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**VILLAGE OF OXFORD  
PLANNING COMMISSION  
REGULAR MEETING MINUTES**

*Planning Commission Members: Rose Bejma, Jack Curtis, Gary Deeg, Gary Douglas, Maureen Helmuth, Adam Johnson, Leslie Pielack*

22 West Burdick Street Oxford, MI 48371	November 20, 2018	7:00 pm
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1. **CALL TO ORDER**

Chairman Gary Douglas called the meeting to order at 7:00 p.m.

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2. **RESPECTS TO THE FLAG**

3. **ROLL CALL:** Members Present- Douglas, Bejma, Helmuth, Pielack, Curtis.  
Members Absent: Deeg, Johnson.

**MOTION:** by Helmuth/Bejma excusing Deeg and Johnson. All in favor. Motion Carried.

Staff Present: Mario Ortega AICP, Tere Onica Recording Secretary/Clerk-Treasurer.

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4. **APPROVAL OF AGENDA: Meeting Agenda November 20, 2018**

**MOTION:** by Curtis/Helmuth to approve the agenda as presented. All in favor. Motion carried.

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5. **APPROVAL OF MEETING MINUTES: Special Meeting October 30, 2018**

**MOTION:** by Curtis/Bejma to approve the special meeting minutes of October 30, 2018. All in favor. Motion carried.

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6. **CORRESPONDENCE:** None.

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7. **OLD BUSINESS:**

- A. **Consideration of Ordinance Amendment for Outside Display (OD) Sales:** Chairman Douglas asked planner Mario Ortega to summarize the issues needing to be addressed as outlined in the McKenna Memorandum dated September 26, 2018. Mario referred to Page One, Article 2: Definition of "Open Air Business." Mario also referenced a list of discussion points received from the village manager. It was suggested they be used to assist in identifying parameters as they relate specifically to the Village of Oxford Commercial Districts where the zoning does not permit outdoor business displays/sales.

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Questions listed for consideration were as follows: Does the PC want to allow OD in the C-1 Transition District? If yes, what is the procedure to apply for a permit? What will the time frame be for renewing permits? How much area can be used for OD items on a property? Should the area be based on building or property size? Could items be left out over night? Is outdoor lighting allowed for displays? What should the general set back requirements be from the R.O.W (road Right-Of-Way), what should set-backs be from the side or rear property line, adjacent driveways, residential properties and parking lots? Should there be screening

46 requirements and what materials should be used?  
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48 Extensive discussion followed regarding the individual definitions and differences between  
49 Open Air business, OD sales and outdoor storage. Open Air business is typically associated  
50 with business that occurs outdoor, such as a Farmer's Market. OD connotes merchandise  
51 that is brought outside and returned inside daily, such as garden equipment. Outdoor storage  
52 is for bulky items that typically cannot be moved by virtue of size and weight, but also serves  
53 as a dual purpose for display of goods available for purchase, such as a car dealership.  
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55 Mario pointed to three distinct categories covered in Article 2 and suggested that the way to  
56 distinguish between the categories is through a timeframe reference. Are items displayed daily?  
57 Are they temporary and if so, for how long? Are items seasonal? Are displayed items also for  
58 sale? Does outdoor storage mean overnight or longer than a 24-hour period? Should there be  
59 height restrictions? What about front setbacks? Is lighting a nuisance?  
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61 The impact of outdoor storage was considered more negative in nature though the right of a  
62 business and/or property owner to display their goods was recognized. This led to more  
63 discussion on a Special Land Use vs. an annual permit for OD sales and storage as a solution.  
64 To prevent a business activity being permitted in perpetuity, a condition or conditions may be  
65 assigned to a specific business where zoning does not allow OD sales or storage.  
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67 **PUBLIC COMMENT:** Chuck Schneider of Lapeer, was asked to comment as a business  
68 owner currently in violation of the ordinance for outdoor sales and display in the C-1-T  
69 (Commercial-1 Transitional) zoning district. Mr. Schneider stated that outdoor storage should  
70 not be part of the ordinance. There are two types of people- those who can bring their stuff in  
71 every night and those that cannot. The criteria should be that the items displayed or kept  
72 outside are for sale.  
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74 Discussion continued with how much space can be used for outdoor display? 15% of  
75 property? Should it be based on the size of the property, size of the building, whichever is  
76 smaller, or a combination of both building and property? Should each person would be  
77 required to apply for a special permit/temporary use permit. Each applicant could come  
78 before the Planning Commission on an individual basis. It was discussed that all permits  
79 should renew in January regardless of approval date to avoid confusion over when  
80 permits expire and renew. The Village Manager can kick the renewal for a permit back to the  
81 planning commission for review. Typically, a commercial district allows for use of 30% and  
82 sometimes 40% of the lot for outdoor sales. Mario was instructed to strike Item 5 on Page 3  
83 of the Sept. 26<sup>th</sup> memorandum. A permit can allow for more control over the business  
84 with specificity or broad guidelines. Commissioner Curtis suggested  
85 materials sold in outdoor display be not more than 15% of the front yard in the C-1- T  
86 District. Commissioner Helmuth discussed the challenges of set back due to small  
87 properties. There are different regulations for front and side yard set-backs as  
88 well as the distance of commercial property adjacent to residentially used or zoned property.  
89 Type of screening, opaque landscape, foliage or fencing and height of a screen were  
90 discussed. Compliance with other ordinances such as lighting and signage ordinances were  
91 mentioned as well as some review needed by the Police Chief.  
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93           There was a quick final review of the questions outlined by the village manager. Several items  
94           were already discussed at length. Mario was directed to prepare a revised draft of  
95           the key points from the discussion and bring the changes back to the commissioners for  
96           action.  
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98       **8.   CONSULTANT / ADMINISTRATIVE COMMENTS:**

99       **ZBA Update**-Rose Bejma announced a ZBA Meeting December 3<sup>rd</sup>.  
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101       **9.   ADJOURNMENT:**

102       **MOTION:** by Helmuth/Bejma to adjourn at 8:57 p.m. All in favor. Motion carried.  
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106           Respectfully submitted,  
107           Tere Onica, Recording Secretary