

DRAFT ZONING CODE REVIEW

General Organization of the Ordinance:

The ordinance is reasonably organized; however,

- The definitions section will be moved closer to the matrix of uses for easier access.
- The definitions need a thorough review. They are not comprehensive and there are many omissions.
- The outlining format and numbering should be more consistent.
- Overall the number of special land uses is cumbersome in terms of the development review process. Staff is currently reviewing these and cross referencing to chapter 4 of the master plan.
 - We need to create more specific standards for these uses that more clearly mitigate potential negative impacts.
- More graphics are needed.
- Review and revisions to the Green Innovation district
 - A more clearly defined intent statement is needed as well as review on the PUD process.

Residential Zone Districts:

Recommendations on Intent & Use Table:

- Updating the residential care uses in conjunction with the Michigan Zoning Enabling Act (PA 110 of 2006). In general, uses such as adult foster care homes and day care homes shall be permitted uses in all residential districts.
- Two-family dwellings should be permitted in the MR-1 district, as described in the intent statement. (ie. separated from each other by wall and/or floor assemblies)
- More clearly include and define uses in the MR-2 and MR-3 districts that serve the “day-to-day” needs of a neighborhood, and consider a limitation on size of such uses to make them more compatible with adjacent residential uses. Typical neighborhood uses include: grocery or convenience stores, restaurants (without alcohol service), barber and beauty shops, tailors and dry cleaners, day care services (child and adult), etc.
 - Location limits could include block corners and/or frontage on at least one road of high classification (collector or arterial).
- Schools will be permitted uses in the GN-1 and GN-2 districts.

Recommendations on Residential District Bulk and Site Standards:

- MR-1: The standards for this district are confusing.
 - Revise the minimum lot area standards. They are currently contradictory.
 - The table should include non-residential site standards as well.
- MR-2 & MR-3: We will consider a minimum living area per unit, rather than minimum lot area per unit.

Recommendations on Residential General Requirements:

- The ordinance should clarify if these standards apply to non-residential

structures as well.

- Materials. Clarify what “simple configurations” means; consolidate “orientation” (A.2) with Building Orientation (C)
- Update the “state-licensed residential facilities” and reference the correct enabling legislation (Michigan Zoning Enabling Act – PA 110 of 2006)
- “Rear Dwellings” is confusing – this section should refer to “accessory dwellings” and provide the standards by which they would be permitted.
- Accessory uses. “If connected or attached, the accessory building must be five feet from any lot line.” If the structure is attached, it is part of the principal building and those standards should apply. No setbacks from side or rear lot lines are provided. An illustration would help clarify these requirements.

Institutional Zone Districts:

Recommendations on Intent & Use Table:

- Consider allowing places of worship, government, and educational uses as permitted uses in the IC district. Consistent with RLUIPA, places of worship should be permitted consistent with auditoriums and other places of assembly.
- To encourage a mixed-use area in the UC district, allow all retail and service uses as permitted by right, rather than special land uses.
- Consider allowing day care uses to be permitted by right in both districts.
- Consider whether kennels and light industrial uses are consistent with the intent of the UC district.

Recommendations on Institutional Zone District Bulk and Site Standards:

- General: Consider increasing the density for residential development to be more consistent with the MR-3 district.

Commercial Zone Districts:

Recommendations on Intent & Use Table:

- All recreational - clarify what “P/A” and “S/A” mean
- Uses that are not permitted in an entire category should be removed from the table
- Consistent with RLUIPA, places of worship should be permitted consistent with auditoriums and other places of assembly (see D-E and D-C districts).

Recommendations on Commercial District Bulk and Site Standards:

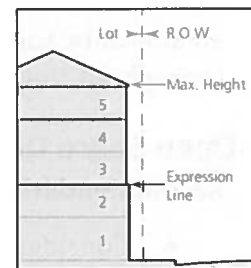
- General: Some residential districts are less restrictive than commercial districts in terms of height.

Recommendations on Commercial General Requirements:

- Traffic safety. Consider adding quantifiable standards to help with design and approval. Also will be adding graphics.

- Building element requirements:
 - Ensure outline format is appropriate
 - Administrative departures could be refined to better address nonconforming uses as described later in the ordinance.
 - Materials. Include minimum and maximum percentages, such as “A minimum of” fifty percent of walls.... “Accent” materials could be quantified as “a maximum of twenty percent.”
 - Item D. Façade Preservation and Variation. Sub-items 1-3 seem to address historic structures as they speak to preserving and maintaining, but it should be clear that item 4 applies to new buildings.

- Building Orientation. Move to Entrances.
- Expression line (EL). This section is confusing – Add a graphic will help with understanding the provision.



- Transparency. Item 3.i. should clarify what it means for ground floor windows to be “horizontal, divided into vertical segments.” Regarding window covering or screening: if a ground floor has 80% transparency (where only 60% is required), it could be argued that the remaining 20% could be covered **in addition to** the 25% permitted to be covered. This should be clarified. In the D-C district, consider a larger minimum ground floor window transparency, up to 80%. Also, for ground floors, many ordinances require that transparency percentages to apply between 2 feet and 8 feet from the ground rather than the entire ground floor façade. Has the City checked this standard on existing “desirable” buildings in the district to see if they would meet the standard?

Employment Zone Districts:

Recommendations on Intent & Use Table:

- Since the CE and PC districts are the most intense in the City, most uses could be permitted by right. Specific standards could address potential impacts for certain uses. Consider whether uses are desirable or not, and permit them or not.
- Agricultural uses:
 - Consider allowing “aquaculture” and “aquaponics” to both be permitted uses in the PC district.
 - Consider allowing hoophouses as permitted uses in the PC district.
- Consider allowing institutional and cultural uses in the GI district.
- Commercial uses in the PC district. Allow any auto-related uses by right in the PC district.
- Commercial uses in the GI district. Consider allowing some retail and restaurant

uses that would serve the employees in this district.

Recommendations on Employment Zone District Bulk and Site Standards:

- General: Consider increasing the setbacks adjacent to residential development. Clarify whether the setback is measured to a principal residential building or a residential zoning district.

Recommendations on Criteria for Qualifying Uses in the GI district:

Green Innovation district. The intent statement could be refined and expanded further to define what “green” initiatives or “green commerce” include. If there is any benefit or incentive for the developer or applicant to locate in this district, it should be made clear. In addition, requiring new development to “demonstrate innovative practices that justify their appropriateness for the GI district...” and have all review go through the planned unit development process may be considerable hurdles for new businesses. The City may wish to consider whether sustainability goals are best met in this approach, or in an alternate approach that would set standards and incentivize “green” businesses throughout the City.

Open Space Districts:

Recommendations on Intent & Use Table:

- Consider adding “clubhouse” as an accessory use.