

PLANNING COMMISSION  
THURSDAY, MAY 4, 2017

Members Present: Betty Root, Jerry Spencer, Jim Cunningham, Diane LaPorte, Peggy Wittman and Joe Frontiera (Absent: Rob Splane).

Also Present: City Manager Stan Rickard, David Jirousek (planning specialist w/Williams & Works), Stacie Hegg (Hegg's Furniture) and Gale Goldberg (Dep. Clerk).

The meeting was called to order at 4 p.m. by Chairman Jerry Spencer. The agenda was approved as presented (6-0) upon motion by B. Root and 2<sup>nd</sup> by D. LaPorte. The minutes of the April 6, 2017 meeting were approved (6-0) upon motion by J. Cunningham and 2<sup>nd</sup> by P. Wittman.

No public comments at this time.

**Zoning Ordinance Update – Chickens**

B. Root noted that the city has an existing ordinance (610.01) regarding domestic fowl but it was agreed the wording is very out of date. The city manager explained this topic is being discussed because of a specific request from a homeowner within the city.

D. Jirousek gave an overview of how other communities are handling this in regard to zoning. The possibility of addressing other small animals was mentioned. Regulatory components for zoning purposes should include the following elements:

- Location (zoning districts where the use may be permitted)
- Permitting (local permit and review process to establish a procedure to ensure compliance and outline the revoking of a permit for violations)
- Number of chickens and lot size (adequate space available for humane and safe living conditions for the chickens and show consideration for neighbors)
- Confinement (decide on issues of acceptable places where chickens will be housed, fed and any space for freedom to roam)
- Sanitation (sanitation regulations so as not to have a negative impact on neighbors)
- Setbacks and lots (Lot size, minimum setbacks or available open yard space)

Discussion on this included:

- Barking dogs make more noise than chickens
- Particular subdivision covenants will over-ride an ordinance change and chickens would not be allowed in that area
- Could be a 4-H project – or a home based business
- Police can enforce ordinance violations
- Would required lot size include or exclude the square footage of the home?

The city manager will invite the homeowner to the next Planning Commission. D. Jirousek will work on some wording for the next meeting.

**Redevelopment Ready Community (RRC)**

D. Jirousek gave an overview of the proposed Master Plan review and update process which includes a set plan for a redevelopment strategy, street recommendations, improvements in the

downtown area, Polk Road corridor study, capital improvement and an annual procedure for reporting on any advancements.

The city manager reported that the city has notified all necessary agencies of the city's intent to update the City of Hart Master Plan, welcoming all comments and suggestions. The commission agreed upon the importance of a review and update of the City's Master Plan. D. Jirousek then noted some particular areas to review and include 1) a redevelopment section; 2) address complete streets; 3) redefine the vision for the downtown; 4) redefine the Polk Road corridor plans; 5) reference the Capital Improvement list; 6) incorporate annual reporting; and 7) increase public involvement during the plan and report feedback.

After a short discussion of these goals it was approved (6-0) upon motion by D. LaPorte and 2<sup>nd</sup> by B. Root to formally agree to review the current Master Plan and review all of the above items.

D. Jirousek now addressed the importance of a Public Open House and encouraged the commission to choose a location, date and time. After a short discussion it was agreed upon to hold a Public Open House on Thursday, June 1, 2017 to start after the Planning Commission meeting, around 5 p.m. A survey was discussed and agreed upon to have it available at the open house and input from the community will then be put in report form.

At this point D. Jirousek explained the importance of having a Public Participation Plan. Several issues were discussed, including how to get public participation and what items would be highlighted for community involvement. Some suggestions for reaching the public were notices in the newspaper or on the city's website, during other meetings, personal contact by staff with customers, survey's open houses and through other organizations. Some suggested areas for public input were on the Master Plan update, zoning ordinance changes, zoning map, capital improvement projects, parks and major developments. In regard to zoning ordinance updates, D. Jirousek noted that the city has a good one but B-1 is not consistent and will need some work to clean up ambiguities but these should be minor changes. He also explained it would be helpful to create a development review guide to help explain the process to citizens and this need not be too long or cumbersome. A simple outline was supplied covering Development Types (site plans, special land use, rezoning and Planned Unit Development); Purposes and Benefits of a Review; Applicability of a Review; Process (flow charts and descriptions); Submittal Requirements (data, zoning district information, development data); Helpful Tips; Performance Guarantees and Outside Approvals (MDOT, Oc. Co. Road Comm., MDEQ, Oc. Co. Health Dept.).

### **Sign Ordinance Update**

D. Jirousek explained the first change was to update the Purpose Statement. There was no change in intent, just a clarification (1259.01). Under Definitions (1259.02), obsolete terms were removed, new terms added and clarified and things not applicable were removed. Under General Provisions (1259.03) safety issues were addressed. There was a discussion regarding the movie theatre downtown and its historic look and use of lights that appear to be moving and the commission hoped to find a way to protect lighting issues that seem historic. D. Jirousek will work on verbage to address this. Under Exempt Signs (1259.04) it was noted that while there is no provision for window signs in the current ordinance, there will be new wording regard this issue to allow them, but with size restrictions. After there was a discussion it was agreed there would be no final agreement on the percentage of window space to be allowed for signs (debate was 25%, 50%, or 1/3<sup>rd</sup>). Illuminated signs are currently not permitted but will be, with restrictions. Temporary Signs (1259.06) were discussed with most of the interest on Sandwich Board signs, which are not allowed under the current ordinance but will be with size restrictions. The height restriction was discussed but it was noted that Sandwich Boards are meant to be viewed by pedestrian traffic and the size listed (42" high maximum and 30" wide – maximum 6 square feet) is standard. No firm decisions were made – commission members were encouraged to go

around town and check them out on site and come back to the next meeting with preferences. Permanent Signs (1259.07) noted that Pole Signs are prohibited in the B-1 District. It was noted that there is only one pole sign downtown and it has existed for many years. After a discussion it was agreed to remove mention of a pole sign in the new ordinance. Illumination of signs (1259.08) was discussed in depth. At this time Stacie Hegg shared a photo of her newly purchased illuminated pole sign. She offered to keep it from changing for an entire day and can tone down the illumination at night. She agreed to confirm the overall size of the present sign and compare it to the size of the proposed new sign. No decisions were made.

The meeting adjourned at 6:10 p.m. per Chairman Spencer.