

CITY OF HILLSDALE



Planning Commission
97 North Broad Street
Hillsdale, Michigan 49242-1695
(517) 437-6449 Fax: (517) 437-6450

Planning Commission Agenda November 21, 2017

- I. Call to Order 5:30**
 - A. Pledge of Allegiance
 - B. Roll Call
- II. Consent Items/Communications**
 - A. Approval of agenda – **Action**
 - B. Approval of Planning Commission 10.17.2017 minutes – **Action**
- III. Public Comment**

Agenda items only
- IV. Old Business**
- V. New Business**
 - A. Region 2 Planning Commission Report – **Update**
 - B. 2018 Meeting Dates
 - C. PC Member term review
- VI. Zoning Ordinance Review**
 - A. Section 36-171 R-1 Residential – **Discussion**
 - B. Section 36- 311 I-1 Industrial – **Discussion**
 - C. Section 36-411 Schedules and Regulations – **Discussion**
- VII. Zoning Administrator Report**
- VIII. Public Comment**
- IX. Adjournment**

Next meeting December 19, 2017 at 5:30 pm



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PLANNING COMMISSION MINUTES HILLSDALE CITY HALL, 97 N. Broad Street October 17, 2017 at 5:30 PM

I. Call to Order 5:30 pm

- A. Members present: Chair Amber Yoder, Laura Smith, Robert Schall, M.D., Mayor Scott Sessions, Kerry Laycock, Vice Chair Samuel Nutter
- B. Others present: Alan Beeker (Zoning Administrator), Mary Wolfram (Economic Development)
- C. Members absent: Eric Moore (excused)

II. Consent Items/Communications

- A. Kerry Laycock moved to approve as presented, Laura Smith seconded, motion passed.

III. Public Comment

No Public Comment

IV. Public Hearing

Chair Yoder opened the public hearing at 5:35 pm.

- Kerry Laycock asked about Form Based code along Broad to include the large old homes.
- Mr. Beeker informed him that at this time, there were no plans to do so. Mr. Beeker also informed the Commission that the downtown ordinance was like a pilot and the same type of zoning could become city-wide. Lansing recently changed all of their city ordinances to form based. Mr. Beeker also told them that it took 15 years to accomplish.

Chair Yoder moved to close the public hearing at 5:44.

- A. **Chapter 36, Article III. – DOWNTOWN FORM BASED DISTRICT** – An amendment to the Zoning Ordinance, Central Business District.
- B. **Chapter 36, DIVISION 2. - OFF-STREET PARKING SPACES** – An amendment to the Zoning Ordinance, Parking
- C. **Chapter 36, DIVISION 3. - OFF-STREET PARKING AREAS** – An amendment to the Zoning Ordinance, Parking
- D. **Chapter 36, DIVISION 4. - OFF-STREET LOADING** – An amendment to the Zoning Ordinance, Parking

Samuel Nutter moved to approve and recommend the zoning amendments to Council as presented. Kerry Laycock seconded. Motion passed.

V. Old Business

Discussion of the Planning Commission By-laws – in response to a question about voting in the by-laws, the City Attorney sent an email response to the questions.

VI. New Business

- A. Region 2 Planning Commission Report – Mr. Beeker presented a brief overview of the R2PC meeting in October.

VII. Zoning Administrator Report

Eric Moore, Ginger Moore and Samuel Nutter asked Mr. Beeker to RSVP to the Region 2 annual dinner to be held on November 9 at 6 pm at Johnny T's.

The PC discussed Bed and Breakfasts being allowed in the R-1 districts. The future amendments that are necessary due to the amendments to the zoning map would allow a B & B as a special use. The question is whether B & B's should be allowed in all other areas.

Mr. Beeker gave a brief summary of the proposed 425 Agreement with Fayette Twp. due to the possible future development by the Meijer Corporation.

VIII. Public Comment

Mary Wolfram – encouraged the PC to consider form based code in other areas in the City in the future.

- IX. Adjournment at 6:21 pm** – Kerry Laycock moved to adjourn, Laura Smith seconded, motion passed. Meeting adjourned.

Next meeting: November 21, 2017 at 5:30 pm.

Planning Commission Meeting Dates
City Hall, 2nd Floor
Conference Room 5:30 p.m.

January 16, 2018
February 20, 2018
March 20, 2018
April 17, 2018
May 15, 2018
June 19, 2018

July 17, 2018
August 21, 2018
September 18, 2018
October 16, 2018
November 20, 2018
December 18, 2018

PLANNING COMMISSION

NAME	LAST APPOINTMENT	EXPIRATION	FIRST APPOINTED
Kerry Laycock	Nov 2016	Nov 2019	Feb 2013
Amber Yoder	Nov 2016	Nov 2019	March 2011
Ron Scholl	Nov 2017	Nov 2020	Nov 2017
Robert Schall	Nov 2016	Nov 2017	Nov 2016
Sam Nutter	Nov 2016	Nov 2018	To fill Vac Dec 2014
Eric Moore	Nov 2016	Nov 2018	July 2015
*Scott Sessions-Mayor	Nov 2012 expires with term ex officio	Nov 2013	Ex Officio
	*Nov 2017		

Revised 11/22/16 [Contact](#) [Member Info](#) [Term Info](#) Ad Newspaper for Applicants -Oct. Staff: Zoning Dept 3yr term

DIVISION 2. - R-1—~~R-3~~ ONE-FAMILY RESIDENTIAL DISTRICTS

Sec. 36-171. - Generally.

The R-1 ~~through R-3~~ one-family residential districts ~~are~~ is designed to be composed of low density residential home development. The regulations in this division are intended to stabilize, protect and encourage the residential character of the districts and prohibit activities not compatible within such districts. Development in the R-1 ~~through R-3~~ one-family residential districts is limited to single-family dwellings plus such other uses as schools, parks, churches and certain public facilities which serve residents of such districts.

(Code 1979, § 17.08.010)

Sec. 36-172. - Principal uses permitted.

In one-family residential districts, no building or land shall be used and no building shall be erected except for one or more of the following specified uses, unless otherwise provided in this chapter:

- (1) One-family detached dwellings;
- (2) A state-licensed residential facility when required by section 36 of Public Act No. 207 of 1921 (MCL 125.583b);
- (3) Publicly owned and operated libraries, parks, parkways and recreational facilities;
- (4) Public, parochial and private schools offering courses in general education and not operated for profit;
- (5) Accessory buildings and uses customarily incidental to any of the above permitted uses.

(Code 1979, § 17.08.020)

Sec. 36-173. - Uses subject to special conditions.

The following uses shall be permitted in ~~all~~ one-family residential districts after review and approval of the site plan by the planning commission (or zoning administrator, whichever is indicated), subject to the conditions imposed in this section for each use:

- (1) Utility and public service buildings and uses, without storage yards, when operating requirements necessitate the locating of the facilities within the district in order to serve the immediate vicinity. Further, no building and/or structure shall be located in any required front or side yard.
- (2) Colleges, universities and other such institutions of higher learning, public and private, offering courses in general, technical, or religious education and not operated for profit, all subject to the following conditions:
 - a. The proposed site shall have frontage on an existing street having a right-of-way of at least 66 feet in width. All ingress and egress to and from the site shall be directly from and onto the 66-foot wide street.
 - b. ~~No building other than a structure for residential purposes shall be closer than 75 feet to any property line.~~
- (3) Churches, cemeteries, public, private and parochial intermediate and/or secondary schools offering courses in general education, not operated for profit and other facilities normally incidental thereto, subject to the following conditions:
 - a. The proposed site shall have frontage on an existing street having a right-of-way of at least 66 feet in width. All ingress and egress to and from the site shall be directly from and onto the 66-foot wide street.

- b. ~~The principal buildings on the site shall be set back from abutting properties zoned for residential use not less than 30 feet.~~
 - c. Buildings of greater than the maximum height allowed in division ~~13~~ **16** of this article may be allowed provided front, side and rear yards are increased above the minimum requirements by one foot for each foot of building that exceeds the maximum height allowed.
 - d. Wherever the off-street parking area is adjacent to land zoned for residential purposes, a continuous and obscuring wall four feet six inches in height shall be provided along the sides of the parking area adjacent to the residentially zoned land. The wall shall be further subject to the provisions of sections 36-2 and 36-3, and articles IV through ~~XI~~ **XII** of this chapter.
- (4) Institutional recreation centers, not operated for profit, and nonprofit swimming pool clubs, subject to the following conditions:
- a. As a condition to the original granting of such permit and the operation of such nonprofit swimming pool club as a part of the application, the applicant shall obtain from 100 percent of the freeholders residing or owning property within a 150-foot radius immediately adjoining any property line of the site herein proposed for development a written statement of waiver addressed to the city council recommending that such approval be granted. Also, approval from 51 percent of the homeowners within 1,000 feet shall be received in writing.
 - b. ~~In those instances where the proposed site is not to be situated on a lot or lots of record, the proposed site shall have one property line abutting a major thoroughfare, and the site shall be so planned as to provide ingress and egress directly onto the thoroughfare.~~ **The proposed site shall have frontage on an existing street having a right-of-way of at least 66 feet in width. All ingress and egress to and from the site shall be directly from and onto the 66-foot wide street.**
 - c. Front, side and rear yards shall be at least ~~75~~ **40** feet wide, ~~except on those sides adjacent to nonresidential districts,~~ and shall be landscaped in trees, shrubs, grass and terrace areas. All such landscaping shall be maintained in a healthy condition. There shall be no parking or structures permitted in these yards, except for required entrance drives and those walls or fences used to obscure the use from abutting residential districts.
 - d. Buildings of greater than the maximum height shall be allowed, provided front, side and rear yards are increased above the minimum requirements by one foot for each foot of building that exceeds the maximum height allowed.
 - e. Whenever a swimming pool is constructed under this chapter, the pool area shall be provided with a protective fence, six feet in height, and entry shall be provided by means of a controlled gate or turnstile.
 - f. Off-street parking shall be provided so as to accommodate at least one-fourth of the member families and/or individual members. Bylaws of the organization shall be provided to the planning commission in order to establish the membership involved in computing parking requirements.
 - g. All storm and sanitary sewer plans shall be provided, and shall be reviewed and approved by the city engineer prior to the issuance of a building permit.
 - h. The off-street parking and general site layout and its relationship to all adjacent lot lines shall be reviewed by the planning commission, who may impose any reasonable restrictions or requirements so as to ensure that contiguous residential areas will be adequately protected.
- (5) Private stable, for not more than one horse on a lot where the lot is not less than two acres in area; and provided further, that for each additional horse stabled thereon, one acre of land shall be provided. In no instance shall a horse be confined nearer than 75 feet to any adjacent property line, and all confinement areas or stables shall in all instances be located in the rear yard. No horse shall be allowed to run at large.
- (6) Accessory buildings and uses customarily incident to any of the above permitted uses.
- (7) Farms. The keeping of horses, donkeys, mules, ponies, cattle, sheep, poultry and other domestic animals or birds other than house pets, shall be permitted in connection with the farm use as an accessory use of a one-

family and two-family residence established and existing on the premises where such animals, poultry, or birds are to be kept subject to the following conditions:

- a. A minimum area of two full acres, exclusive of required setback from lot lines, shall be provided for not more than one such animal kept on the premises; and provided further, that for each additional animal kept thereon, one additional adjoining acre of land shall be provided.
 - b. An accessory building to be used as a private stable, barn, chicken coop, or similar type building shall be no less than 75 feet from any lot line and no less than 150 feet from any dwelling located on an adjoining lot.
 - c. The animals, poultry or birds shall be confined in a suitable fenced area, paddock or suitable building, in such a manner that they may not approach any closer than 100 feet from any lot line and no closer than 150 feet from any dwelling, including residences on abutting parcels or lots.
 - d. Stables, barns and other similar accessory buildings shall be kept clean and manure shall be treated and handled in such a manner as to control odor and flies and shall be screened from view.
 - e. All confinement areas, stables, barns and other similar accessory buildings shall, in all instances, be located in the rear yard.
 - f. Premises having a greater density of animals per acre than permitted under this subsection (7) shall be considered nonconforming uses and shall be allowed to continue; provided, however, that such nonconforming use shall be subject to article XI of this chapter and the applicable sections of such article.
- (8) Family ***or Group*** day care home, as defined in section 36-6, the in-home care of one to six, ***seven to twelve***, or fewer minor children subject to the following conditions:
- a. No dormitory facilities shall be provided or permitted.
 - b. There shall be no drop-off or pick-up of children between the hours of 12:30 a.m. and 4:30 a.m. in the R-1, ~~R-2, and R-3~~ districts ***district***.
 - c. A designated outdoor play area shall be required which complies with state licensing rules. The outdoor play area must be located in the rear yard, as defined in section 36-6.
 - d. Absolutely no signs, as defined in section 26-2, shall be allowed except to the extent they are otherwise specifically allowed in this residential district.
 - e. No family ***or group*** day care home may commence operations until and unless the zoning administrator first approves of occupancy, which approval shall be subject to the applicant providing him or her proof of compliance with all of the following:
 1. Registration of said operation with the city as a family ***or group*** day care home,
 2. Licensure by the state for the operation of a family ***or group*** day care home,
 3. Submission to and compliance with other requirements and restrictions established in this division and other applicable inspections required under the ***international*** property maintenance code adopted by the city,
 4. Compliance with all other requirements and restrictions established in this division and other applicable provisions of this chapter.

(9) Bed and breakfast inns are permitted as a special land use subject to the following:

1. A maximum of six bed and breakfast sleeping rooms shall be permitted per principal dwelling. The Planning Commission may limit the number of sleeping rooms based on site or building limitations, and principles of good design.
2. There shall be no separate cooking facilities for the bed and breakfast operation, other than those that serve the principal residence. Food may be served only to those persons who rent

a room in the bed and breakfast facility. Restaurants open to the general public, gift shops, retail stores, and public meeting rooms shall be prohibited.

3. Each dwelling utilized as a bed and breakfast inn shall comply with all applicable provisions of the State Construction Code, Building Code, Electrical Code, Plumbing Code, Property Maintenance Code, Mechanical Code, and Fire Prevention Code enforced by the City.
4. All required parking for any bed and breakfast inn shall be screened from adjacent residential uses, as required by the Planning Commission under Section 36-681. Off-street parking in the front yard shall be prohibited.
5. Duration of stay of guests shall be limited to a maximum of seven consecutive days.
6. All bed and breakfast operations shall maintain a guest register, which shall be subject to inspection during reasonable hours by the Zoning Administrator or City Clerk.

Sec. 36-174. - Area and bulk requirements.

See division ~~13~~ **16** of this article limiting the height and bulk of buildings, the minimum size of lot permitted by land use, and the maximum density permitted in one-family residential districts.

(Code 1979, § 17.08.040)

Secs. 36-175—36-190. - Reserved.

DIVISION 9. - I-1 ~~LIGHT~~ INDUSTRIAL DISTRICT

Sec. 36-311. - Generally.

The I-1 ~~light~~ industrial district is designed so as to primarily accommodate wholesale and warehouse activities, and industrial operations whose external physical effects are restricted to the area of the district and in no manner affect in a detrimental way any of the surrounding districts. The I-1 district is so structured as to permit, along with any specified uses, the manufacturing, compounding, processing, packaging, assembly and/or treatment of finished or semifinished products from previously prepared material. It is the intent of this division that the processing of raw material for shipment in bulk form, to be used in an industrial operation at another location, not be permitted.

The ~~I-2 heavy~~ industrial district is designed primarily , ***upon planning commission review and approval, may allow*** for manufacturing, assembling and fabrication activities, including large scale or specialized industrial operations, whose external physical effects will be felt to some degree by surrounding districts. The district is so structured as to permit the manufacturing, processing, and compounding of semi-finished or finished products from raw materials.

Sec. 36-312. - Principal uses permitted.

In an I-1 light industrial district, no land or building shall be used and no building shall be erected except for one or more of the following specified uses, unless otherwise provided in this chapter:

- (1) Any of the following uses when conducted wholly within a completely enclosed building, or within a designated area enclosed on all sides except the front with a six-foot obscuring fence or solid wall. The fence or wall shall be completely obscuring on those sides where abutting or adjacent to districts zoned for residential use:
 - a. Warehousing and wholesale establishments, and trucking facilities.
 - b. The manufacture, compounding, processing, packaging, or treatment of products such as but not limited to bakery goods, candy, cosmetics, pharmaceuticals, toiletries, food products (excluding the slaughtering of animals), hardware and cutlery; tool, die, gauge, and machine shops.
 - c. The manufacture, compounding, assembling, or treatment of articles or merchandise from previously prepared materials, such as but not limited to bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, paper, plastics, precious or semiprecious metals or stones, sheet metal, shell, textiles, tobacco, wax, wire, wood, yarns, and leather.
 - d. The manufacture of property and figurines or other similar ceramic products using only previously pulverized clay, and kilns fired only by electricity or gas.
 - e. Manufacture of musical instruments, toys, novelties and metal or rubber stamps, or other small molded rubber products.
 - f. Manufacture or assembly of electrical appliances, electronic instruments and devices, radios and phonographs.
 - g. Laboratories, experimental or film, or testing.
 - h. Warehouse, storage and transfer and electric and gas service buildings and yards; water supply and sewage disposal plants; water and gas tank holders; railroad transfer and

storage tracks; heating and electric power generating plants, and all necessary uses; railroad rights-of-way; freight terminals.

- i. Storage facilities for building materials, sand, gravel, stone, lumber, open storage of contractor's equipment and supplies, provided such is enclosed within a building or within an obscuring wall or fence on those sides abutting all residential, office, or business districts, and on any front yard abutting a public thoroughfare. In any I-1 district, the extent of such fence or wall may be determined by the board of appeals on the basis of usage. Such fence or wall shall not be less than six feet in height, and may, depending on land usage, be required to be eight feet in height.
- (2) All public utilities, including buildings, necessary structures, storage yards and other related uses.
- (3) Accessory buildings and uses customarily incidental to any of the above permitted uses.
- (4) Other uses of a similar character subject to such conditions, requirements, and safeguards as set forth in sections 36-314 and 36-315.

Sec. 36-313. – Industrial Uses subject to special conditions and approval.

The following uses shall be permitted in the I-1 industrial district, after review and approval of the site plan by the planning commission or zoning administrator, whichever is indicated, subject to the conditions imposed in this section for each use:

- (1) Any principal use first permitted in an I-1 district.**
- (2) Heating and electric power generating plants, and all necessary uses.**
- (3) Any production, processing, cleaning, servicing, testing, repair or storage of materials, goods, or products which shall conform with to the performance standards set forth in article VII of this chapter, except such uses as specifically excluded from the city by ordinance.**
- (4) Junkyards, provided such are entirely enclosed within a building or within an eight-foot obscuring wall, and provided further, that one property line abuts a railroad right-of-way. There shall be no burning on the site and all industrial processes involving the use of equipment for cutting, compressing, or packaging shall be conducted within a completely enclosed building.**
- (5) Incineration of garage or refuse when conducted within an approved and enclosed incinerator plant.**
- (6) Any of the following production or manufacturing uses, not including storage of finished products; provided that they are located not less than 500 feet distant from any residential district and not less than 200 feet distant from any other district:**
 - a. Blast furnace, steel furnace, blooming or rolling mill;**
 - b. Manufacture of corrosive acid or alkali, cement, lime, gypsum, or plaster of Paris;**
 - c. Petroleum or other inflammable liquids, production, refining, or storage;**
 - d. Smelting of copper, iron, or zinc ore;**
 - e. Slaughterhouses when conducted within a completely enclosed building.**

(7) Any other use which shall be determined by the board of appeals, after recommendation from the planning commission, to be the same general character as the above permitted uses in this section. The board of appeals may impose any required setback and/or performance standards so as to ensure public health, safety, and general welfare.

(8) Accessory buildings and uses customarily incidental to any of the above permitted uses.

Sec. 36-314 ~~Sec. 36-313.~~ – **Accessory** Uses subject to special conditions.

The following uses shall be permitted in the I-1 ~~light~~ industrial district, after review and approval of the site plan by the planning commission or zoning administrator, whichever is indicated, subject to the conditions imposed in this section for each use:

- (1) Restaurants or other places serving food or beverage except those having the character of a drive-in so called, automobile filling stations, newsstands and tobacco shops, which in the opinion of the planning commission are intended to serve the convenience needs of persons working in the industrial district subject to the regulations applicable to such uses.
- (2) Auto repair station and undercoating shops when completely enclosed. Dismantling of unlicensed vehicles and/or the sale of dismantled parts of vehicles is expressly prohibited.
- (3) Lumber and planing mills when completely enclosed and when located in the interior of the district so that no property line shall form the exterior boundary of the I-1 district.
- (4) Incineration of garbage or refuse when conducted within an approved and enclosed incinerator plant.
- (5) Metal plating, buffing and polishing, subject to appropriate measures to control the type of process to prevent noxious results and/or nuisances.
- (6) Other uses which in the determination of the board of appeals, after requesting and receiving a recommendation from the planning commission, are of a similar character to the above uses, and subject to the requirements set forth in sections 36-314 and 36-315.
- (7) Family day care home, as defined in section 36-6, the in-home care of one to six or fewer minor children subject to the following conditions:
 - a. No dormitory facilities shall be provided or permitted.
 - b. A designated outdoor play area shall be required which complies with state licensing rules. The outdoor play area must be located in the rear yard, as defined in section 36-6, and be enclosed by a fence of at least 4½ feet in height.
 - c. Signs, as defined in section 26-2, shall be allowed in accordance with the regulations applicable to zone district in which the property is located.
 - d. No family day care home may commence operations until and unless the zoning administrator first approves of occupancy, which approval shall be subject to the applicant providing him or her proof of compliance with all of the following:
 1. Registration of said operation with the city as a family day care home;
 2. Licensure by the state for the operation of a family day care home;
 3. Submission to and compliance with other requirements and restrictions established in this division and other applicable inspections required under the property maintenance code adopted by the city;

4. Compliance with all other requirements and restrictions established in this division and other applicable provisions of this chapter.
- (8) Group day care home, as defined in section 36-6, the in-home care of seven to 12 minor children subject to the following conditions and restrictions:
- a. No dormitory facilities shall be provided or permitted.
 - b. A designated outdoor play area shall be required which complies with state licensing rules. The outdoor play area must be located in the rear yard, as defined in section 36-6, and be enclosed by a fence at least 4½ feet in height.
 - c. Signs, as defined in section 26-2, shall be allowed in accordance with the regulations applicable to the zone district in which the property is located.
 - d. No group day care home may commence operations until and unless the zoning administrator first approves of occupancy, which approval shall be subject to the applicant providing him or her proof of compliance with all of the following:
 1. Registration of said operation with the city as a group day care home;
 2. Licensure by the state for the operation of a group day care home;
 3. Submission to and compliance with other requirements and restrictions established in this division and other applicable inspections required under the property maintenance code adopted by the city;
 4. Compliance with all other requirements and restrictions established in this division and other applicable provisions of this chapter.
- (9) Child care facility, as defined in section 36-6, for the care of one or more minor children in other than a private home, subject to the following conditions and restrictions:
- a. All conditions and restrictions as are applicable to a group day care home pursuant to subsection (8) of this section.
 - b. A designated outdoor play area shall be required which complies with state licensing rules. The outdoor play area must be located in the rear yard, as defined in section 36-6, and be enclosed by a fence at least 4½ feet in height.
 - c. Signs, as defined in section 26-2, shall be allowed in accordance with the regulations applicable to zone district in which the property is located.

Sec. 36-315 ~~Sec. 36-314.~~ - Required conditions.

Any use established in the I-1 district after the effective date of the ordinance codified in this chapter shall be operated so as to comply with the performance standards set forth in article VII of this chapter.

Sec. 36-316 ~~Sec. 36-315.~~ - Area and bulk requirements.

See division ~~13~~ **16** of this article limiting the height and bulk of buildings and the minimum size of lot by permitted land use in the I-1 ~~light~~ industrial district.

Sec. 36-317 – 36-330 ~~Secs. 36-316 – 36-330.~~ - Reserved.

DIVISION 16. - SCHEDULE OF REGULATIONS

Sec. 36-411. - Limitations on height, bulk, density and area by land use.

Districts	Minimum Size Lot Per Unit		Maximum Height of Structures		Minimum Yard Setback (Per Lot in Feet)			Minimum Floor Area Per Unit (Square Feet)	Maximum Percentage of Lot Area Covered by All Buildings
	Area in Square Feet	Width in Feet	In Stories	In Feet	Front	Each Side	Rear		
R-1 one-family residential	(a) 8,400	(a) 70	2½	25	25	(b) 8	35	1,000	30%
R-2 one-family residential	(a) 9,600	(a) 80	2½	25	25	(b) 8	35	1,100	30%
R-3 one-family residential	15,000	100	2½	25	30	(b) 10	35	1,300	30%
RD-1 one-family residential	(a) 6,500	(a) 60	2½	25	25	(b) 8	10	1,000	30%
RD-1 two-family residential	(a) 8,400	(a) 70	2½	25	25	(b) 8	10	1,000	35%
RM-1 multiple-family residential	(c)	—	2½	40	25 (d)	8 (d)	10 (d)	1,000 (e)	35% (c)
O-1 office	—	—	2½	35	(i)	(f, n)	(g)	none	(h)

					25		n)		
B-1 local business	—	—	2½	35	(i) 25	(f, n)	(g, n)	none	(h)
B-2 central business	—	—	(j)	(j)	(i)	(f, n)	(g, n)	none	(h)
B-3 general business	—	—	2½	(m) 35	(i) 40	(f, n)	(g, n)	none	(h)
I-1 light industrial	—	—	—	(m) 50	50	(k, l, n, o) 10	(k, n, p)	none	(h)
I-2 heavy industrial	—	—	—	(m) 75	50	(k, l, n, o) 10	(k, n, p)	none	(h)
P-1 vehicular	—	—	(j)	(j)	§ 36-354(a), (b)			—	(h)
PRF parks and recreational facilities district	—	—	(j)	(j)	25 (i)	10	(g, n)	—	30%
C-1 college district, residential	(c)	—	2½	30	(d)	(d)	(d)	(e)	(c)
C-1 college district	(c)	(c)	4	50	(i) 40	10	(g, n)	(c)	30%

Notes:

- (a) In those instances where public sewers are not provided, all lot areas per dwelling unit shall equal at least 12,000 square feet. See sections 36-402 and 36-403 regarding exceptions as to lot area and density controls.
- (b) The side yard abutting upon a street shall not be less than ten feet when there is a common rear relationship in the block and a common side yard relationship with the block directly across the common separating street. In the case of a rear yard abutting a side yard of an adjacent lot, or when the side yard abuts on frontages across a common street, the side yard abutting a street shall not be less than the required front yard of the district.
- (c) In an RM-1 multiple-family residential district, the total number of rooms as defined in section 36-6, in buildings consisting of more than four dwelling units shall not be more than the area of the parcel in square feet divided by 900. All units shall have at least one living room and one bedroom, except that ten percent of units may be of an efficiency apartment type. For the purpose of computing the permitted number of dwelling units per acre, the following room assignments shall control:

Bedroom	= 2 rooms	Plans presented showing 1, 2, or 3 bedroom units and including a den, library, or other extra room shall count such extra room as a bedroom for the purpose of computing density.
Two Bedroom	= 3 rooms	
Three Bedroom	= 4 rooms	
Four Bedroom	= 5 rooms	

The area used for computing density shall be the total site area exclusive of any dedicated public right-of-way of either interior or bounding roads.

- (d) Every lot on which a main building consisting of more than four dwelling units is erected shall be provided with a 40-foot setback on each exterior side of such lot. Each setback shall be increased by one foot for each ten feet or part thereof by which the length of the structure exceeds 40 feet in overall dimension along the adjoining lot line.

In all RM-1 multiple-family residential districts, the minimum distance between any two buildings shall not be less than the allowable distance as designated by the State of Michigan Single Construction Code. Parking shall not cover more than 30 percent of

the area of any required yard, or any minimum distance between buildings. Properties must follow the landscape requirements as listed in chapter 36, sections 36-148 through 36-152.

- (e) See definitions under section 36-6. All row houses, terraces and other such multiple-type structures shall comply with the floor area requirements under apartments.
- (f) No side yards are required along the interior side lot lines, except as otherwise specified in the single state construction code. On the exterior side yard which borders on a residential district, there shall be provided a setback of not less than ten feet on the side or residential street. If walls of structures facing such interior side lot lines contain windows or other openings, side yards of not less than ten feet shall be provided.
- (g) Loading space shall be provided in the rear yard in the ratio of at least ten square feet per front foot of building and shall be computed separately from the off-street parking requirements. Where an alley exists or is provided at the rear of buildings, the rear building setback and loading requirements may be computed from the center of the alley.
- (h) The maximum percentage of coverage shall be determined by the use and the provisions of required off-street parking, loading and unloading, and required yards.
- (i) Parking shall be permitted in the front yard after approval of the parking plan layout and points of access by the planning commission. The setback shall be measured from the nearest side of existing and/or proposed right-of-way lines, whichever is greater.
- (j) The maximum height of a structure in the B-2 district shall not exceed 12 feet above the property immediately adjacent. Any proposed structure over 50 feet tall shall require approval of the city planning commission.
- (k) No building shall be closer than 50 feet to the outer perimeter (property line) of such district when the property line abuts any residential district.
- (l) Side yards abutting upon a street and across from other industrial I districts shall be provided with a setback of at least 20 feet.
- (m) Planned developments involving five acres or more under one ownership shall be subject to the approval of the board of appeals, after public hearing, regarding modifications with respect to height regulations. In approving an increase in structure height, the board of appeals shall require that all yards shall at least equal in their depth the height of the structure.
- (n) A four-foot-six-inch obscuring wall or fence shall be provided on those sides of the property abutting land zoned for residential use.
- (o) Parking shall be permitted on the side yard after approval of the parking plan layout and points of access by the planning commission.
- (p) All storage shall be in the rear yard and shall be completely screened with an obscuring wall or fence not less than six feet high, or with a chain-link type fence and a greenbelt planting so as to obscure all view from any adjacent district or public street.

Sec. 36-412. - Subdivision open space plan.

The intent of this section is to permit one-family, and one-family and two-family, residential subdivisions to be planned as a comprehensive unit, allowing therefor certain modifications to the standards as outlined in section 36-401 to be made in R-1, R-2, R-3 one-family and RD-1 one-family and two-family residential districts, when the following conditions are met:

- (1) The lot area in all one-family and two-family residential districts may be reduced by 20 percent; provided, that the population density shall be no greater than if the land area to be subdivided were developed in the minimum square foot lot areas as required under R-1, R-2, R-3 and RD-1 districts. In accomplishing the 20 percent lot reduction, no lot width in an R-1, R-2 and RD-1 residential district shall be reduced by more than five feet and no lot width in an R-3 district shall be reduced by more than ten feet. All calculations shall be predicated upon these districts having the following number of dwelling units per acre, including streets:

RD-1 (one-family)	=	5.0 dwelling units per acre
RD-1 (two-family)	=	7.75 dwelling units per acre
R-1 (one-family)	=	3.89 dwelling units per acre
R-2 (one-family)	=	3.40 dwelling units per acre
R-3 (one-family)	=	2.18 dwelling units per acre

- (2) For each square foot of land gained under the provisions of subsection (1) of this section within a residential subdivision through the reduction of lot size below the minimum requirements as outlined in section 36-401, equal amounts of land shall be dedicated to the subdivision. These dedications shall be either rights in fee or easement, and retained as open space for park, recreation and related uses. All lands dedicated in fee or easement shall meet the requirements of the city council.
- (3) The area to be dedicated for public park and recreation purposes only shall in no instance be less than four acres, and shall be in a location and shape approved by the planning commission in reviewing the proposed subdivision plat. The land shall be so graded and developed as to have natural drainage.
- (4) In approving the application of subdivision open space plan technique, the planning commission must be cognizant of the following objectives:
 - a. To provide a more desirable living environment by preserving the natural character of open fields, stands of trees, brooks, topography and similar natural assets;

- b. To encourage developers to use a more creative approach in the development of residential areas;
 - c. To encourage a more efficient, aesthetic and desirable use of open area while recognizing a reduction in development costs, and by allowing the developer to bypass natural obstacles in the site.
- (5) This plan for reduced lot sizes shall only be permitted if it is mutually agreeable to the council and the subdivider or developer.
 - (6) Under this open space approach, the developer or subdivider shall dedicate the total park area (see subsection (2) of this section) at the time of filing of the final plat on all or any portion of the plat.

Sec. 36-413. - Averaged lot sizes.

The intent of this section is to permit the subdivider or developer to vary the lot sizes and lot widths so as to at least average the minimum size of lot per unit as required in section 36-401 for each one-family and two-family residential district. If this option is selected the following conditions shall be met:

- (1) In meeting the average minimum lot size the subdivision shall be so designed as not to create lots of widths less than 55 feet for RD-1 one-family lot, 65 feet for RD-1 two-family and R-1 one-family lots, 75 feet for R-2 one-family and 90 feet in an R-3 one-family district.
- (2) The technique of averaging minimum lot size shall be acceptable only in those instances wherein the entire preliminary plat, which has received the approval of the city, is carried through a final plat and is then recorded in its totality. Recording of portions of a preliminary plat shall not be acceptable under this option.
- (3) All computations showing lot area and the average area resulting through this technique shall be indicated on the print of the preliminary plat.
- (4) The combining of features of section 36-402 and this section may be carried out. The planning commission shall determine in their review of the preliminary plat that the full intent of section 36-402 and this section has been met.

Sec. 36-414. - Permitted and special conditional uses.

The following uses are permitted (P), or subject to special conditions (S) within the zoning districts. Conditional uses require approval by the planning commission to the procedures of sections 36-61 through 36-65:

Permitted and Conditional Uses

	Zoning Districts												
	B-1	B-2	B-3	C-1	I-1	I-2	PRF	PRD	PUD	O-1	R-1, 2, 3	RD-1	RM-1
Assembly and meeting halls		P	P	P				P	P	P			
Automobile wash			P		P			P					
Banks	P	P	P	P				P	P	P			
Bars, taverns	P	P	P		P			P					
Bed and Breakfast	S	S	P							S	S	S	S
Bulk storage					P	P							
Child care centers	S	S	P	P	S			P	P	S	P	P	S
Churches	S	S	P	P				P	P	P	S	P	S
Civic uses	S	P	P	P	P			P	P	P			S
Clubs, dance halls, lodges	S	S	P	P				P	P	P			
Drive-in and drive-through services			P					P	S				
Educational	P	P	P	P	S		S			P	P	S	S
Fine arts	P	P	P	P			S	P	P	P	S	S	S
Garbage processing, recycling					P	P							
Gasoline stations	S		P		P	P							

Grocery and pharmacy	P	P	P					P	S	P	S	S	S
Health and fitness facilities	S	S	P	P				P	S	P	P	P	P
High technology	S	P	P	P		P		P	P	P			
Hotel/motel		S	S	S				P					
Junkyards and vehicle storage					S	P							
Laboratories				P	S	P		P					
Media services	P	P	P	P				P		P			
Medical			P							P			P
Medical/clinical/general practitioner offices	P	P	P					P	P	P	S	S	S
Mixed-use	P	P	P					P	P	P			
Mortuaries and funeral homes	S	P	P			P			S	P			
Multi-unit dwellings		P	S						P	P			S
Municipal/public works		P	P	P	P	P		P	P	P			
Nursing homes			P					P	P	S			
Office	P	P	P	P	P	S		P	P	P	P	S	S
Outdoor cafes	P	P	P	P	S			P	S		S	S	S
Post office	P	P	P	P				P	S	P			
Power generation					S	P							
Professional offices	P	P	P	P	P	S		P	P	P	P	S	S

Public utilities	S	S	S		P	P				P	S		S
Recreational	P	P	P	P			P	P	S	P	P	S	S
Recreational facilities	P	P	P	P			P	P	S	P	P	P	P
Retail	P	P	P	S				P	P				S
Schools (public, parochial, private)	P	P	P	S				P	P	S	P	P	P
Vehicle showrooms			P		P			P					
Warehousing		S	S		P	P							
S = Special Conditional Use P = Permitted Use													