning Commission meeting are also attached with the agenda packet.

The Planning Commission is advised to review the various discussion topics outlined in the December 10<sup>th</sup> staff report, reconvene the public hearing and accept any public comment, and then adjourn the public hearing to the January 20, 2011 meeting. Based on the discussion and consensus by the Commissioners, ordinance language can be provided for final consideration at the January 20<sup>th</sup> meeting.

**Attachments:** December 10, 2010 Department of Community Development staff report

S:\2010-2011 Department Files\Board Files\PLANNING COMMISSION\PC Reports\Ordinance Amendments\Ordinance Amendment 10-A (Keeping of Hens)\2010 12 30 JME PC Preliminary Report Ord 10-A (additional discussion)cover.doc

**TO:** Planning Commission

**DATE:** December 10, 2010

**FROM:** Jeffrey M. Erickson, Director of Community Development

**SUBJECT:** Ordinance Amendment #10-A, Keeping of Hens and Other Animals

## **I. INTRODUCTION**

Consideration of this subject began on October 7, 2010 when a proposal was presented to the Planning Commission by Mr. Fernando Costas supporting an amendment to the Zoning Code that would allow the keeping/raising of chicken hens on all single family residential properties, with conditions. The action approved by the Planning Commission was to "...initiate an ordinance amendment to consider the keeping/raising of chickens, and other possible poultry/animals, and schedule a public hearing for the November 18, 2010 meeting."

At the November 18<sup>th</sup> meeting, seventeen citizens spoke in support of the ordinance amendment and seven citizens spoke in opposition. The Commission also reviewed alternatives presented in the November 12, 2010 staff report including working draft ordinance language. Discussion issues from the Commissioners included permitting and processing, chickens as pets, coop/enclosure requirements, limiting the ordinance to chickens only and the number of chickens allowed with Planning Commission approval. Staff indicated additional information would be provided to the Commissioners and the public hearing was adjourned to the December 16, 2010 meeting.

## **II. DISCUSSION ISSUES**

Per the discussion that occurred during the November 18<sup>th</sup> meeting the following information is intended to assist the Planning Commission during consideration of the discussion issues and finalization of recommended ordinance language.

While there are supporters and opponents to the keeping of chickens and other animals on platted residential properties in neighborhoods, ordinance options appear to be available to address the keeping of fowl and animals for the primary purposes of food production. These options include more regulatory methods that would involve administration procedures and resources or more self regulating approaches whereby minimum ordinance standards would be established. An ordinance amendment will necessitate new or modified definitions and regulations to address the number of permitted chickens, establishing "specified fowl" or other animals, location on the lot/parcel, accessory structures, noise and sanitation issues. Finally, it is likely that with the growing trend toward sustainability, there will be advocates for other types of poultry/animals to be kept/raised on residential lots in community neighborhoods.

### Permitting and Processing

Permit requirements vary among communities. Michigan communities (Ann Arbor, Ypsilanti, East Lansing, Madison Heights, and Burton) and other out-of-state communities (Bloomington, IN; South Portland, ME; and Fort Collins, CO) that have recently enacted new or updated old ordinances to permit chickens on small residential lots require a nominal permit fee (\$20-30). Traverse City, MI also recently adopted an ordinance but does not require a permit or fee.

Surrounding communities that do allow chickens (and other animals) on small residential lots include the City of Kalamazoo and Oshtemo Township with no required permit. Additionally, 10 of the 25 cities examined in the previously submitted University of New Mexico study established a permitting process for the keeping of chickens with fees ranging from \$5.00 to \$40.00. Three of these communities only require a permit/fee if the citizen requested to keep more than a specified number of chickens.

As information, the Zoning Code contains a number of sections that address specific land use activities, many of which have specific standards that must be fulfilled. In some cases, a permit under the Zoning Code is specifically required while in other instances no permit is specified. In all cases, applicable fees are determined and set by City Council (per Section 42-650 to 42-660 of the Zoning Code, Division 8. Administration and Enforcement). From a regulatory perspective, compliance with the provisions of the Zoning Code is required. Enforcement can be actively accomplished, or may be more self regulation, but is augmented through a complaint-based enforcement approach with additional field observations. This approach has been an effective and efficient means of ordinance administration in the City of Portage, and has similarly produced acceptable results in other municipalities.

The preparation of ordinance standards where review and/or site inspections are established would necessitate a permit/fee to cover all or a portion of the administration and enforcement, or the general Portage taxpayer would be expected to absorb these costs. Based on City of Portage cost information for the provision of services, administrative costs (personnel costs, facility/operational costs, vehicles, and so forth) result in a rate of \$56/hour. It is estimated that two hours of administrative time would be necessary to properly review and process an application/request under a new ordinance including a site compliance inspection.

With regard to the anticipated number of applications and if a permit were required, staff contacted a number of communities that recently amended or enacted an ordinance to ascertain the number of permits issued and resulting administrative/enforcement issues, if any. The following table summarizes the information:

Permits Issued and Administrative/Enforcement Issues				
Community	Year Ordinance Adopted	Permits Issued	Fee	Administrative/Enforcement Issues
Bloomington, IN	2007	15	\$25	No major issues/complaints. Ordinance helped correct previous complaints.
South Portland, ME	2007	20-30	\$25	No major issues/complaints
Ann Arbor, MI	2008	34	\$20	No major issues/complaints
East Lansing, MI	2009	13	\$20	Some complaints involving owners not complying with established conditions (chickens not within enclosure, more than four chickens, possession of rooster).
Ypsilanti, MI	2009	25-30	\$25	No major issues/complaints
Traverse City, MI	2009	No permit required	No fee	No major issues/complaints

**Options Available:** Regarding the establishment of permits and fees, options include a permit or no permit and a minimum fee or no fee. Similar to the three communities cited in the University of New Mexico study, a process whereby a permit/fee would be required only when Planning Commission approval is necessary can be considered. Additionally, if the ordinance is then enacted with this option, different methods and media to educate and inform residents of the ordinance

requirements will be employed such as the city website, cable access channel, Portage/Kalamazoo Gazette and the Portager, as examples.

#### Chickens as Pets, “Specified Fowl” and Other Animals

The Commissioners also discussed limiting the proposed ordinance amendment to chickens (hens) only and not allowing other “specified fowl” (turkeys, ducks, guinea hens) or other animals. Per the previously provided community survey table, many municipalities allow the keeping of poultry/animals. For example, the City of Kalamazoo allows the keeping of rabbits, chickens, ducks, geese or other poultry subject to conditions. Oshtemo Township allows the keeping of poultry, swine, livestock or other similar animals as pets for educational purposes also to several conditions. While there can be differing opinions about chickens, “specified fowl” and other animals as “pets,” the keeping of other poultry and animals (ducks and rabbits) is known to occur in urban/suburban communities including the City of Portage. It is likely that types of poultry and animals can be kept as “pets,” but can also be kept for the purposes of a locally-grown food source and for related educational purposes such as a 4-H project.

Options Available: Regarding this discussion issue the options include allowing only a specified number of chickens (hens) on smaller residential lots and parcels either as pets or for food production, or allowing a somewhat greater number of chickens (hens) and other “specified fowl” or animal on a case-by-case basis after review and approval by the Planning Commission. The latter option retains the focus of the ordinance on the keeping of chickens, but would address the additional anticipated circumstances involving other birds and animals and enable the Planning Commission to consider these similar requests. Additionally, residents would not be required to seek Zoning Board variance approval, which requires additional fees and time.

#### Location on Lot/Parcel and Coop/Enclosure Requirements

While several of the Michigan communities surveyed did include general coop/pen requirements such as being fully enclosed, fenced, covered, rear yard placement, setbacks from property lines/adjacent residences and constructed/maintained to discourage predators and prevent harboring of rodents, none of these communities had specific coop/pen design standards. Several on-line sources, including [www.backyardchickens.com](http://www.backyardchickens.com), books and magazines provide substantial information to educate residents who desire to raise and care for chickens and other types of birds and animals. Chicken coops to house 4-6 birds are relatively small in size (rule-of-thumb is two square feet per bird), typically raised 12 to 24 inches above the ground and average approximately six feet in height. These small chicken coops are comparable in size to a child’s outdoor play structure or doghouse and the enclosure is also typically attached to the coop that allows the chickens to move outside in a confined area. The recommended size of the outdoor pen area varies, but 10 square feet per chicken has been referenced as preferred. (Attached are illustrations of typical coops with enclosures.)

Preventing roaming chickens off the lot/parcel and minimizing adverse impacts on adjacent properties is important. For Planning Commission information, design and construction standards for dog houses/kennels, residential accessory buildings or children’s outdoor play structures are not specified in the Zoning Code. The University of New Mexico study advises flexibility in coop/enclosure design. As an example, a resident may want to use a portion of the garage area or an existing detached accessory building as the chicken coop. Location requirements within the rear yard area will, however, minimize impacts on adjacent properties. Also, use of an existing

accessory building as a chicken coop would be possible with conformance to setback requirements. As a final comment, if the chickens are kept inside a screened, fenced rear yard and contained, erecting additional fenced enclosures would not seem necessary. To address this issue, language can be inserted into the ordinance to clarify that fencing of the rear yard is required if the chickens will be allowed to roam on the lot/parcel outside of the coop/pen area.

Options Available: These include specifying setback standards, or establishing no requirements. Minimum setback requirements for the chicken coop and enclosure, as referenced in the working draft ordinance, appear to be beneficial. With regard to establishing maximum coop and enclosure requirements or not, the setbacks in the working draft ordinance will ensure a degree of flexibility. Finally, options are available regarding whether or not to establish specific chicken coop design requirements (size, height, color or construction materials). More extensive requirements will necessitate more extensive information to be submitted by applicants and for similarly extensive review and compliance/enforcement efforts by administrative staff. Application and permit complexity and site inspection/investigation will increase with the level of standards established.

#### Number of Chickens Allowed

The working draft ordinance includes language that would allow four chickens (hens) as initially suggested by a Portage resident. An increase to six chickens (hens) would not appear to be controversial. The draft also includes the option for a case-by-case review of requests for an increased number of chickens or other "specified fowl" or other animals only with review/approval by the Planning Commission.

Options Available: The optional language provided in the working draft ordinance can be further discussed and finalized by the Planning Commission.

#### Michigan Right-to-Farm Act Applicability

The City Attorney has advised that the Michigan Right-to-Farm Act is not applicable to the keeping chickens (hens) as proposed by the ordinance language. The Right-to-Farm Act protects commercial farm operations. The proposed ordinance allows the keeping of chickens only as an accessory use "...that are utilized exclusively by the person(s) occupying a one-family dwelling unit or two-family residential dwelling unit as a locally grown food source..."

Option Available: The City Attorney will remove reference to the Michigan Right-to-Farm Act from the proposed ordinance.

### **III. RECOMMENDATION**

The Planning Commission has the opportunity to further discuss the above issues during the December 16<sup>th</sup> meeting, reconvene the public hearing and accept any public comment. The public hearing can then be adjourned. Based on the discussion and consensus by the Commissioners, proposed ordinance language can be further finalized.

**Attachments:** Updated Community Ordinances Involving Regulation of Chickens and Other Animals (Table)  
Chicken coop/pen illustrations

## Community Ordinances Involving Regulation of Chickens and Other Animals

Community	Summary of Ordinance Regulations
<p>City of Bloomington, IN (adopted 2007)</p>	<p><u>Municipal Code, Section 7.21 Maintaining Chicken Flocks</u></p> <ol style="list-style-type: none"> <li>1) Annual permit required (\$25 fee), administrative review.</li> <li>2) Written waivers required from owners of all adjacent properties (valid for period of five years).</li> <li>3) Maximum five chickens (hens only, no roosters).</li> <li>4) Chicken coop/attached run required (12 square feet per chicken required).</li> <li>5) Chicken coop/attached run must be setback 12-feet from all property lines and 20-feet from adjacent residential structures.</li> <li>6) A sight fence or shrub screening at least 4-feet in height is required around chicken coop/attached run if visible to occupants of neighboring lots.</li> <li>7) Chicken coop/attached run constructed to provide adequate ventilation, sun, shade and prevent rodents and predators.</li> <li>8) Public nuisance and public health provisions.</li> </ol>
<p>City of South Portland, ME (adopted 2007)</p>	<p><u>Article II, Section 3-51 through 3-65 Domesticated Chickens</u></p> <ol style="list-style-type: none"> <li>1) Annual permit required (\$25 fee), administrative review. Code Enforcement Officer must submit annual report to City Council stating number of permits issued, number of complaints received and nature of enforcement action.</li> <li>2) Maximum six chickens (hens only, no roosters) per lot.</li> <li>3) Chickens shall be kept as pets for personal use only: No selling of eggs, breeding or fertilizer production allowed.</li> <li>4) No slaughtering of chickens allowed.</li> <li>5) Hen house/fenced enclosure required (specific construction standards). During daytime hours, chickens are allowed to roam outside within a securely fenced yard, if supervised. During non-daylight hours, chickens shall be secured within the hen house.</li> <li>6) Hen house/fenced enclosure must be located in rear yard, 20-foot setback required from property lines.</li> <li>7) Hen house/fenced enclosure constructed to provide adequate ventilation, sun, shade and prevent rodents and predators.</li> <li>8) Public nuisance and public health provisions.</li> </ol>
<p>City of Fort Collins, CO (adopted 2008)</p>	<p><u>Section 5.1.2 Definitions</u></p> <p>-- Amended definition of "farm animals" to exclude to hen chickens where "...numbering six (6) or fewer, shall not be considered to be farm animals."</p> <p><u>Section 4-117 Sale of Chickens and Ducklings: Quantity Restricted; Keeping of Chickens</u></p> <ol style="list-style-type: none"> <li>1) One-time permit (\$30.00) required from Humane Society. Information regarding the keeping of hen chickens is provided with permit.</li> <li>2) Maximum six chickens (hens only, no roosters) per parcel.</li> <li>3) If more than one dwelling unit on parcel, written consent need from owner and residents.</li> <li>4) Covered, predator-resistant chicken house that is properly ventilated, designed to be easily accessed, cleaned and maintained and at least two (2) square feet in size per chicken is required.</li> <li>5) During daylight hours, chickens must have access to the chicken house and also an outdoor enclosure that is adequately fenced to protect from predators.</li> <li>6) From dusk to dawn, chickens must be closed in chicken house.</li> <li>7) Chicken house and enclosure must be setback at least 15-feet from any abutting property line unless written consent is received from abutting property owner.</li> <li>8) Chickens must be sheltered and confined to prevent contact with wild ducks and geese.</li> <li>9) Slaughter of chickens prohibited except pursuant to lawful order of state or county health officials.</li> </ol>

Keeping/Raising of Chickens and Other Animals  
Community Comparison Table  
Page 2

<p>City of Ann Arbor, MI (adopted 2008)</p>	<p><u>Chapter 107 (Animals), Section 9-42 Keeping of Chickens</u>  1) Permit required (\$20 fee), administrative review, expires in 5 years.  2) Adjacent Neighbor Consent Form required from owners of all adjacent residentially zoned properties.  3) Private restrictions on use of property (deed restrictions, condominium master deed restrictions, neighborhood association by-laws, covenant deeds) take precedence over permit.  4) Maximum four chickens (hens only, no roosters)  5) No slaughter of chickens.  6) Must be kept in backyard.  7) Covered/fenced enclosure required, 10-foot setback from all property lines and 40-foot setback from adjacent residential structures.  8) Enclosure must be constructed/maintained to prevent rodent harboring beneath or within structure.  9) Proper containers and storage of feed.  10) Revocation of permit by City for noncompliance.</p>
<p>City of East Lansing, MI (adopted 2009)</p>	<p><u>Chapter 4 (Animals), Section 4.4 Keeping of Animals and Fowl</u>  1) Permit required (\$20 fee), administrative review, expires in 5 years.  2) Private restrictions on use of property (deed restrictions, condominium master deed restrictions, neighborhood association by-laws, covenant deeds) take precedence over permit.  3) Maximum four chickens (hens only, no roosters).  4) No slaughter of chickens.  5) Must be kept in backyard.  6) Covered/fenced enclosure required, 10-foot setback from all property lines and 40-foot setback from adjacent residential structures.  7) Enclosure must be constructed and maintained to prevent rodent harboring beneath or within structure.  8) Proper containers and storage of feed.  9) Revocation of permit by City for noncompliance.</p>
<p>City of Ypsilanti, MI (adopted 2009)</p>	<p><u>Chapter 14 (Animals), Section 14-13 Keeping of Female Chickens (Hens)</u>  1) Permit required (\$25 fee), non-transferable (does not run with land), administrative review.  2) Private restrictions on use of property (deed restrictions, condominium master deed restrictions, neighborhood association by-laws, covenant deeds) take precedence over permit.  3) Maximum four chickens (hens only, no roosters).  4) No slaughter of chickens.  5) Must be kept in backyard.  6) Covered/fenced enclosure required, 20-foot setback from adjacent residential structures.  7) Enclosure must be constructed and maintained to prevent rodent harboring beneath or within structure.  8) Compliance with public nuisance provisions (odors, noise, etc).  9) Proper containers and storage of feed.  10) Revocation of permit by City for noncompliance.</p>
<p>City of Traverse City, MI (adopted 2009)</p>	<p><u>Section 610.01 Prohibited Animals, Exception (Keeping of Chickens)</u>  1) Maximum four chickens per parcel (hens only, no roosters).  2) Slaughtering chickens outdoors is prohibited.  3) Chickens shall be provided and remain within a fully enclosed shelter with an optional covered fenced enclosure.  4) Enclosure must be in rear yard 25-feet from adjacent residential structures  5) No chickens shall be kept on parcels with more than one dwelling.</p>

<p>City of Burton (adopted July 2010)</p>	<p><u>Section 157.098 Keeping of Chickens</u>            1) Permit required (\$25 fee), non-transferable (does not run with land), administrative review.            2) Minimum ½ acre lot required (administrative review), Less than ½ acre requires Planning Commission special use approval.            3) Private restrictions on use of property (deed restrictions, condominium master deed restrictions, neighborhood association by-laws, covenant deeds) take precedence over permit.            4) Maximum six chickens (hens only, no roosters).            5) No sale of eggs allowed,            6) No slaughter of chickens.            7) Must be kept in "rear yard" and provided "covered shelter".            8) Shelters housing chickens must be minimum 10-foot setback from any property line and 30-foot from any neighboring residential or commercial building.            9) Shelters shall be constructed, repaired and maintained to prevent rodents from being harbored underneath, within or within walls of shelter. Shelters must also be maintained in a sanitary manner, free of offensive odors.            10) Proper containers and storage of feed.            11) Revocation of permit by City for noncompliance.</p>
<p>City of Madison Heights (pending adoption)</p>	<p><u>Proposed Amendment to Animal Control Ordinance</u>            1) Maximum three chickens (hens only, no roosters).            2) Two-year trial period with sunset provision unless renewed by City Council.            3) No other restrictions regarding rear yard, coop/enclosure requirements, setbacks, etc.            4) Licensing of chickens is required (\$20.00 fee) consistent with current city requirements that all dogs and cats be licensed.            ** City Council 2<sup>nd</sup> reading is scheduled for December 13, 2010 where expected to be approved**</p>
<p>City of Kalamazoo</p>	<p><u>Chapter 7 (Animals and Fowl). Section 7-5 Keeping of Rabbits and Poultry</u>            • It shall be unlawful for any person to keep any rabbits, chickens, ducks, geese or other poultry within the limits of the City, unless the same are kept in a sanitary condition, free of offensive odors, and in an enclosed yard or coop which shall be located not less than 30 feet from the street line or any adjacent property line.</p>
<p>Oshtemo Township</p>	<p><u>Section 78.400 – Keeping of poultry, swine, horses or livestock</u>            • The keeping of poultry, swine, livestock or horses and other similar animals as pets or for educational purposes is permitted under the following conditions:            a) Activities shall be conducted on less than a commercial score for private enjoyment of the property owner.            b) Minimum one acre for each large animal, including horses, cattle and swine or other similar animal, or, ¼ acre for each small animal (under 200 pounds).            c) Building/structure used to shelter animal must be minim 50-feet from any property line and 150-feet from adjacent residential dwellings.            d) Animals must be controlled to prevent approaching closer than 100 feet to any adjacent residential dwelling.            e) Nuisance provisions regarding odors, noise, sanitary conditions, rodent and pest infestation.</p>
<p>Comstock Township</p>	<p><u>Section 300.411.1 – Animals</u>            • The keeping of pigs, hogs, poultry, wild fowl, rabbits, livestock, or the maintaining of More than three cats is prohibited within or upon any platted properties within the Township.            • The keeping of poultry, wild fowl, or rabbits is prohibited on that portion of unplatted land located within 100 feet of a recorded plat or within 100-feet of any unplatted area zoned AGR, R1-A, R1-B, R1-C, RM, RMH or OW, and developed for residential purposes.</p>

<p>Kalamazoo Township</p>	<p><u>Section 21.012 – Keeping of Animals</u></p> <ul style="list-style-type: none"> <li>• The keeping of poultry, pigs, hogs, horses or livestock is prohibited within or upon any platted properties used primarily for residential purposes or within or upon any area located within 132 feet of such aforesaid platted properties, unless such latter area is located in a C-1, Local Business District classification or lower.</li> <li>• The minimum setback line for poultry or animal shelters, coops, barns or sheds shall be 75 feet from any street right-of-way line.</li> <li>• All such poultry, pigs, hogs, horses, livestock or more than 3 dogs and/or cats shall also be prohibited in any area of the Township if the same become obnoxious by reason of odors or noise.</li> </ul>
<p>Pavilion Township</p>	<p><u>Section 200.611 - Animal regulations</u></p> <ul style="list-style-type: none"> <li>• Within residential districts (R-1 through R-6): No livestock (pigs, hogs, poultry, cattle, horses, rabbits or non-domestic pets) shall be allowed to be kept within recorded plats, or similar residential development areas, at any time.</li> <li>• Within agricultural districts (A-1 and A-2): The keeping of livestock is not permitted on lots of less than one acre. On lots between 1-10 acres, the keeping of livestock at a rate exceeding ½ animal unit per acre is not permitted. On lots less than 10 acres, the keeping of poultry, wild fowl, rabbits is prohibited within 50 feet of any recorded plat or similar residential development area.</li> </ul>
<p>Texas Township</p>	<p><u>Section 10-62 – Anti-noise Regulation</u></p> <ul style="list-style-type: none"> <li>• The keeping of any animal, bird or fowl except on lands utilized for legitimate agricultural purposes which emanates frequent or extended noise which shall unreasonably disturb the quiet, comfort, or repose of any person in the vicinity; such as allowing or permitting any dog to bark repeatedly in an area where such barking can be clearly heard from a nearby residence is prohibited.</li> </ul>
<p>Village of Schoolcraft</p>	<p><u>Section 14-1 – Keeping of certain animals on residential property prohibited</u></p> <ul style="list-style-type: none"> <li>• No person shall keep on property zoned for or being used as a residence any horse, cow, calf, swine, sheep, goat, chickens, geese, ducks, donkeys, pigeons, pigs (including pot-bellied pigs), reptiles, wild or hybrid (part domesticated and part wild) exotic animal, except domesticated dogs and cats, caged reptiles or insects commonly kept as pets, fish, caged rodents normally kept as pets, caged rabbits normally kept as pets and caged birds normally kept as pets.</li> </ul>
<p>City of Muskegon</p>	<ul style="list-style-type: none"> <li>• No live poultry shall be kept in the city except in commercial establishments legally licensed and zoned thereof, except that one pet may be kept in a pen of confinement which is at least 25 feet from any dwelling.</li> </ul>
<p>City of Zeeland</p>	<p><u>Sec. 4-1. Keeping of animals.</u></p> <p>(a) The keeping of household pets, including dogs, cats, fish, birds, hamsters, and other animals generally regarded as household pets is permitted as an accessory use in any residential district. However, no more than three (3) dogs or cats, six (6) months of age or older, in any combination thereof, shall be kept or housed in or at one (1) dwelling unit.</p> <p>(b) The keeping of animals not normally considered to be household pets, including, but not limited to, horses, pigs, sheep, cattle, and poultry is prohibited in all zoning districts, with the exception of the A-1 Agricultural District, in conjunction with permitted agricultural operations. The zoning administrator shall have the power to determine animals which are not normally considered to be household pets.</p>
<p>City of Wyoming</p>	<p><u>Sec. 301.4 Animals and Bees.</u></p> <p>No horse, cow, calf, swine, sheep, goat, chickens, bees, pigeons, geese, ducks, rabbits, or any protected wild animal shall be kept in any dwelling, nor shall any such animals or bees be kept on the same lot or premises with a dwelling, except under conditions prescribed by the code official so as not to constitute a nuisance to any neighbors or property and so as not to constitute any health or safety hazard."</p>

Keeping/Raising of Chickens and Other Animals  
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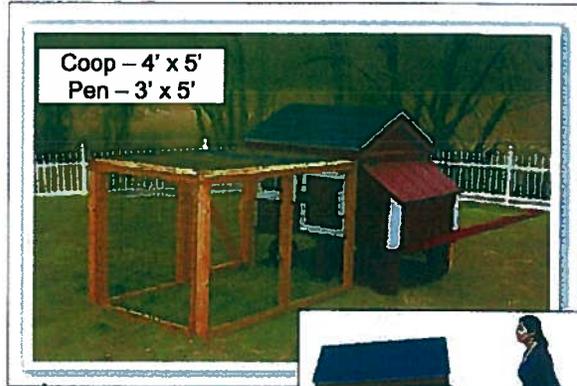
City of Kentwood	<p><u>Section 3.12 – Animal Keeping</u></p> <ul style="list-style-type: none"> <li>The keeping of all domestic, fowl or insects including but not limited to ducks, chickens, goats and bees in residential districts is allowed only with the approval of the zoning administrator. The request may be denied by the zoning administrator finds that the keeping of these animals would create a nuisance related to odors, noise, or any other nuisance.</li> </ul>
City of Grand Rapids	<p><u>Domestic Animal</u></p> <p>A small animal of the type generally accepted as pets including, but not limited to, dogs, cats, and fish, but not including roosters, ducks, geese, pea fowl, goats, sheep, hogs or similar animals.</p> <p>**In August 2010, the City Council denied an ordinance amendment that would have allowed the keeping of chickens on small residential lots throughout the city under an experimental five-year trial basis. **</p>
City of Auburn Hills	<p><u>Section 14-2, Keeping Animals</u></p> <ul style="list-style-type: none"> <li>A person shall not keep or allow to be kept within the city any cow, horse, pig, goat, pigeon, chicken, goose, duck, or any other animal, fowl or insect, except birds, dogs, cats, or other harmless and domesticated household pets, unless in a properly zoned area according to Section 400.2 (Farms, when on parcels totaling five acres or more) of the city zoning ordinance.</li> </ul>
City of Northville	<p><u>Section 10.10 – Rabbits and Poultry</u></p> <ul style="list-style-type: none"> <li>It shall be unlawful for any person to own, possess, or harbor any rabbits, chickens, ducks, geese or other poultry, unless the same are kept in a sanitary condition, free of offensive odors, and in an enclosed yard or coop which shall be located not less than 30 feet from the street line or any adjacent property line.</li> </ul>
City of Royal Oak	<p><u>Article I – Chickens and Fowl at Large. Section 484-13 (Keeping of Pets), Section 484-14 (Keeping of Livestock)</u></p> <ul style="list-style-type: none"> <li>No limits on number of hens or roosters.</li> <li>Must not be allowed to roam unconfined.</li> <li>Pens/coops must be kept clean.</li> <li>Nuisance provisions regarding odors, noise, sanitary conditions, rodent and pest infestation.</li> </ul>
City of Redford	<p><u>Section 18.12 – Rabbits and Poultry</u></p> <ul style="list-style-type: none"> <li>It shall be unlawful for any person to own, possess, or harbor any rabbits, chickens, ducks, geese or other poultry, unless the same are kept in a sanitary condition, free of offensive odors, and in an enclosed yard or coop which shall be located not less than 30 feet from the street line or any adjacent property line.</li> </ul>
City of Farmington Hills	<p><u>Section 6-4 Keeping of Animals Other than Pets</u></p> <ul style="list-style-type: none"> <li>No limits on number of hens or roosters.</li> <li>It shall be unlawful for any person to keep any animal or fowl within 175feet of any dwelling other than the dwelling of the owner.</li> <li>Must not be allowed to roam unconfined.</li> <li>Noise and odor provisions.</li> </ul>

# Sample of Pre-manufactured Small Chicken Coops/Pens

Coop – 3.5' x 2'  
Pen – 3.3' x 5'



Price - \$345

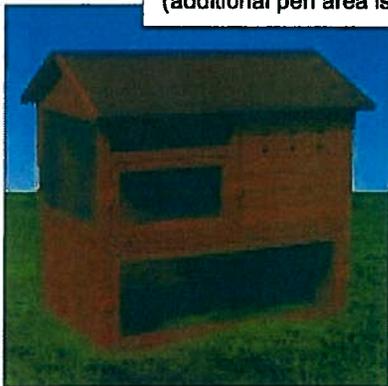


Coop – 4' x 5'  
Pen – 3' x 5'

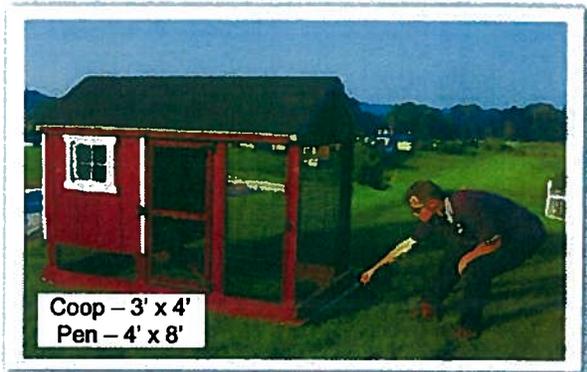
Price - \$1,295 (pen not included)



Coop/Pen – 4' x 45.5"  
(additional pen area is optional)

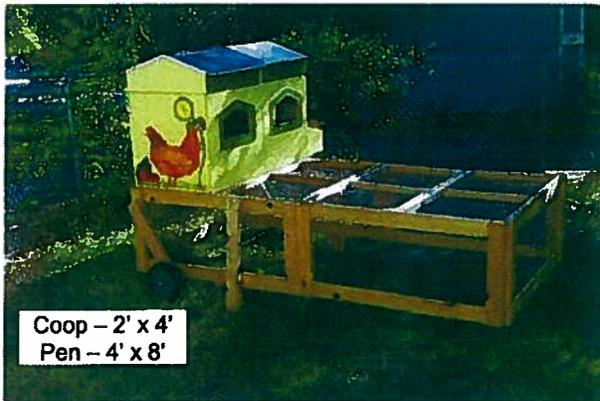


Price - \$399



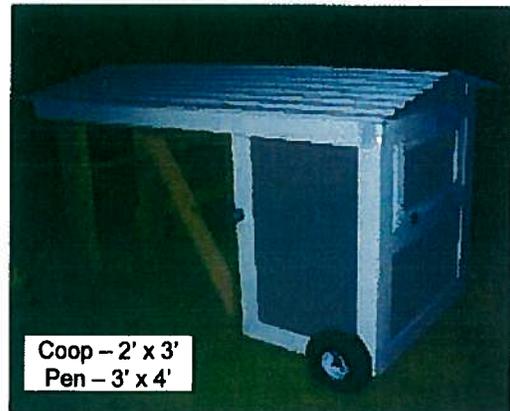
Coop – 3' x 4'  
Pen – 4' x 8'

Price - \$1,595



Coop – 2' x 4'  
Pen – 4' x 8'

Price - \$750

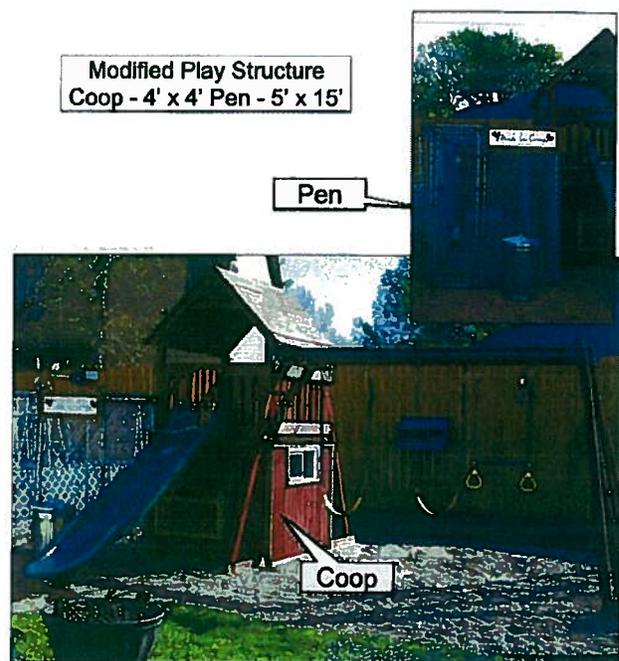
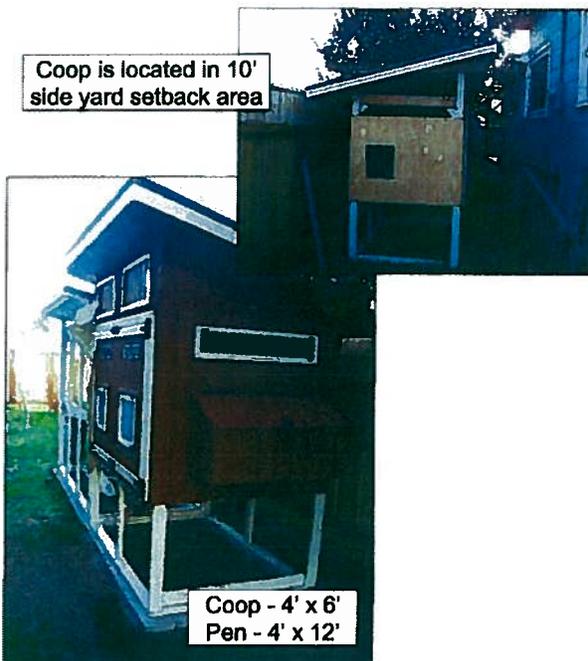
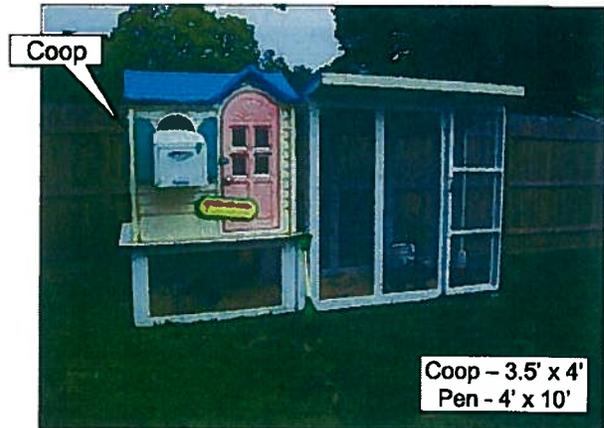
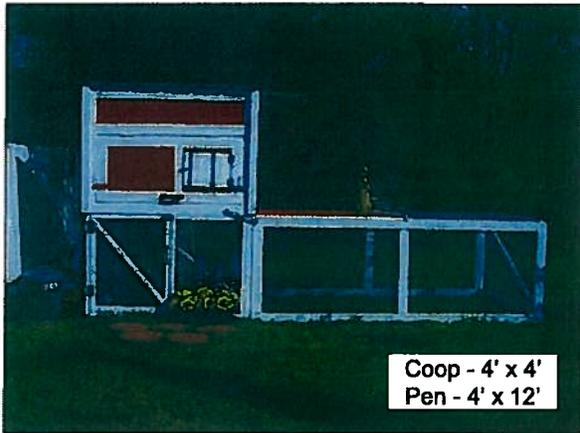
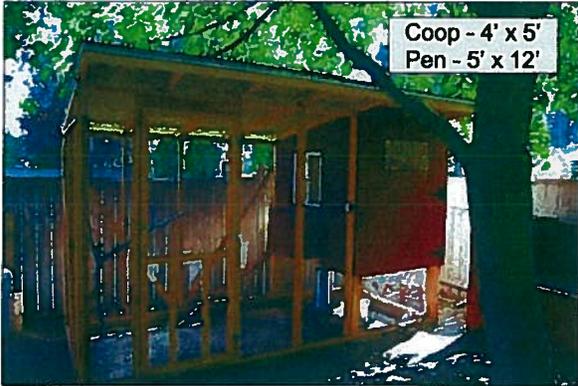


Coop – 2' x 3'  
Pen – 3' x 4'

Price - \$1,170

Sources: [www.horizonstructures.com](http://www.horizonstructures.com)  
[www.creativecoops.com](http://www.creativecoops.com)  
[www.chickencoopsources.com](http://www.chickencoopsources.com)

## Sample of Homemade Small Coops/Pens



# **MATERIALS TRANSMITTED**

## CITY COUNCIL MEETING MINUTES FROM DECEMBER 7, 2010

The Regular Meeting was called to order by Mayor Pro Tem Sackley at 7:30 p.m.

At the request of Mayor Pro Tem Sackley, Reverend Scott Oberle of the Portage United Church of Christ gave the invocation and the City Council and the audience recited the Pledge of Allegiance.

The City Clerk called the roll with the following members present: Councilmembers Elizabeth A. Campbell, Margaret E. O'Brien, Patricia M. Randall, Claudette S. Reid and Terry R. Urban and Mayor Pro Tem Edward J. Sackley. Mayor Peter J. Strazdas was absent with excuse. Also in attendance were City Manager Maurice S. Evans, City Attorney Randall Brown and City Clerk James R. Hudson.

**APPROVAL OF MINUTES:** Motion by Reid, seconded by Campbell, to approve the November 16, 2010 Special Meeting Minutes, the November 16, 2010 Regular Meeting Minutes, the November 23, 2010 Special Meeting Minutes, and the November 30, 2010 Special Meeting Minutes as presented. Upon a voice vote, motion carried 6 to 0.

\* **CONSENT AGENDA:** Mayor Pro Tem Sackley asked Councilmember Randall to read the Consent Agenda. Councilmember Urban asked that Item F.1, 2011 Board of Review, be removed from the Consent Agenda. Motion by Urban, seconded by O'Brien, to approve the Consent Agenda motions as amended. Upon a roll call vote, motion carried 6 to 0.

\* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF DECEMBER 7, 2010:** Motion by Urban, seconded by O'Brien, to approve the Accounts Payable Register of December 7, 2010. Upon a roll call vote, motion carried 6 to 0.

### REPORT FROM THE ADMINISTRATION:

**2011 BOARD OF REVIEW:** Mayor Pro Tem Sackley asked Councilmember Urban to comment as he requested that the item be removed from the Consent Agenda. Councilmember Urban indicated that it was necessary to remove the item from the Consent Agenda because City Council had not had an opportunity to discuss the number of Board of Review members needed to serve in 2011, and the Consent Agenda Motions reflected that "six" was the number of Board of Review Members recommended by the Administration. At the request of Mayor Pro Tem Sackley, City Manager Maurice Evans explained the rationale of choosing six and Mayor Pro Tem Sackley asked if it was necessary to make the determination at this time or could it wait until the December 21, 2010 City Council Meeting. At the request of Mr. Evans, City Attorney Randy Brown indicated that the deadline is January 2011, but that it would be good to know in advance how many were required. Mayor Pro Tem explained the ballot issue passed by voters at the November 2, 2010 General Election, expressed an interest in getting input from Mayor Strazdas, asked for recruitment efforts from the Administration and suggested that further discussion and determination take place at the December 21, 2010 City Council Meeting.

Councilmember Reid concurred with holding off until the December 21, 2010 City Council Meeting but, before deciding the number of members needed to serve on the 2011 Board of Review, she asked that the Administration provide the anticipated reimbursement and how it is going to be managed, given that a Board of Review Member may work a full day or a partial day, and when and where would training take place and what would the cost be, as it would make a difference if City Council sets the Board Member level at three members or nine members, including the two Alternates.

City Attorney Brown reminded City Council that if six or nine were chosen as the level of membership on the Board, the Charter requires that a six member Board would be two groups of three and a nine member Board would be three groups of three. Discussion followed.

Councilmember Randall expressed her understanding of the preference of the Assessing Issues Task Force to allow one-half day sessions because this would be more attractive to a candidate who may be willing or able to serve for one-half of a day instead of a full day. She also indicated that extending the service time for twelve days might be too much for someone who is trying to juggle a career with volunteer responsibilities and Councilmember O'Brien concurred. Finally, she thought that adding three more members was within the findings of the Task Force. Discussion followed.

In answer to Councilmember Reid, Mr. Brown counseled that a member from one three-member Board of Review may not serve on one of the other three-member Boards of Review if six or nine Board of Review members were chosen and two members present would create a quorum. Discussion followed.

Mayor Pro Tem Sackley pointed out that prior to the amendment to the City of Portage Charter, City Council could not impose training on a new member, but only review applicant qualifications. Discussion followed.

Motion by O'Brien, seconded by Campbell, to determine the membership size of the 2011 Board of Review to be six members. Mr. Brown offered that the motion should read "up to" six members as a result of an earlier discussion with a "very wise" member of the Administration to provide flexibility. Councilmember O'Brien agreed to add the amended language to the motion.

Councilmember Randall asked that the addition of "one Alternate" be considered and Councilmember O'Brien agreed to amend the motion to include, "one Alternate," and Mr. Brown assured City Council that the Alternate could serve on either of the three-member Boards of Review. Councilmember O'Brien restated the motion, to determine the membership size of the 2011 Board of Review to be up to six members and one Alternate, and asked that the compensation for the Board be revisited in order to handle a member serving a full day versus a member serving a partial day. Discussion followed and Councilmember Campbell seconded the motion.

Councilmember Urban asked whether the motion is even needed and Mr. Brown indicated that legally the motion is not required until January 2011, but it might be good for City Council to know the membership level of the Board of Review before then. Discussion followed and it was a consensus of City Council that they wanted as many qualified applicants as possible. Further discussion followed.

Upon a roll call vote, motion failed 4 to 2: Ayes: Campbell and O'Brien. No: Councilmembers Reid, Urban and Randall and Mayor Pro Tem Sackley. Discussion followed.

\* **2011 MARCH BOARD OF REVIEW RESOLUTION:** Motion by Urban, seconded by O'Brien, to adopt the Resolution setting the dates and times for the 2011 March Board of Review sessions. Upon a roll call vote, motion carried 6 to 0. Resolution recorded on page 109 of City of Portage Resolution Book No. 44.

\* **HEALTH INSURANCE CONTRACT RENEWALS:** Motion by Urban, seconded by O'Brien, to approve one-year contract renewals for employee health insurance with Blue Care Network (HMO), Priority Health (HMO) and Blue Cross Blue Shield of Michigan (PPO and Traditional), and authorize the City Manager to execute all documents on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

\* **HOUSEHOLD HAZARDOUS WASTE PROGRAM – INTERGOVERNMENTAL COOPERATION:** Motion by Urban, seconded by O'Brien, to approve the contract with Kalamazoo County for Household Hazardous Waste collection during the 2011 calendar year in the not-to-exceed amount of \$32,000 and authorize the City Manager to execute all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

\* **ONE-YEAR LEASE EXTENSION OF TWO IBM I5 MODEL 515 SERVERS:** Motion by Urban, seconded by O'Brien, to approve the one-year lease extension through Capital Advantage

Leasing for two IBM i5 Model 515 servers at a cost of \$16,932 with a \$1.00 end-of-lease buyout and authorize the City Manager to execute all documents related to this action on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

\* **AT&T – POLICE POSITRON 9-1-1 CONTRACT:** Motion by Urban, seconded by O'Brien, to approve a one-year contract in the amount of \$11,250.01 for 9-1-1 maintenance, with the option to annually renew provided the terms, conditions and price do not change, and authorize the City Manager to execute all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

\* **NONPROFIT RECOGNITION:** Motion by Urban, seconded by O'Brien, to adopt the Resolution for Charitable Gaming License recognizing the Portage Northern Band and Orchestra Parents as a nonprofit organization in the City of Portage. Upon a roll call vote, motion carried 6 to 0. Resolution recorded on page 111 of City of Portage Resolution Book No. 44.

\* **SPECIAL MEETING WITH BOARD AND COMMISSION APPLICANTS:** Motion by Urban, seconded by O'Brien, to set a Special Meeting on Tuesday, January 11, 2011, beginning at 5:30 p.m. to interview board and commission applicants. Upon a roll call vote, motion carried 6 to 0.

\* **2010 CITY COUNCIL GOAL SETTING SESSION - WORK ITEMS / PRIORITIES - INFORMATION ONLY:** Motion by Urban, seconded by O'Brien, to receive the communication from the City Manager regarding the 2010 Council Goal Session-Work Items / Priorities as information only. Upon a roll call vote, motion carried 6 to 0.

\* **2010 TAX RATE SURVEY - INFORMATION ONLY:** Motion by Urban, seconded by O'Brien, to receive the communication from the City Manager regarding the 2010 Tax Rate Survey as information only. Upon a roll call vote, motion carried 6 to 0.

\* **NOVEMBER 2, 2010 GENERAL ELECTION RESULTS - INFORMATION ONLY:** Motion by Urban, seconded by O'Brien, to receive the communication from the City Clerk regarding the November 2, 2010 General Election Results as information only. Upon a roll call vote, motion carried 6 to 0.

## **COMMUNICATIONS:**

### **PRESENTATION BY ENVIRONMENTAL BOARD CHAIRPERSON JASON**

**HOWARD:** City Council received the Presentation by Environmental Board Chairperson Jason Howard, who reviewed five initiatives of the Board: to continue the Purple Loosestrife Program, promote the general environmental awareness to the public through a separate list of initiatives: promote Earth Day activities, increase the use of the City of Portage website for environmental education, publish articles in the *Portager*, update the public sign at Lakeview Park, continue to develop the Rain Garden at the Water Treatment Plant, and work with the regional organizations to promote public environmental programming; to communicate with City Council on environmental issues and periodically discuss the Summary Environmental Activity Report with city staff; continue to expand the relationship with other environmental groups; and submit updates to the current goals and objectives and suggested goals and objectives for the future.

Discussion followed regarding the spread of the Purple Loosestrife and the use of the City of Portage production of beetles at Avalon Farms in Climax, Michigan, that eat Purple Loosestrife, the educational component of the rain garden by the Water Treatment Plant, requests for residential rain gardens, opportunities for volunteers with regard to environmental issues, Earth Day activities, the

Garlic Mustard Pull and the Greenathon and the incorporation and partnering of the Youth Advisory Committee with the Environmental Board. Discussion followed.

**JASON HOWARD, CHAIRPERSON OF THE ENVIRONMENTAL BOARD:** City Council received the communication from Jason Howard, Chairperson of the Environmental Board, submitting the 2010 Purple Loosestrife Program Report.

\* **MINUTES OF BOARDS AND COMMISSIONS:** City Council received the minutes for the following boards and commissions:

Portage Senior Citizen Advisory Board of October 20, 2010.

Portage Board of Education Special and Regular Business Meeting of October 25 and Special Meeting and Committee of the Whole Work Session of November 8, 2010.

Kalamazoo County Board of Commissioners Committee of the Whole and Regular of November 2, 2010.

Portage Park Board of November 3, 2010.

Portage Human Services Board of November 4, 2010.

Portage Planning Commission of November 18, 2010.

**OTHER CITY MATTERS:**

**STATEMENTS OF CITY COUNCIL:** Councilmember O'Brien extended praise to Portage athletic teams, congratulated the Portage Northern High School Swimming Team that recently won the District Championship and noted that people from all over the state and country were present at the Portage Northern High School Library/Media Center Open House. She also recognized the tree-lighting ceremony as an efficient and fun event, the social services day at Kalamazoo Expo Center and the former State Senator Tom George and State Representative Larry DeShazor for their fine efforts.

Councilmember Reid expressed her appreciation that city employees are able to keep health costs down by participating in the Health Management Program and staying healthy. She also listed all of the Boards and Commissions in need of applicants to be interviewed January 11, 2011: Board of Review, Planning Commission, Zoning Board of Appeals, Historic District Commission and the Youth Advisory Committee.

Mayor Pro Tem Sackley echoed the need for applicants on the Boards and Commissions and emphasized the need to fill the Planning Commission vacancy owing to the election by City Council of Cory Bailes to fill the seat soon to be vacated by Councilmember O'Brien, who will serve as State Representative for the 61<sup>st</sup> District. He also recognized Deputy Parks Director Barry Bacon, Parks Director Bill Deming and the Park Board, the Portage Northern Songleaders Chorale and the efforts of local historian, Steve Rossio, for their work on the Tree Lighting Ceremony, December 4. Finally, he announced that Congressman Fred Upton was appointed to be the Chair of the Energy and Commerce Committee and explained how important that was for the State of Michigan and the country.

**ADJOURNMENT:** Mayor Pro Tem Sackley adjourned the meeting at 8:29 p.m.

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James R. Hudson, City Clerk

\*Indicates items included on the Consent Agenda.

## CITY OF PORTAGE ZONING BOARD OF APPEALS

Minutes of Meeting – November 8, 2010

The City of Portage Zoning Board of Appeals meeting was called to order by Chair Henry Kerr at 7:00 p.m. in the Council Chambers. One person was in the audience.

**MEMBERS PRESENT:** Timothy Bunch, David Felicijan, Rob Linenger, Betty Schimmel, Lowell Seyburn, Marianne Singer, Donald Mordas, Henry Kerr, Daniel Rhodus

**IN ATTENDANCE:** Vicki Georgeau, Deputy Director of Neighborhood Services, Randall Brown, City Attorney

**APPROVAL OF THE MINUTES:** Linenger moved and Felicijan seconded a motion to approve the October 11, 2010 minutes as submitted. Upon voice vote, motion was approved 7-0.

### **OLD BUSINESS:**

**ZBA# 10-06, Scott Sampson, 4726 Deep Point Drive:** Staff summarized the requested variance and provided an overview of additional information in the agenda regarding the 1988 variance granted for the attached garage, and an update on Building Code deficiencies, as requested by the Board at the October 11, 2010 meeting. Mr. Sampson reviewed photos of the property and dwelling and further explained the rationale for his requested variance, noting the property corner is located within the actual road pavement, that the lot has an unusual shape, that the corner of the addition will not obstruct traffic, or otherwise impact neighboring property in a negative manner. In response to Linenger, the applicant and staff noted the footing depth for the west side of dwelling has been approved by the Building Inspector. Rhodus indicated he reviewed the City Attorney opinions on lakefront lot boundaries, but has concerns the plat for this property does not describe the land to the shoreline and no deed has been provided that indicates the applicant owns additional land. In addition, Rhodus noted and staff concurred that without the additional land area, there is a lot cover problem with the dwelling. Attorney Brown indicated that the variance requested involves a setback issue only, not a lot cover issue. Further, Mr. Brown indicated that the opinions provided over the years, for which staff has relied upon, indicate that unless a lakefront plat has a public beach, walkway, promenade or other clear intent to restrict the land along the shore to public use, there is a presumption that lake front lot owners own property to the legal lake level. If the entire Board has concerns with the opinions provided on lakefront lot boundaries, additional research could be accomplished by the Office of City Attorney, and if that is desired, Mr. Brown recommended that all action on the setback variance request be postponed.

A public hearing was opened. No written or verbal comments were received and the public hearing was closed.

In response to Seyburn, Rhodus indicated he would have to vote “no” or “abstain” if the Board took action on the variance request due to his concerns with the lake front yard area. Seyburn asked the City Attorney to comment on the road encroachment onto the front yard. Brown indicated this matter is not relevant to the request. Felicijan and Linenger indicated the Board should focus only on the setback variance requested.

A motion was made by Linenger, supported by Singer, to deny a variance to enlarge or alter a nonconforming dwelling within the front yard setback where 27 feet is required to retain an addition on the northwest corner of the dwelling, as the variance would materially impair the intent and purpose of the zoning ordinance, and there are no exceptional or extraordinary circumstances or conditions applying to the property that do not apply generally to other properties in the same zoning district. In addition, the application and supporting materials, staff report, and all comments, discussion and materials presented at this hearing shall be incorporated in the record of this hearing and the findings of the Board, and that the action of the Board be final and effective immediately. Upon roll call vote, the motion carried 4-3 (Kerr-Yes, Linenger-Yes, Mordas-No, Schimmel-Yes, Seyburn-No, Singer-Yes, Rhodus-No).

**OLD BUSINESS:** None

**STATEMENT OF CITIZENS:** None

**ADJOURNMENT:** There being no further business, the meeting was adjourned at approximately 7:35 p.m.

Respectfully submitted,

Vicki Georgeau, AICP  
Deputy Director of Neighborhood Services

SUMMARY ENVIRONMENTAL ACTIVITY REPORT  
November 2010 (*updates in italics*)

<u>Project/Activity</u>	<u>Description</u>	<u>Status</u>
Portage City Landfill	Ongoing groundwater monitoring of former municipal landfill.	<p>-City Council awarded a 3 year contract to American Hydrogeologic Corporation on February 23, 2010 to perform annual groundwater sampling. The site groundwater data will continue to be monitored to confirm continuation of the natural attenuation process. Sampling shows continued improvement in groundwater quality. Sampling performed in June 2010. Annual report submitted to MDNRE in June 2010. General groundwater quality continues to improve, but site will require monitoring for the foreseeable future.</p>
Site Inspection/Development Project Review	Review of existing business & industries and review of proposed business and industrial development projects for environmental protection purposes and/or building plans completed.	<p>-Coordination with property owners and City or State agencies ongoing. -Review of 4 <i>site/building plans and/or plats completed in November 2010.</i></p>
Sewer Connection Program	Groundwater protection program requiring residential/business hookup to the sanitary sewer where available.	<p>-Sanitary sewer hookup permits issued in November 2010: 3 commercial and 8 residential. <i>Three sewer connections made as part of the Mandatory Sewer Program. Four sewer connection deferrals were issued by the Mandatory Sewer Subcommittee.</i></p>
West Lake Management Program	Special assessment district designed to maintain/improve lake conditions.	<p>-Five Year Lake Management Assessment District process initiated (Resolution #1) on December 7, 2004. Resolution #3 was approved by City Council on January 11, 2005. Resolution #5 was adopted by City Council on February 8, 2005. On March 22, 2005, City Council approved a contract with Aquatic Services, Goodrich, MI, to perform annual weed treatment. West Lake currently working with the Kalamazoo County Drain Commissioner to create a filtration system on the Austin Lake Drain. On July 10, 2007, City Council authorized the Administration to submit a grant application in the amount of \$5,000 to the Kalamazoo Foundation to assist funding the filtration system. Construction bids received by the Drain Commissioner on November 14, 2006. Construction began on the Austin Dam reconstruction in December 2006 and new structure completed in March 2007. Filtration system construction was substantially completed in July 2008. On July 8, 2008, City Council awarded contracts to Aquatic Services, Inc. for the 2008 Weed Treatment Program and awarded a contract to ASI Environmental to perform watershed and vegetation survey. New 5 year improvement plan and special assessment process was approved by City Council on March 23, 2010. The 2010 lake treatment is complete.</p>

Retention Basin Sampling Program	Investigation regarding potential impact of retention basins on groundwater levels.	-Historical monitoring continues to show minor impacts at most basins. From 1993 through 2009 the monitoring program showed stable groundwater impacts due to stormwater infiltration. Alternative road salt practices continue to be considered and evaluated. On March 23, 2010, City Council awarded a four-year contract to Wightman Environmental. Program will focus primarily on groundwater level information. Sampling of retention basins was completed on June 25, 2010. Report is due in December 2010.
Wellhead Protection Program (WHPP)	Development of program to protect City well fields and surrounding area from contamination resulting from improper land use.	-Wellhead Protection Grant award received from MDEQ on August 30, 1999 and Council accepted the grant on October 5, 1999. Council also awarded contract to Earth Tech to complete WHPP. Earth Tech completed the final wellhead protection plan and MDEQ submittal was made on October 14, 2000. Plan was reviewed by MDEQ with written approval received in March, 2001. City staff made a presentation to the American Water Works Association at their April 25, 2008 meeting to highlight current city initiatives. Plan implementation is ongoing.
Leaf Compost Monitoring Program	Monitoring and analysis of groundwater at the new Oakland Drive Leaf Compost site.	-City Council awarded contract on August 21, 2001 to Soil & Materials Engineers for monitoring and analysis of groundwater impact of the new compost operation. Drilling was completed in October 2001 and first sampling cycle was completed in February 2002. Semi annual sampling was performed from 2002 to 2009 in June and January. Sampling and analysis results continue to show no groundwater impacts from the leaf composting. Sampling schedule was reduced to annual sampling in 2009 with results showing continued minor impact on groundwater quality. The 2010 report was received with results showing minimal impact on groundwater. Next sampling scheduled for July 2011.
National Pollution Discharge Elimination System (NPDES) permit implementation	Five year plan to implement the current NPDES stormwater permit.	-Received NPDES general permit on August 15, 2001. Renewal Application submission was made to MDEQ on March 7, 2003. New permit received in 2004 mandates involvement in several county watershed groups. City staff completed the submission of a Stormwater Pollution Prevention Initiative (SWIPPI) as required by NPDES permit. SWIPPI submitted on October 21, 2005. New certificate of coverage permit was issued by MDEQ on September 30, 2009. New permit covers a 5 year time frame with first work item (updating the Public Participation Plan) due December 11, 2009. Plan update completed with other local governments and submitted November 24, 2009. City staff worked with other agencies at the 2010 Home Expo on March 17 – 20, 2010. Staff completed an updated SWIPPI submittal to MDNRE. SWIPPI was submitted for MDNRE approval on June 25, 2010. Permit implementation is ongoing.

National Pollution Discharge Elimination System (NPDES) permit implementation

Kalamazoo River Mainstem Watershed Management Plan

-First meeting was held September 17, 2004. Proposals for completing the watershed plan were received by Kalamazoo County on September 15, 2005 and a contract awarded to Kieser & Associates in November 2005. Draft watershed plan submitted to MDEQ on December 30, 2005. Review comments received from MDEQ and revised watershed plan due in December 2006. A letter not to revise the Watershed Plan was submitted to the MDEQ on March 17, 2008. Public participation plan update submitted to MDEQ on November 24, 2009. Kalamazoo River Water Festival was held on August 14, 2010 with City of Portage participation. Preliminary grant request submitted September 16, 2010 for West Fork of Portage Creek storm water enhancements. Complete grant application was submitted on October 25, 2010.

Portage River Watershed Management Plan

-Public participation plan submitted June 28, 2004. Proposals for a Watershed Management Plan were received by the Kalamazoo County Road Commission and a contract awarded to the Kalamazoo County Conservation Service in November 2005. Draft watershed plan submitted to MDEQ on December 30, 2005. Follow-up meetings are held monthly to facilitate an implementation schedule. Portage River Watershed public meeting held in Vicksburg on April 11, 2006. Review comments received from MDEQ and revised watershed plan due November 2006. Revised Watershed Plan submitted November 30, 2006, follow up meetings to be held as necessary. A letter not to revise the Watershed Plan was submitted to the MDEQ on March 17, 2008. Public participation plan update submitted to MDEQ on November 24, 2009. Based upon MDEQ comments, the plan was revised and resubmitted on December 21, 2009.

Plan to implement and maintain an Illicit Discharge Elimination Program (IDEP).

-On October 21, 2001, City Council awarded a contract to Fishbeck, Thompson, Carr and Huber for the Portage Creek element of the IDEP, which was completed in July 2002. On February 19, 2002, City Council approved a new ordinance as required by the NPDES permit titled "Storm Water Illicit Discharges and Connections". On April 28, 2004, City Council accepted a grant from the State of Michigan in the amount of \$152,264 and awarded a contract to Fishbeck, Thompson, Carr and Huber in the amount of \$184,264 for the remainder of the IDEP for the entire city. Program implementation is ongoing as funding allows. Continued outfall sampling is required by permit and will be budgeted accordingly. IDEP program was updated for submittal to MDNRE on June 25, 2010, and part of the SWIPPI.

Garden Lane Arsenic Removal Facility

Construction of a water treatment facility at the Garden Lane Wellfield to remove arsenic, iron and manganese from the

-City Council approved an agreement with Fishbeck, Thompson, Carr & Huber, Inc. on January 10, 2006 to prepare a feasibility study to meet new USEPA arsenic standards for drinking water. Feasibility study completed in August 2006. Engineering proposals for the project were received August 14,

groundwater.

2007. Project engineering awarded to Earth Tech by City Council on September 11, 2007. Project design to include Leadership in Energy and Environmental Design (LEED) criteria. Project construction bids were received on November 25, 2008. Contract awarded by City Council on December 16, 2008 to Adams Building Contractors, Inc., Jackson, Michigan. Preconstruction meeting was held January 29, 2009. Start up activities began in May 2010. Facility is in operation with ribbon cutting held August 2, 2010. City staff gave a presentation on August 9, 2010 to the Michigan Chapter of the American Water Works Association about the arsenic removal of the facility. The facility is producing approximately one million gallons of water per day.

Environmental Incident/Spill  
Clean Up Notification

Environmental Protection  
Program to assist Portage  
Police/Fire Departments with  
spill containment and spill  
cleanup.

*-The number of environmental incident/spill investigations performed in November 2010-0. The number of incidents requiring city forces/contractor emergency cleanups—0.*

Localized Groundwater Table  
Investigation

Hydrogeologic study of the  
Portage area, especially in the  
Sprinkle Woods plat area, to  
determine causes of increase in  
groundwater elevation.

-On April 29, 2008, City Council awarded a contract to American Hydrogeology Corporation to investigate the reason and extent of seasonally high groundwater elevation. Special emphasis will be placed on the Black Forest plat area to suggest possible solutions to the basement leaking problems experienced in the area. Study was transmitted to City Council on July 22, 2008. Work was completed on October 31, 2008. City staff continues to investigate other remedies for local groundwater table issues. Work complete on compiling a history of local groundwater table elevations at 19 city-owned retention basins with data from 1994 to 2009. Data from the analysis shows a general upward trend through the Portage area from 2005 to present. Five monitoring wells were installed in the Jamaica Lane area as a result of a number of citizen concerns. *Analysis of the Jamaica Lane wells shows that seasonal groundwater table levels have dropped approximately 24" from spring 2009 levels and level has stabilized through November 2010. November sampling continued to show a slight decline in the groundwater table.* Sampling will continue through the fall and winter months as weather allows.

Hampton Wetland Area Water  
Level

Assistance with the Inverness  
Condominium Association to  
Review Surface Water Levels

-Ongoing assistance with the Condominium Association to develop appropriate measures to regulate the rising water level in Hampton Wetlands Area located on the north side of West Centre Avenue and east of Angling Road. Current activity has centered on meeting with MDNRE staff to determine feasible method to lower water levels. Association currently working with MDNRE permit staff to clarify permit requirements. No

change in status. Lower groundwater table elevation has reduced the concerns from the Condominium Association. *Conference call with MDNRE scheduled for December 8, 2010 to discuss options.*

Southwest Michigan Regional  
Sustainability Covenant

Collaborative effort with local government, academic, and other stakeholders to lead toward environmental, economic and social sustainability.

-On May 12, 2009, City Council approved the Southwest Michigan Regional Sustainability Covenant. A sustainability work session was held April 14, 2010, to review elements of the covenant in cooperation with the City of Kalamazoo and the City of Battle Creek. A grant application was made to MDNRE for a greenhouse gas inventory study of the area. Notice received July 15, 2010 that the grant application was not successful. City staff attended a September 10, 2010 meeting in Grand Rapids to discuss sustainable economic, environment, and society programs.

## NOTICE OF PUBLIC HEARING

The City of Portage will hold a public hearing on Thursday, January 6, 2011 at 6:30 p.m. in Conference Room #1, City Hall, 7900 South Westnedge Avenue, Portage, Michigan to solicit comments on the Community Development Block Grant (CDBG) Program, housing and community development needs, fair housing issues, housing priorities and funding for human/public services within the City of Portage prior to preparing the Consolidated Plan and the FY 2011-12 Annual Action Plan. The city anticipates receiving approximately \$219,000 in Federal CDBG funding in 2011-12, and an estimated \$40,000 of program income.

A draft of the plan development schedule, citizen participation plan, and the housing and community development needs analysis portion of the Consolidated Plan will be available for review and comment at the following locations:

- Department of Community Development, 7900 S. Westnedge Ave., Portage, MI 490020
- Portage District Library, 300 Library Lane, Portage, MI 49002;
- Portage Senior Center, 320 Library Lane, Portage, MI 49002;
- Portage Community Center, 325 East Centre Avenue, Portage, MI 49002; and
- City of Portage web site ([www.portagemi.gov](http://www.portagemi.gov))

Comments can be submitted in writing on or before January 6, 2011 to the City of Portage, Department of Community Development, or may be presented in person at the public hearing. Citizens desiring additional information should contact Vicki Georgeau, Deputy Director of Neighborhood Services, at the City of Portage Department of Community Development, (269) 329-4480 for additional information.

Department of Community Development  
Jeffrey M. Erickson, Director

December 22, 2010