

Planning Commission Agenda

Tuesday, August 16, 2022 at 7:00 PM
27400 Southfield Road, Lathrup Village, Michigan 48076

ZOOM REMOTE MEETING INFORMATION

Meeting ID: 880 9140 2475

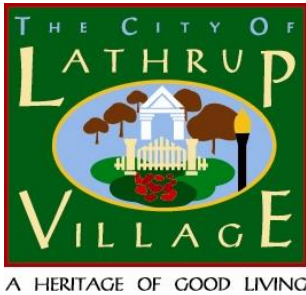
Password: LathrupPC

CLICK HERE: [Online Link](#)

Telephone: 646.558.8656 or 312.626.6799

CLICK HERE: [Public Comment Form Link](#)

1. **Call to Order**
2. **Roll Call**
3. **Approval of Agenda**
4. **Approval of Meeting Minutes**
 - [A.](#) PC Minutes 2022 07 26
5. **Public Comment**
6. **Old Business and Tabled Items**
 - [A.](#) Generator Placement Standards
 - [B.](#) Impervious Surface Coverage Standards
 - [C.](#) Schedule of Amendments - Commissioner Priorities
7. **New Business**
8. **Other Matters for Discussion**
9. **General Communication**
10. **Adjourn**



Planning Commission - Special Meeting

Draft Minutes

Tuesday, July 26, 2022, at 7:00 PM
27400 Southfield Road, Lathrup Village, Michigan 48076

1. Call to Order

Meeting called to order by Chair Piotrowski at 7:00 pm

2. Pledge of Allegiance

3. Roll Call

Commissioners Present: Mark Piotrowski, Chair

Les Stansbery, Secretary

Terrence Hicks

Bruce Kantor

Robert Tamarelli

Absent: Jason Hammond & Will Fobbs

Staff Present: Susie Stec, Community, and Economic Development Manager, Jill Bahm, and Eric Pietsch of Giffels Webster Engineering, Kelda London City Clerk

Scott Baker, City Attorney, attended the meeting remotely

Commissioner Kantor moved to excuse Jason Hammond and Will Fobbs, motion seconded by Commissioner Stansbery. Motion carried.

5. Approval of Agenda

Commissioner Kantor moved to approve the agenda; motion seconded by Commissioner Stansbery. Motion carried.

6. Approval of Meeting Minutes

A. PC Minutes May 17, 2022

Commissioner Stansbery moved to approve the meeting minutes of May 17, 2022; motion seconded by Commissioner Kantor. Motion carried.

7. Public Comment

None

8. Old Business and Tabled Items

None

9. New Business

A. Final Site Plan Approval - 27777 Southfield Road (Panera Bread)

Eric Pietsch of Giffels Webster, explained the revisions of the site plan dated July 22, 2022. Reviewing the remaining comments related to the screening of the roof top mechanical equipment, the parking requirements, and the loading area in the drive thru isle. The applicant was asked to pay attention to some of the functional elements like the dumpster area because it does face the residence area, that there is proper irrigation for the landscaping proposed.

After discussion and questions Commissioner Kantor moved to approve the final site plan at 27777 Southfield Rd with the following conditions. Motion seconded by Commissioner Stansbery.

- 1) Regarding the loading area the logistics will not change from the current operations
- 2) Regarding the dumpster the pickup time will not change, but asking for a taller screen to be placed around the area with landscaping
- 3) On the western lot line the landscaping will remain as is with the lawn and trees.
- 4) Parking lot sealed and striped such that it will look complete
- 5) Irrigation required on site for landscaping
- 6) Single purpose trash receptacle at the northeast corner of the plaza
- 7) Maintain healthy trees along Southfield Rd
- 8) Explore the decorative concrete on the plaza
- 9) The lighting plan consistent with site plan and compliant with the ordinance

Motion carried.

Commissioner Kantor motioned to recommend to the City Attorney to work into the development agreement public benefit with the DDA for a bus enclosure or some other benefit to the city. Motion seconded by Commissioner Stansbery. Motion carried.

Commissioner Kantor as moved that the existing monument sign remain if Panera wants to use it, that there be no painted sign on the west elevation of the building, no drive thru sign on the west elevation, and the lighted signs on the are off at close of business except for Southfield Rd signs. Motion seconded by Commissioner Stansbery. Motion carried.

B. Discussion - Generator placement

There have been 3 recent inquires of generator installation and its placement. The current standards for generator placement is in the rear yard only. Based on comments from the Building Official there should also be decibel standards included in the ordinance and other updates.

Giffels Webster will draft generator placement ordinance to consider at the August meeting.

C. Discussion - Impervious Surface Coverage

Jill Bahm of Giffels took a sample of 14 property from an aerial perspective, the lowest amount of coverage was about 20% and the highest was 53% with an average of 35%, which falls in line with other communities that regulate the surface coverage. So that seems like a good place to start. Some of the options for regulating it are either one set standard or a sliding scale.

Giffels will come back with language to review to the August meeting for an impervious surface plan.

D. Schedule of Amendments

Giffels has provided an updated zoning audit and some items from the comprehensive plan all to put together a priority matrix.

10. Other Matters for Discussion

None

11. General Communication

None

12. Adjourn

Meeting adjourned at 9:30

memorandum

DATE: August 11, 2022
TO: Lathrup Village Planning Commission
FROM: Jill Bahm & Eric Pietsch, Giffels Webster
SUBJECT: Zoning Amendment – Location of Generators Discussion

Introduction

What prompted this amendment?

With severe or extreme weather events becoming more common, an increasing number of property owners in the village have considered installing exterior generators in the event of power outages. The zoning ordinance permits generators in all zoning districts; however, they are restricted to rear yard locations only. Considering every parcel in the village is different, restricting the location of generators to the rear yard may not always be the most feasible. Recent permit applications that proposed side yard locations, and thus requests for variance approval, have spurred conversation that explores considering an amendment to the ordinance that would allow for generator units to be installed in a property's side yard.

Current Ordinance

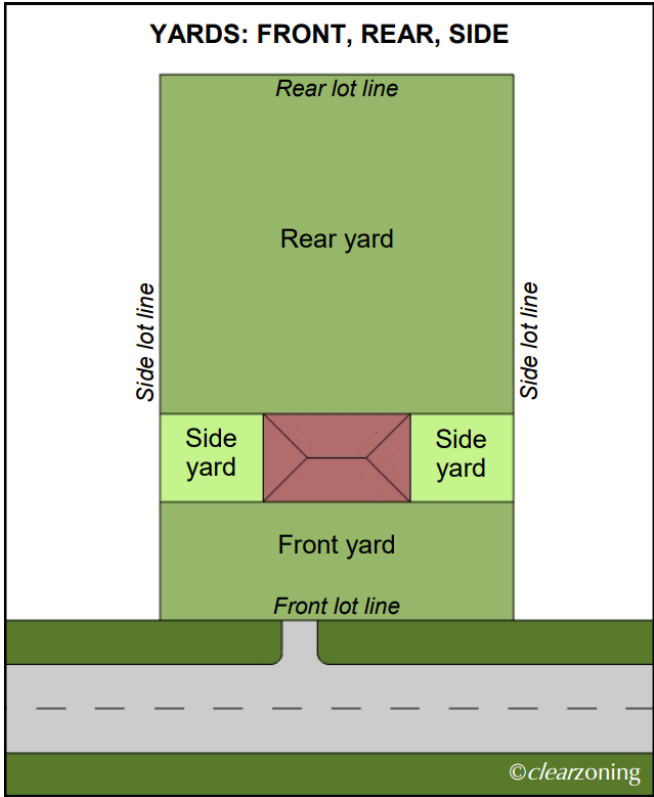
The use standards of Article 4 include permanent power generators under 4.12, allowing for their use as a source of interim power for standby conveyance or medical emergency purposes subject to the following 6 criteria:

- 1) **Noise** shall be limited to 70 dB (A) at the point of measurement.
- 2) When the ambient **noise** is greater than 65 dB (A) at the property line, the noise generated from the generator in combination with the ambient noise shall not exceed more than 10 dB(A) above the ambient noise.
- 3) Periodic cycling, e.g. testing or maintenance, shall be permitted only between 9:00 a.m. to 5:00 p.m. Monday through Saturday.
- 4) Power generators that are installed as a permanent fixture or structure connected to the electrical system of a building shall require permits issued by the Building Department in addition to permits required under the applicable construction codes; a permit for installation; and a permit for operation. Following installation, no operation shall be permitted until a use permit is issued, which shall require a **noise** test administered by the City with the generator operation under load for the purposes of insuring that the noise requirements of this section are met.
- 5) To the extent necessary for compliance with this section, walls, and/or an enclosure, and/or landscaping to **screen** the power generator 365 days per year shall be necessary, and it shall be the duty of the owner of the generator, and not the duty of the City, to determine the abatement measures needed, to secure all permits required under applicable codes and ordinances and to conform with this section.
- 6) All power generators must be located in the rear yard.

Definitions.

Yard, rear. An open space extending the full width of the lot, between the rear lot line and the rear of the main building, and unoccupied from the ground upwards by any structures other than those expressly permitted by this ordinance. Where there is no main building on the lot, the rear yard shall be the minimum depth specified measured inward from the rear lot line.

Yard, side. An open space extending along the side lot lines between the front yard and the rear yards from the side lot lines to the sides of the main building and unoccupied from the ground upwards by any structures other than those expressly permitted by this ordinance. Where there is no main building on the lot, the side yards shall be the minimum depth specified measured inward from the side lot lines.



Considerations

What are the driving forces that restrict generators to a rear yard?

Of the 6 criteria outlined above, half include noise as a regulated feature. It can be argued that criterion 3 is also a noise-related restriction that permits testing and maintenance of the units during daytime hours only. Criterion 5 emphasizes the requirement to adequately screen the generator units from view. Since generator units are only permitted in a rear yard, this would imply that the screening is intended primarily for neighboring properties as views from the street would be obstructed by the primary residence the generator is affixed to. Criterion 4 relates to operating safety as a factor when connecting a generator to the electrical system of a building.

If these three criteria, **noise, screening, and safety** have any influence over the required rear yard location of generators, then how can they apply, if at all, to generators permitted in side yards?

Current Industry Standards Pertaining to Noise.

With advancements in technology, research indicates home generator brands offer quieter units, many of which emit 60dB or less of sound when activated. For comparison, 60dB is about the sound level of a normal conversation between two people.

Screening Standards.

Screening of units is an existing code requirement for rear yard generators. Consideration for ordinance language to provide enhanced screening, whether landscape or enclosures such as fences or walls, with the intent to obscure side yard units from adjacent property or views from the street(s).

Ordinance Safety Standards.

No change to the ordinance language pertaining to safety measures should be considered for side yard generators. Safety standards can and should be the same for any location a generator is installed.

Setbacks.

Generators shall follow the setback requirements of accessory structures (no encroachment permitted in a minimum side yard setback requirement (Sec. 5.16.1.B.)). For residential properties, the standards of Sec. 5.16.2.G shall apply to generator units. Note that the encroachment of 3' into a side yard setback is permitted if the adjacent property is occupied by a use other than one-family residential.

Summary / Recommendation

If the Planning Commission is to entertain an amendment to the ordinance to allow generators in a property's side yard, the attached draft outlines the proposed changes that may be considered.

These include the removal of Section 4.12 "Permanent Power Generators" and relocate it to Section 5.16 "Accessory Buildings and Structures."

Maintain the standards for generators located in a rear yard and increase the standards for side yard generators, mainly sound decibels (noise) and screening requirements.

We look forward to our discussion on August 16, 2022.

Amend Article 4 to remove Section 4.12, Permanent Power Generators

Amend Article 5, Site Development Standards, to add “generator” to Section 5.16.2.G. and to add the language of Section 4.12 to a new Section 5.16.2.H as follows:

Section 5.16.2.G.

A central air conditioning unit, **generator**, heat pump, swimming pool pumps and equipment, or any other noise-producing mechanical system located in the yard of a residential unit may be located as follows:

- i. Within a rear yard; provided, that such system is not located closer to a side lot line than the distance required by the side yard setback (see item D. for corner lots).
- ii. Within a side yard which is in excess of the required side yard setback.
- iii. Within a side yard setback; provided, that such system does not extend into the setback by more than three feet and if the abutting parcel is occupied by a use other than one-family residential.
- iv. If such system is not located in a rear yard, or if it is located in a rear yard of a corner lot and is visible from the street, it shall be screened with landscape material with starting size not less than the height of the system.

Section 5.16.2.H.

1. Power generators may be used for standby conveyance or for medical emergency purposes, whenever they occur, as a source of interim power, subject to the following regulations.
 - i. Noise shall be limited to 70 dB (A) at the point of measurement for rear yard generators and 60 dB (A) for side yard generators.
 - ii. For rear yard generators, when the ambient noise is greater than 65 dB (A) at the property line, the noise generated from the generator in combination with the ambient noise shall not exceed more than 10 dB(A) above the ambient noise.
 - iii. Periodic cycling, e.g. testing or maintenance, shall be permitted only between 9:00 a.m. to 5:00 p.m. Monday through Saturday.
 - iv. Power generators that are installed as a permanent fixture or structure connected to the electrical system of a building shall require permits issued by the Building Department in addition to permits required under the applicable construction codes; a permit for installation; and a permit for operation. Following installation, no operation shall be permitted until a use permit is issued, which shall require a noise test administered by the City with the generator operation under load for the purposes of insuring that the noise requirements of this section are met.
 - v. To the extent necessary for compliance with this section, walls, and/or an enclosure, and/or landscaping to screen the power generator 365 days per year from adjacent properties and adjacent rights-of-way, shall be necessary, and, it shall be the duty of the owner of the generator, and not the duty of the City, to determine the abatement measures needed, to secure all permits required under applicable codes and ordinances and to conform with this section.

2. Power generators are allowed in all Zoning Districts as an accessory use and structure, anything to the contrary notwithstanding.

memorandum

DATE: August 11, 2022
TO: Lathrup Village Planning Commission
FROM: Jill Bahm & Eric Pietsch, Giffels Webster
SUBJECT: Zoning Amendment – Impervious Surface Discussion

Previous Discussion

The Planning Commission discussed the need to create standards for impervious surfaces as part of a larger goal to better address stormwater runoff, which contributes significantly to ongoing flooding in the city. Zoning standards to limit impervious surfaces are one of the tools in the stormwater management toolbox.

Recommendation for Upcoming Discussion

1. Define terms:
 - a. Impervious surface
 - b. Lot coverage
2. Create standards

See attached for recommended language.

The remainder of this memo is provided as background.

Introduction

What prompted this amendment?

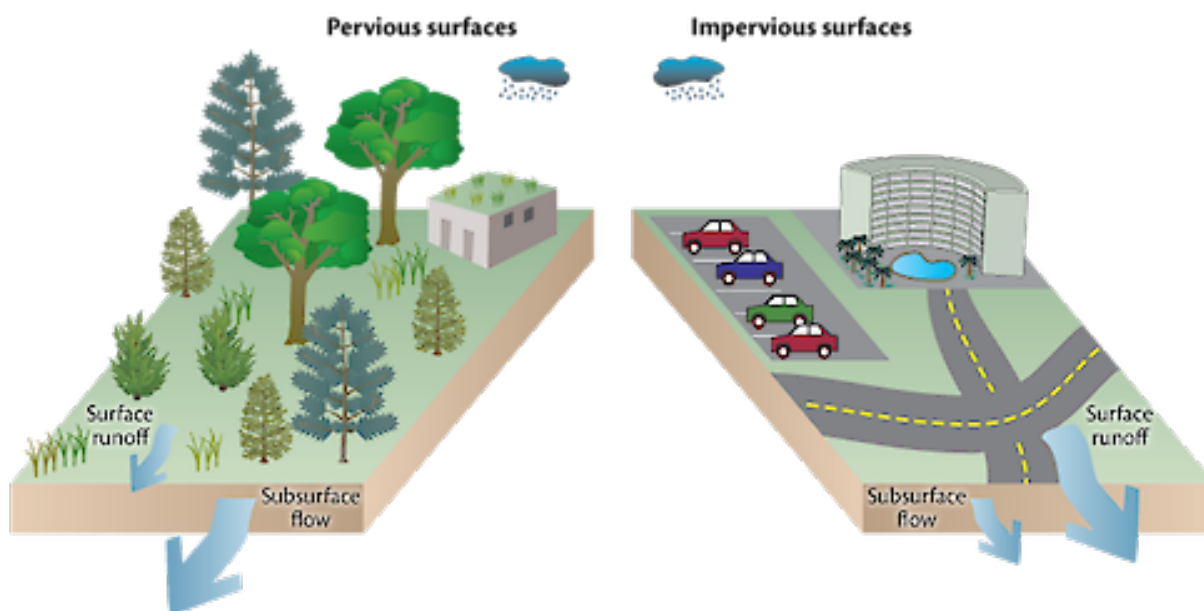
The Planning Commission has discussed previously the impact of impervious surfaces on stormwater runoff in the city, particularly with respect to flooding concerns.

Impervious surfaces are surfaces that limit the ability of water to be absorbed into the ground. Buildings and roofed areas, parking areas, loading areas, driveways, roads, sidewalks, concrete areas, and asphalt are all surfaces that prevent water from being absorbed. Further, even dirt or gravel surfaces that are highly compacted, like driveways that support vehicles, can also significantly prevent water from being adequately absorbed.

These surfaces affect water quality by increasing the amount of untreated water delivered to a waterbody during and after rainfall or storm event. As has been seen in the city, often the volume and speed of runoff during a storm event is more than the storm drain system can handle, and flooding occurs. In addition, this runoff has regional impacts as precipitation travels on top of the impervious surfaces and picks up pollutants and momentum before reaching a surface water body, like a stream, river, lake, or

wetland. Both the pollutants and speed/volume of water negatively impact the receiving water body when this stormwater runoff arrives.

The City of Lathrup Village is located in the Rouge River Watershed, which covers 467 square miles, and is 50% urbanized (developed). As noted in the 2021 Comprehensive Plan, threats to the entire watershed include flooding and streambank erosion, combined sanitary and stormwater sewer overflows, illegal discharges, loss of wildlife habitat, and invasive species. Impervious surfaces play a significant role in these threats. However, efforts to reduce impervious surfaces in the watershed helps local streams withstand increased pollutant loads, peak flood flows, and channel stability. Limiting impervious surfaces allows precipitation that hits the natural ground surface to slowly infiltrate through the ground and into the groundwater.



Pervious surfaces such as grass, soils, and green roofs allow water to infiltrate the ground, slowing and reducing runoff and recharging groundwater. Impervious surfaces such as cement, asphalt, and roofing prevent infiltration, increasing the volume and velocity of surface runoff which carries nutrients and sediments with it. Diagram courtesy of the Integration and Application Network (ian.umces.edu).

Current Ordinance

The ordinance does not regulate impervious surfaces.

Considerations

How does limiting impervious surfaces affect property owners?

Using our mapping tools, we conducted a random sample of 14 residential properties throughout the city and approximated coverage by buildings, driveways, and other things like pools. We did not include commercial properties as they are primarily developed and have limited opportunities to reduce impervious surfaces in meaningful ways. Within this sample, we selected several parcels with circular driveways and/or inground pools, which contribute to higher amounts of impervious surfaces. In this small study, the lowest amount of impervious surface coverage is 24% and the highest is 53%. The average is 35% impervious surface coverage. We will share a map and table of these random properties at our upcoming meeting.

How do other communities regulate impervious surfaces?

Most communities have some regulations on impervious surfaces, whether through regulating all impervious surfaces or by limiting “lot coverage”, which may only address buildings and structures.

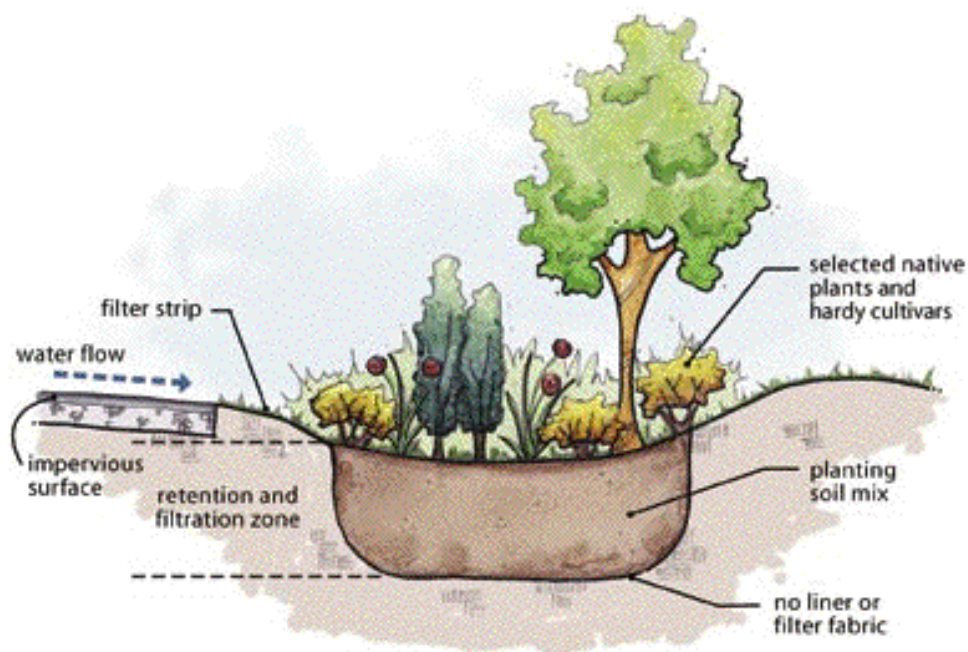
- **Berkley:** Maximum percentage of lot coverage is 35% in all residential districts. In R-1A to R-1D districts, maximum lot coverage for corner lots shall not exceed 45%.
- **Beverly Hills:** Maximum coverage of lot by all buildings varies from 25% to 35% in residential districts. In the R-M Multiple Family district, the total land coverage in multiple-developments by all buildings other than carports shall not exceed thirty percent (30%) of land area.
- The Building Official shall have the authority to allow up to a 5% increase above the maximum building coverage if low impact design practices are incorporated into the storm water management plan for the property such that it mitigates the coverage increase.
- **Birmingham:** Maximum lot coverage is 30% in single-family residential (R1A, R1, R2, R3) districts.
- **Oak Park:** “Impervious Surface Coverage” definition includes calculation and bonus is allotted if green roofs are installed.
- Maximum Impervious Surface is 50% in R-1, R-2, and R-3-50 districts and 60% in R-3-35 and R-4 districts, but 70% for non-residential uses in those districts. R-5, R-6, and R-7 the maximum is 65% for single-family, and 70% for two-family, 70-80% for non-residential, and townhomes and multi-family 75-80% in the R-6 and R-7 districts.
- Detached accessory structures are included in and must comply with all maximum impervious surface and building coverage requirements.
- **Southfield:** Maximum lot coverage is 25% in all single-family residence (R A, R 1 to R-4, and R E) districts, but none listed in other residential districts.

Discussion

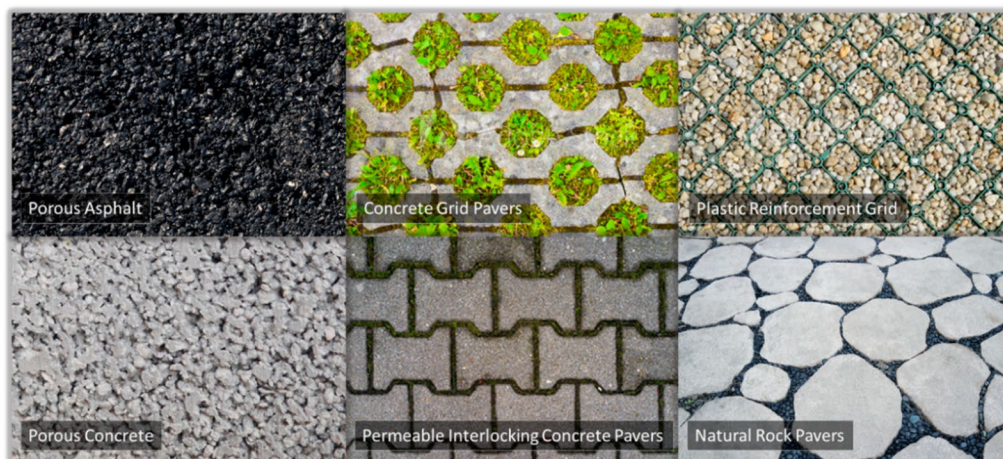
There are several options for regulating impervious surfaces, including:

- One maximum percentage of impervious surfaces for all residentially zoned parcels.
- A sliding scale for regulating impervious surfaces that recognizes that smaller parcels may necessarily have more impervious surfaces with their house, driveway, patio, and other structure, like a swimming pool. The percentage of impervious surfaces on larger lots equates to more land area than on smaller lots.

- Allow for offsets from the maximum percentage of impervious surfaces provided other techniques are used. Evaluation of these methods, some of which are noted below, would be by the city engineer.
 - **Bioretention Areas** (including rain gardens): These are natural features that capture and store stormwater runoff and pass it through a filter bed of sand, soil, and organic matter. Filtered runoff may be collected and returned to a storm drain or allowed to infiltrate into the soil. Lathrup Village has a history of utilizing rain gardens and several may still be found around the community, including at City Hall.



- **Permeable Pavements:** Unlike concrete or asphalt, permeable pavement may include porous concrete and or pervious pavers. They are typically units separated by gaps filled with small stones or sand, layered over other aggregate that slows down and holds water until it can be absorbed. These pavements can be good for low traffic areas.



- **Rain Barrels:** These are containers that hold water, typically from a downspout. The [Friends of the Rouge](#) has some interesting information on the benefits and types of rain barrels.
- **Green Roofs:** A roof of a building that is partially or completely covered with vegetation and a growing medium, planted over a waterproofing membrane. It may also include additional layers such as a root barrier and drainage and irrigation systems. These materials slow the flow of precipitation.



Amend Section 2.2: Definitions to add:

Impervious Surfaces. A surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water. Impervious surfaces include all drives, parking areas, building coverage, patios, decks, pools, pool decks, sport courts, graveled surfaces and any other surface which do not readily absorb water.

Lot Coverage. The part or percentage of the lot occupied by buildings, including accessory buildings and swimming pools.

Amend Section 3.1.2.D, Development Standards, to add a new standard:

Lot Coverage: 30% maximum

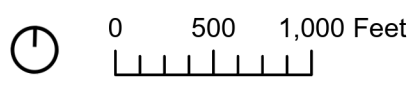
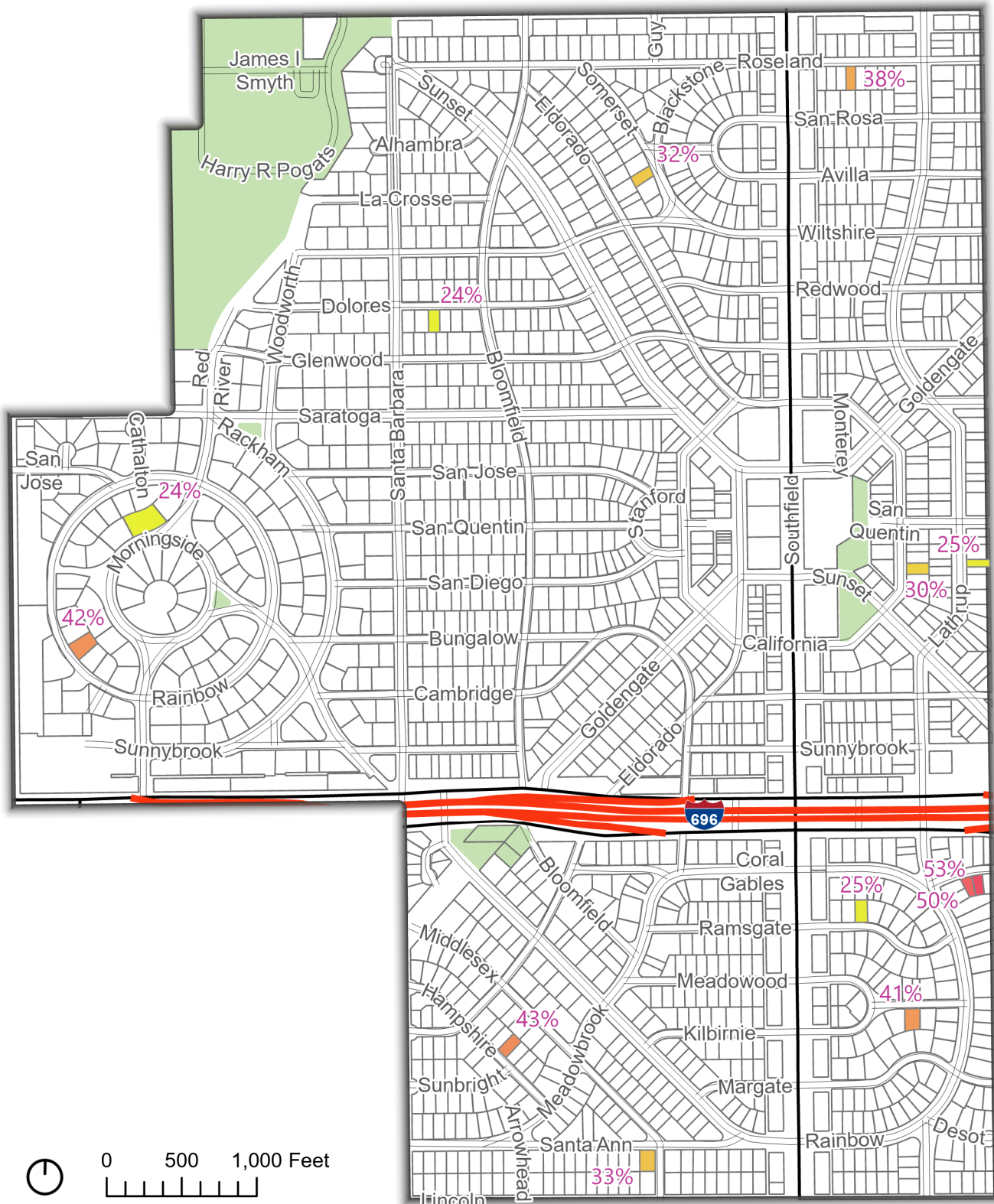
Impervious Surface Coverage: 45% maximum

Amend Article 5, Site Development Standards, to add a new section:

Section 5.17 Impervious Surfaces

1. Intent. The purpose of the impervious surface standard is to limit the amount of impervious surfaces on residential lots, which make up the majority of land in the City of Lathrup Village, ensuring that adequate drainage is achieved and potential runoff of the lot is controlled. In addition to the impact on the physical environment, impervious surfaces, and some permeable surfaces designed to support heavy loads, also have a visual impact that can detract from greenspace and landscaping that is part of the character of the city's residential neighborhoods. Some impervious surfaces, like recreational areas, provide visual relief from the built environment.
2. Impervious surface coverage is calculated as the percentage of all impervious surface areas of the total area of the lot.
3. The city engineer may allow up to a 5% increase above the maximum building coverage if a bioretention area or rain garden of equal size is provided. [Note: we recommend developing a set of guidelines/standards/best practices for creating and maintaining successful rain gardens.]

Address	Parcel size	House footprint	Driveway	Patio	Pool/Other	Impervious Cvg	Lot coverage
27681 MORNINGSIDE PLZ	35,282	4,376	3,752	443		24%	12%
18781 DOLORES AVE	11,233	2,009	742			24%	18%
27640 LATHRUP BLVD	7,760	1,255	441	225		25%	16%
17590 RAMSGATE DR	12,408	1,909	869	311		25%	15%
27620 CALIFORNIA DR SE	11,246	1,864	596	784	175	30%	18%
28691 SOMERSET PL	10,864	2,615	568	255		32%	24%
18411 SANTA ANN AVE	14,780	2,390	555	531	1,395	33%	26%
19346 MIDDLESEX AVE	12,481	2,828	880	304	146	33%	24%
17593 ROSELAND BLVD	10,384	2,133	1,187	516	100	38%	22%
17565 MEADOWOOD AVE	14,480	2,634	840	333	2,139	41%	33%
27520 RAINBOW CIR	18,458	2,610	2,806	956	1,377	42%	22%
18820 HAMPSHIRE ST	11,319	2,698	1,626	595		43%	24%
17347 CORAL GABLES AVE	8,242	2,277	1,640	231		50%	28%
17327 CORAL GABLES AVE	8,372	2,678	580	243	904	53%	43%
Average						35%	23%
Median						33%	23%



memorandum

DATE: July 22, 2022

TO: Susie Stec, Community & Economic Development Director

FROM: Jill Bahm and Eric Pietsch
Giffels Webster

SUBJECT: Zoning Amendments

Zoning Audit

We have updated the 2016 Zoning Audit to reflect completed items and add items from the Comprehensive Plan (attached to this memo). On the next page, we have created a chart showing which of the items identified in the Zoning Audit can be completed easily and quickly versus those that will take more time to develop the amendments. The Planning Commission may wish to discuss these classifications and make any changes needed, including adding amendments as appropriate.

We propose the following schedule for dealing with these issues that mixes some of the easier amendments with those that may require additional review and discussion. This can easily be modified at the Planning Commission's direction.

July 26

Begin discussion of impervious surfaces

August 16

Review impervious surface standards

Discuss solar energy standards

Begin review of stormwater management and low-impact development standards

Begin review of housing-related discussions

September 20

Review solar energy standards

Review low-impact development standards

Discuss housing-related standards

Oct 18

Review low-impact development standards

Review solar energy standards

Begin discussion on district uses

Nov 15

Final review of amendments for impervious surface standards, solar energy and low-impact development; set public hearing

Discuss district use updates

Begin review of landscape standards

Dec 20

Public hearings as noted above

Assess timeline/priorities for 2023

This chart organizes all of the high priority amendments listed in the zoning audit in terms of relative priority and effort required.

High Priority	
Low Effort	- Update definitions - Update bicycle parking - Update provisions for solar energy
	- Create impervious surface standards - Update landscape standards - Update lighting standards - Update stormwater management and low-impact development standards - Update CV district standards - Update VC district standards - Update MX district standards - Update site standards for waste/rubbish - Update site standards for building materials - Update stormwater management-related standards
High Effort	- Update home occupations standards - Review housing options - Review opportunities for aging in place - Update Office district - Update GO district - Update other district standards - Update Sections 4.1-4.5 and 4.7 - Update additional use standards - Update site standards for inoperable vehicles and blight; update used building materials - Update standards on nuisances
	- Update use standards - Updates to district uses - Explore accessory dwelling units - Review PS district - Update access management standards - Update tree protection standards - Update special land use standards - Update nonconformities provisions - Update chapter 7 on ZBA, zoning amendments
Low Priority	

Zoning Health Checkup for Lathrup Village

In 2016, a review of the City of Lathrup Village's Zoning Ordinance resulted in a list of potential amendments to be considered. Several of the proposed amendments have been implemented since that time (see items in ~~strike through~~ below). The 2021 Lathrup Village Comprehensive Plan included several zoning action items in the Implementation chapter. These items are added in **bold** where appropriate below. Originally included items that also are referenced in the Comprehensive Plan are identified in **bold underlined text**.

DEFINITIONS – Chapter 2		
Criteria	Current Ordinance	Comment
Are the definitions complete?		Consider adding definitions for the following: • Animal day care • Self-storage (there is a parking standard, but no mention of where it is permitted) • Accessory dwelling units • Light industrial uses (permitted in the CV district, but not defined) • Nonconforming lots and structures • Consolidate uses classified/recognized by state law as residential care facilities (e.g., family day care home, adult foster care home – pursuant to the Michigan Zoning Enabling Act) • Temporary structures (tents, temporary car garages)

DEFINITIONS – Chapter 2		
Criteria	Current Ordinance	Comment
Are the definitions current?		Update definitions for the following: • Day spa – this is defined but never used. Add to the examples of “personal service uses” • Drive through • Family (review case law with City Attorney) – at least remove reference to “bona fide servants” • Garage: is this needed? Does the definition of accessory building suffice? Reference to garage in Section 3.4.1 would need to be considered allowing non-attached garage to house in R-1. • Light industrial uses should be defined • Nonconforming lots and nonconforming structures need definitions • Restaurants (define carryout, standard, full service, and consider other types of liquor licenses, including brewpubs) • Remove sign definition as signs are regulated in a separate ordinance. • Update definition for special land use • Wireless communications – update pursuant to state and federal law
Are the definitions clear?	Graphics help with the understanding of certain terms.	

RESIDENTIAL DISTRICTS – Chapter 3		
Criteria	Current Ordinance	Comment
Review Intent sections	There are three residential districts: Most of the City is zoned R1 – single family residential. Smaller areas are zoned R2 (multiple family) and R3 (cluster single family)	Update the intent statements for R1 and R2 to remove redundant language at the end (“The regulations in this article....”).
Home occupations	There are provisions for home occupations	Consider updating the standards in Sec. 4.11 that regulate home based businesses. Remove prohibition of “display shelves,” using accessory structures, and hours of operation (change to a restriction on deliveries). Remove provisions for “periodic inspection” as external site conditions are the primary areas for potential conflict. It is impractical to require home businesses to register and it is likely that few know about this requirement. Consider a separate, optional registration that could help promote home businesses. Item 4 about non-compliance seems unnecessary.

RESIDENTIAL DISTRICTS – Chapter 3		
Criteria	Current Ordinance	Comment
Accessory dwelling units	Not permitted	Consider where accessory dwelling units may be appropriate, with design and site standards. Would backyard cottages be appropriate on larger lots (City of Seattle has excellent standards and guidelines)?
Variety of housing options		Review the Zoning Ordinance to ensure standards support a variety of housing options for young adults, families and older adults.
Aging in place		Ensure the Zoning Ordinance allows appropriate residential retrofits for accessibility in order to help seniors remain in their homes.

OFFICE, COMMERCIAL & INDUSTRIAL DISTRICTS – Chapter 3		
Criteria	Current Ordinance	Comment
Review Intent	Non-residential districts have specific intent statements.	
Public Service district	This district is on the west side of the city, near the high school.	Consider changing “instruction centers for academic and fine arts purposes,” to “schools, private” for clarity. Consider whether the uses under special land uses are appropriate in this district. If the school did not occupy this district, what uses are appropriate in this location? Consider the need for a minimum floor area of 1,250 sf. The reference to Section 3.8.1.B prohibits accessory structures in the CV district – does this also apply to PS?
Office district	This district is primarily located on 12 Mile, with an additional area on Evergreen.	Consider changing “instruction centers for academic and fine arts purposes,” to “schools, private” for clarity. Are veterinary clinics appropriate in this district? Consider standards that limit outdoor kennels.

OFFICE, COMMERCIAL & INDUSTRIAL DISTRICTS – Chapter 3		
Criteria	Current Ordinance	Comment
Commercial vehicular district	This district is located around the intersections of 11 and 12 Mile Roads and Southfield Road.	Consider whether it is consistent to allow bars and taverns as permitted uses, but have establishments involving the manufacture and sale of alcoholic beverages be special land uses. Light industrial uses are permitted as special land uses in this district. While potentially appropriate, this use should be defined and standards created to protect adjacent uses from noise, odor, smoke, and other nuisances. Sec. 3.8 (CV district standards): Add Section 3.8.1 to the setback requirements; consolidate landscape standards into Section 5.15 (landscaping). Move Section 3.8.3 outdoor storage to Chapter 5, site standards and section 3.8.4 open air activities to Chapter 4, use standards.
Village Center district	This district is intended to guide redevelopment along Southfield Road and the California Drives.	Review restaurants and establishments selling alcohol – consistent in list of uses? <u>The City should establish a street light fixture and other street furnishings – this could be included in the sub-area plan.</u> Review and update zoning standards for the VC district to ensure flexibility, consistent with the city’s vision for the district.
Mixed Use district	This district runs along Southfield Road.	Consider reducing the parking setback of five feet as this may be too restrictive. Replace this standard with a parking screening requirement of a 42 inch screenwall and/or landscape screen. Review and update zoning standards for the CV and MX districts to ensure flexibility, consistent with the city’s vision.

OFFICE, COMMERCIAL & INDUSTRIAL DISTRICTS – Chapter 3		
Criteria	Current Ordinance	Comment
Gateway office	This district is located at 11 Mile and Evergreen.	Are veterinary clinics appropriate in this location – create standards for outdoor spaces. Consider adding restaurants to list of permitted uses. The Development Standards table incorrectly notes the side yard setback for parking (copied from the building setback above). The correct setback is provided in Section 3.1.10.G. Clarify Section 3.1.10.F “such uses” should be changed to “permitted and special land uses.” Clarify that the Gateway Overlay is the Gateway Office district Section 3.1.10.G.2 allows council to reduce setbacks, but should be the ZBA. Section 3.1.10.H special findings, should be changed from council to the Planning Commission as the PC has final approval of site plans.

OFFICE, COMMERCIAL & INDUSTRIAL DISTRICTS – Chapter 3		
Criteria	Current Ordinance	Comment
Other district standards		Section 3.2 Lots, Uses for yards, etc.: - Move 3.2.1 on open porches to 3.11.6; remove the provision for projections 36 inches as this is covered in 3.11.6. - Move 3.2.3. to a new section for nonconforming lots. Section 3.3. Cluster Housing. This section should be rewritten to specifically address the one small district the city has identified for cluster housing. Additional standards are noted in 3.6, which also may not be necessary. Section 3.4. Many of the standards in this section are outdated – are any standards still appropriate and needed? Section 3.5. Many of the standards in this section are outdated – are any standards still appropriate and needed? Subsection E should be moved to 3.1.3.D. Section 3.7. These standards pertain to accessory structures and should be consolidated to Chapter 5, site standards. Section 3.11 General exceptions. Update subsection 3 on height limits to provide maximum allowed height over that which is otherwise permitted in the district; remove wireless transmission towers into a separate section. Subsection 4 refers to a planned development, which is not defined or otherwise referenced in the ordinance. Move subsection 5 to subsection 6.
Review all uses		Review Zoning Ordinance to ensure list of uses is flexible to promote and enhance economic activity.

USE STANDARDS – Chapter 4		
Criteria	Current Ordinance	Comment
4.1 Outside storage		Move to Chapter 5 and consolidate text to make less wordy.
4.2 Garage sales		Move these standards to the general code of ordinances
4.3 Basketball backboards		Is this still necessary?
4.4 Financial institutions	Requires special land use for drive-through banks.	This section conflicts with Section 5.13 and should be removed
4.5 Schools	Fencing and lighting standards	As this is likely intended to regulate the high school, it should probably be removed as it is outdated and is not enforceable.
4.6 Wireless telecommunications	Standards for wireless facilities	This section should be updated to comply with state and federal law.

USE STANDARDS – Chapter 4		
Criteria	Current Ordinance	Comment
4.7 Hours of operation		This section should be removed from the zoning ordinance. If still applicable, it should be moved to the general code of ordinances.
4.11 Home based businesses		See comments under residential districts, above.
Automobile washracks and gas stations		Consider additional standards in addition to general special land use standards
Pawn shops		Consider additional standards in addition to general special land use standards
Restaurants, bars, etc. that serve alcohol	No special standards other than general special land use standards	Consider whether it is necessary to make all establishments that serve alcohol be special land uses. Establishments that are primarily full-service restaurants that serve alcohol could be permitted uses, with standards.
Veterinary clinics & animal kennels	No special standards other than the general special land use standards	Create standards that address screening and size of outdoor spaces.
Wireless communication facilities		Update per state and federal law changes (2012). Review and comment timelines are critical. Consider permitting ornamental security fence and change from city council to PC approval

SITE STANDARDS – Chapter 5		
Criteria	Current Ordinance	Comment
5.1 Vision clearance		Update and add graphic for clarity
5.3 Waste and rubbish		Update this section. Remove standards covered in Building Code to ensure no conflicts. Keep standards but remove the requirement for a special permit for a dumpster; they are covered under site plan review. Consider creating standards to improve waste management and encourage recycling efforts.
5.4 Building materials		Should the Planning Commission have ability to modify materials if other materials can be demonstrated to be high quality and/or appropriate for building design?
5.5 Protective or barrier walls		Update this section and move to Section 5.15 Landscaping. Require screenwalls whenever any district other than R-1 abuts an R-1 district. Allow landscape materials in certain circumstances.
5.6 & 5.7 Inoperable vehicles & Blight		Move to general code of ordinances
5.8 Lighting		Update lighting standards
5.10 Used building materials		Move to Section 5.4; consider allowing recycled materials

SITE STANDARDS – Chapter 5		
Criteria	Current Ordinance	Comment
5.11 Temporary dwellings		Covered by Section 4.1 Consider renaming temporary structure to cover all uses (not just for dwelling) and add to definition section
5.14 Nuisances prohibited		Review general code of ordinances; update this section as needed.
5.15 Landscaping		Update this section. Landscaping should be reviewed with site plan by the Planning Commission (not the Building Department). Consider replacing the 5% minimum landscape requirement with requiring foundation plantings, which could be provided in planters. Clarify the Section 5.15.3 for buffer strips only applies to the CV district. Allow the waiver of right-of-way landscaping when that area is developed as parking. Consider alternatives to parking landscaping in the MX district so as not to limit redevelopment options on the existing shallow lots. Consider updating tree caliper to minimum 2.5” Add minimum 3” large deciduous tree to right of way landscaping Under special landscaping requirements, include more language for tree removal/tree replacement ratio and protection for landmark trees.
Electric vehicle charging	No provisions	Consider allowing for electric vehicle charging (external locations) Consider creating standard for electric vehicle charging infrastructure readiness requirement.
Bicycle parking	No provisions	Consider adding bicycle parking standards – credit for vehicle parking?
Stormwater management		
Minimize impervious surfaces		<u>Consider creating standards to improve stormwater management and allow credits for low impact facilities</u> <u>Add standard to minimize impervious surfaces</u>
Role of wetlands		
Rain gardens/Low impact development		
Gray water		
Renewable Energy		
Wind		Consider updating to better regulate solar panels on residential and non-residential property.
Solar		
Access Management		
Connectivity		Consider development of access management standards to improve traffic safety and flow.
Driveways		
Easements		
Natural Features		
Trees		Consider creating standards to protect the city’s trees

DEVELOPMENT REVIEW – Chapter 6		
Criteria	Current Ordinance	Comment
Site plan review		Site plan approval section could be updated for clarity. Remove reference to planned development as there are no associated standards. Clarify that Planning Commission is final approving body for site plans (Section 6.1.2.E and Section 6.1.3). Section 6.1.3.F may be redundant per Section 6.1.B.
Special land uses		Consider allowing the final decision to rest with the PC for special land uses. Otherwise, add reference to the Planning Commission making a recommendation to council for final approval.
Nonconformities	The ordinance provides for nonconforming uses and structures.	Consider allowing small (less than 10%) additions to nonconforming structures as long as not increasing nonconformities.
Reuse or re-occupancy	Ordinance provides reuse or re-occupancy criteria	Suggest adding that the proposed use is a permitted use in the district in which it is located

ADMINISTRATION – Chapter 7		
Criteria	Current Ordinance	Comment
7.2 General provisions		This section should be updated to clarify provisions for interpretations. Subsection A and 3 are unnecessary. Subsection 7 should be moved to Chapter 5, site standards.
7.7 ZBA		Update this section. Subsection 7 should simply cross reference to Section 7.6.2 on public hearings. Delete subsection 9 as deviations are provided for in subsection 14. Delete subsection 15 for special exceptions and subsection 16 as it is confusing.
7.8 Nonconformities	The ordinance provides for nonconforming uses.	Add provisions for nonconforming lots and structures
7.9 Zoning Amendments		Clarify subsection 3.D by removing subsection vi. Delete reference to Southfield Eccentric in subsection 5. Remove subsection 6 pursuant to state law.
7.13 Conformity to Enabling Act	State Statutes resolve any conflicts	Remove outdated provisions