

VILLAGE OF ONEKAMA PLANNING COMMISSION  
February 15, 2016 Regular Meeting

RESOLUTION TO RECOMMEND VILLAGE COUNCIL ADOPTION OF PROPOSED AMENDMENTS  
TO THE ONEKAMA VILLAGE ZONING ORDINANCE

Motion to adopt made by: *Cecilia Heubner*  
Second by: *Bronie Miller*

A Public Hearing having been held on February 12, 2016, the Village Planning Commission hereby resolves that the below listed Proposed Amendments to the Onekama Village Zoning Ordinance are recommended for adoption by the Village Council and hereby forwards said Proposed Amendments to the Village Council for its approval:

- Document which begins Amend Section 7003.A
- Document which begins Amend Section 7004
- Document which begins Proposed Amendments concerning impervious surface limits
- Document which begins Proposed Amendments concerning Signs
- Document which begins Amend Section 8005

Roll Call Vote: *Cecilia Heubner, Sandy Beauvais, Alice Handricks* \*  
Yes: *Bronie Miller*  
No: *None*  
Abstain: *None*

*Alice E Handricks*

**Proposed Amendments concerning impervious surface limits**

**Amend Definition of Impervious Surface to read, as follows:**

**IMPERVIOUS SURFACE means a hard surface area that prevents or substantially impedes the natural infiltration of water into the underlying soil, including, without limitation, buildings, accessory buildings, roofed structures, roadways, driveways, parking places, sidewalks, patios and courts for sports activities; provided, however, that the surface area covered by a dwelling, building, accessory building, and other such other roofed structures shall not be considered to be impervious if the storm water runoff from those structures is treated and/or disposed of on the parcel by utilizing innovative storm water treatment methods such as rain gardens, ground water infiltration structures, or constructed wetlands.**

**Amend Section 1017.A in its entirety to read, as follows:**

- A. Impervious surfaces limit—The percentage of the total land area of a parcel covered by impervious surfaces shall not exceed thirty-five percent (35%).**

**Amend Section 1021.B by deleting existing Section 1021.B.7 and re-designating existing Section 1021.B.8 as Section 1021.B.7.**

Proposed Amendments concerning Signs

Add to Definitions : **DIGITAL SIGN** means a sign that has or appears to contain movement or that appears to change, caused by a method other than physically removing and replacing the sign or its components, whether the real or apparent movement or change is in the display, the sign structure itself, or any other part of the sign. A digital sign often incorporates a technology allowing the sign face to change the image without the necessity of physically or mechanically replacing the sign face or its components. A digital sign includes any display that incorporates rotating panels, LED lights manipulated through digital input, electronic message centers, or other similar methods or technologies that permit a sign face to present different images or displays.

Amend Section 1015.A.2 in its entirety to read, as follows:

2. Signs on parcels in the Residential District shall not exceed nine (9) square feet in area and the top edge of the sign shall not be more than (3) feet above ground level.

Amend Section 1015.A.3.b to read, as follows:

3. Signs on non-residential parcels in the Commercial Residential District:  
....
  - b. shall be limited to one sign on or attached to each building wall, except that each business located in a building may have one sign on or attached to each building wall;

Amend Section 1015.A.5 in its entirety to read, as follows:

5. Temporary signs shall be located only on the parcel or structure concerned with a temporary event, except for a directional sign as permitted by Section 1015.A.4, and shall be posted no more than seven (7) days before the event and be removed within seven (7) days following the completion of the event.

Add new 1015.A. 7

7. Digital signs are permitted only in the Commercial Residential District and shall comply with the following requirements:
  - a. A digital sign may not allow the display or message to change more frequently than once every sixty (60) seconds, with a transition period of one second or less. Digital signs may not contain any visible moving parts, alternating or moving messages or have the appearance of having moving parts or messages. Under no circumstances may any type of digital sign contain a video, a message or a display that appears to flash, undulate, pulse, move, or portray explosions, fireworks, flashes of light, or blinking lights or otherwise appears to move toward or away from the viewer, expand or contract, bounce,

**rotate, spin, twist or make other comparable movements.**

**b. A digital sign must have installed a monitor, which shall continuously monitor and automatically adjust the brightness level of the display based on conditions to comply with the following maximum brightness requirements:**

- (1). Brightness shall be no greater than 2,000 nits from dawn to dusk.**
- (2). Brightness shall be no greater than 125 nits from dusk until dawn.**
- (3). Brightness of digital signs shall be measured from the sign's face using a standard nit-meter when the digital sign is turned on to full white copy.**

**c. Certification must be provided to the Village demonstrating that the digital sign has been preset to automatically adjust the brightness to comply with the brightness requirements set forth in the preceding paragraph. Re-inspection and recalibration may be periodically required by the Village in its reasonable discretion, at the expense of the applicant, his or her assignees or successors, or the person who owns or exercises control over the sign, to ensure that the brightness requirements specified above are met.**

**Amend Sections 1015.B.1 and 2 to read as follows:**

**B. The following signs are prohibited in the Village:**

- 1. Signs which utilize flashing or blinking lights or flashing reflectors .**
  - 2. Signs which have moving parts to attract attention, including but not limited to figures or shapes which inflate or deflate to cause motion.**
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Amend Section 7003.A to read, as follows:

7003. Permitted and Prohibited Uses

A. Permitted Uses – Only the following uses and the uses listed in Sections 5002.F, N, O, and P shall be permitted, by permit, as specified in Article 84:

Amend Section 7003 by adding new 7003.B and re-designate existing 7003.B as 7003.C:

- B. Special Uses – Only the following uses shall be permitted by Special Use Permit, as specified in Article 86:
  - 1. Duplexes
  - 2. Multiple Family Dwellings
  - 3. Retail Trade and Support Services
  - 4. Finance, Insurance, Real Estate, and Licensed Professionals and Supporting Services
  - 5. Restaurants
  - 6. Water Transportation
  - 7. Marinas

Amend Section 7003 by rewording re-designated Section 7003.C, as follows:

C. Prohibited Uses – The below listed uses of any privately owned parcel or portion of a privately owned parcel which is adjacent to Portage Lake shall be prohibited, provided, however, that a commercial Marina which is otherwise permitted under this Ordinance and complies with State Law is excluded from the prohibitions of Sections 7003.C.1, 2, and 3.

Amend Section 7004 and Section 7004.A and C.1, 3 and 4 to read as follows:

**7004. Regulations and Standards**

The following additional regulations and standards shall apply to any parcel or portion of any parcel which is located within the Portage Lake Overlay Zone and to any structure located on such a parcel or portion thereof:

- A. **Parcel Width**—The minimum parcel width shall be seventy-five (75) feet except that for a platted lot of record, the minimum width shall be the platted width. For a parcel which is adjacent to Portage Lake, the minimum width shall be measured at the shoreline.
- C. **Yard and Setback Requirements**
  - 1. **Waterfront yard for a parcel adjacent to Portage Lake**—The minimum setback shall be the Riparian Setback set forth in Section 7005.A.1.
  - 3. **Rear yard**
    - a. For a parcel which has a side adjacent to Portage Lake and a side adjacent to M22, the minimum setback for the rear yard shall not be less than fifteen (15) feet from the road side property line or forty-eight (48) feet from the centerline of the road, whichever is greater.
    - b. For a parcel not adjacent to Portage Lake, the minimum setback for the rear yard shall be fifteen (15) feet.
  - 4. **Front Yard for a parcel which is not adjacent to Portage Lake**—The minimum setback shall not be less than fifteen (15) feet from the road side property line or forty-eight (48) feet from the centerline of the road, whichever is greater.

Amend Section 7004 by adding new Subsection G., as follows:

- G. On a nonconforming lot of record on which the principal structure is a temporary seasonal dock, an accessory building shall not exceed six and one half (6 ½) feet measured from the ground to the highest point of the roof and shall be secured to the ground either on a foundation the bottom of which is at least thirty (30) inches below ground level or by tie downs and screw-in soil anchors.
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