

Heather Hanover
Chair

James Eshelman
Vice-Chair

Commissioners
Scott Dzurka, Mayor
Eric Hufnagel, City Commission
Eric Harger
Mark Holden
Brian Mills
Melvin Renfrow
Wendy Ward



CITY OF ST. JOHNS PLANNING COMMISSION

MEETING AGENDA
MEETING DATE: October 11, 2023

The St. Johns Planning Commission will hold a regular meeting on October 11, 2023 at 5:30 pm in the County Commission Chambers located at the Clinton County Courthouse, 100 E. State Street, St. Johns, MI. (Please use Cass St. Entrance.)

AGENDA

1. Call to Order **(5:30 pm)**
2. Approval of Agenda **(5:31 pm – 5:32 pm)**
3. Approval of Minutes (September 13, 2023 Meeting) **(5:33 pm – 5:34 pm)**
4. Public comment for non-agenda items **(5:34 pm – 5:35 pm)**
5. Public Hearings:
 - A. Pets Language Amendment – Zoning Ordinance Section 155.004 and Ordinance 92 Section 9.20-29.
(5:36 – 5:45)
 - B. Rental Inspection Checklist Amendments
(5:46 – 5:55)
6. New Business:
 - A. Pets Language Amendment – Zoning Ordinance Section 155.004 and Ordinance 92 Section 9.20-29. **(ACTION ITEM – Recommendation to City Commission)**
(5:56 – 6:05)
 - B. Rental Inspection Checklist Amendments **(ACTION ITEM - Approval)**
(6:06-6:15)
 - C. 510 N. Lansing Site Plan Approval **(ACTION ITEM - Approval)**

(6:16-6:25)

**D. Site Plan Committee Membership and Logistics (ACTION ITEM –
Appoint Committee Members
(6:26 – 6:35)**

7. Old Business:

**A. Golf Cart Policies and Potential Amendment – Continued Discussion.
(6:36 – 6:45)**

**B. Downtown Parking Policies and Potential Amendment – Continued
Discussion.
(6:46 – 6:55)**

8. Commissioner Comments (6:56 – 7:00)

9. Adjournment

Please note that the Planning Commission will take up the following topics at future meetings, depending on available time:

- *RV Parking - Potential Zoning Amendment*
- *Definition of “Permanent Foundation” - Potential Ordinance Amendment*
- *Requiring sidewalk installation at time of sale - Potential Ordinance Amendment*
- *Requiring paved driveway approaches - Potential Ordinance Amendment*

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Brian Mills



**CITY OF ST. JOHNS
PLANNING COMMISSION**

**SEPTEMBER 13, 2023
REGULAR MEETING MINUTES**

1. CALL TO ORDER

The meeting of the St. Johns Planning Commission was called to order by Chair Hanover at 5:32 p.m.

Members Present: Heather Hanover, Scott Dzurka, Mark Holden, Wendy Ward, Brian Mills, Eric Harger
Members Absent: James Eshelman, Melvin Renfrow, Eric Hufnagel
Staff Present: Chad Gamble, City Manager; Mindy Seavey, City Clerk; Chris Khorey, McKenna; David Kirk, Police Chief

2. APPROVAL OF AGENDA

Motion by Commissioner Dzurka seconded by Commissioner Mills to approve the agenda as presented.

YEA: Hanover, Dzurka, Holden, Ward, Mills, Harger

NAY: None

Motion carried.

3. APPROVAL OF MINUTES – AUGUST 9, 2023 MEETING

Motion by Commissioner Ward seconded by Commissioner Holden to approve the minutes as presented.

YEA: Hanover, Dzurka, Holden, Ward, Mills, Harger

NAY: None

Motion carried.

4. PUBLIC COMMENT FOR NON-AGENDA ITEMS

Mark Mercer, was present. He said he is trying to get his information back from Mike Homier. He said he had to come to city offices and he made numerous phone calls to retrieve it. He said it is about a property dispute and he can't remember what he actually had in it.

City Manager Gamble said Mr. Mercer dropped off a packet of information, no cover letter, with documents pertaining to his property (legal docs, surveys, pictures) and it said Mike Homier (our city attorney) on it. He said we were unclear

what we were supposed to do with that and we gave it to Foster Swift. We did not know until several weeks after that Mr. Mercer requested the documents back. We are in the process of getting them back from Grand Rapids.

Mr. Mercer said it is hard to have the city attorney out of town. He discussed the package of violations he put together with issues that he has (not putting trash in plastic bags in trash bins, light trespass, etc.) and handed a packet to the city manager.

Mr. Gamble said to place your complaints in writing. He asked if there was a cover letter on the packet of violations that he handed to him. He said he is happy to take the information. He said as he has requested before, if you can give us a specific complaint. He listed the information that was included in the packet that was handed to him. He said we want to make sure we address your concerns. He said he will send Mr. Mercer a written response and we will have the packet that Mike Homier has mailed back to Mr. Mercer.

5. PUBLIC HEARINGS - NONE

6. NEW BUSINESS

A. Downtown Parking Minimums

Chris Khorey, McKenna, said we have now gone through two conditional rezoning processes for residential developments on the edge of downtown. The developer wanted more residences than R-3 zone would allow and planning commissioners were amenable to that, but the only way to get it was to amend to CBD. With CBD, there is a full exemption of parking requirements. He recommended they have a discussion on how to create a more permanent and efficient system for parking on the edge of downtown. He discussed: the current zoning map; what happens when you get off of Clinton Avenue block; creating a parking exempt zone and parking reduction zone; the 5th block of Clinton Avenue; on-street parking and whether it should be allowed to count towards parking spaces. He said he is interested in the planning commission's ideas on how this would work going forward. We need something that can be automatic. If we do make a change, pre-existing conditions would be legal. He said it would be if a building changed use, expanded, or for a new building.

There was a discussion of:

- Being proactive.
- Not having to negotiate each time.
- Don't think they should have zero parking requirements.
- The downtown zoning map.
- Addressing private, off-site parking.
- Over 40 apartments have been created in the downtown in the past 10 years.
- On-street parking being utilized as a spot that a private developer gets credit for.
 - Legal concerns raised by our attorney.
 - Count them when installed as part of the development.
- Set them at a higher standard, knowing that you can come back.
 - Possible range of 1.15 to 1.25.
- Don't want to turn downtown into a parking lot.
- Option if you put in public parking as part of your development, but it becomes part of the city.
- Payment in lieu of parking.
 - Goes into a fund to build or maintain parking.
 - Possible automatic reductions for things like bike racks, curbside parking spaces, etc.
 - Objective reduction system.
 - It wouldn't apply to the core 3 blocks.
 - Pricing it a higher level, and only allowing a certain percentage.
- What do we do down the road when we need to have charging stations for vehicles.
- Zoning Map

- Vision for mixed use zones.
- Current parking requirements for businesses.

Mr. Khorey said for their next meeting he will bring ordinance language with a map.

B. Dogs and Cats Ordinances

Chris Khorey, McKenna, said there are two components to this: kennel rule change to “more than 3” and a request to add a cat section to our existing animal ordinance.

There was a discussion of:

- Clinton County Animal Control.
 - The city doesn’t maintain a record of all dogs impounded.
 - When we get a complaint about a stray dog, we refer it to the county.
 - City police will assist animal control if they are not available.
- If the limit on number of dogs which would cue a kennel, put 4.
- Ask staff with regards to implementation what they have encountered as far as “annoying”.
- Cats
 - A collar with its name on it.
 - How do you identify feral cats vs. a cat roaming around the neighborhood.
 - Possibly strike everything but 92.34 in the cat ordinance.
 - Add cats to 92.26; discussed a section regarding not feeding cats.
 - Animal control won’t come out for cats.
 - Review for any state law regarding feral cats.
 - Food outside of the house is an attraction to feral cats.
 - Prohibit external food source.

C. Golf Cart Ordinance

Chris Khorey, McKenna, said he doesn’t have a backstory on why this has become an issue. Planning Commissioner Eshelman provided his thoughts in writing in the packet.

There was a discussion of:

- Owosso’s ordinance.
- They are not allowable by state law.
 - No crash rating, not intended to be collided with.
 - Speeds as low at 10 miles per hour have caused catastrophic injuries.
 - No way to secure kids on.
- During the Mint Festival, they have used golfcarts for mobility issues.
 - For events and a part of an event a permit could be entertained.
 - Golf cart support contained to the special event permit area.
 - At Mint Festival, observed multiple golfcarts with babies.
 - Limit to corridor of event.
- Ordinance issue or an enforcement issue.
- Scooters and electric bikes.
- Discussing this at a meeting that Planning Commissioner Eshelman is in attendance since he brought the issue up.
- With downtown, we try to bring people downtown and a lot of people go to communities that are open.
- Current enforcement practices.

Chairperson Hanover said to put this on the next agenda.

7. OLD BUSINESS - NONE

8. COMMISSIONER COMMENTS

Chairperson Hanover said we talked about in the past when places go up for sale, we could say they have to fix a sidewalk or redo driveways. She said there has always been a fight against that in St. Johns, but now it is very easy to sell houses. When buying a house, you could put that into the mortgage and would never notice that cost.

Mr. Khorey said we would want to check with our attorneys for a point-of-sale trigger vs. change of use trigger. He discussed communities should be walkable; there is a potential residential development on the edge of town and it was expressed to them they have to put sidewalks in; with paving driveways it opens up a few more moving parts since we have restrictions on how much pavement is allowed on a property.

Chairperson Hanover said gravel approaches cause more deterioration to the street.

Mayor Dzurka said we just passed a millage and there is a significant amount dedicated to sidewalk repair and improvement. We need to get clear on how those resources are going to get spent. He said he is familiar with communities that mandate sidewalks, but they were permitted to put them in up to the point of sale. He said some areas with frontage issues may need to be exempt.

Mr. Khorey said safe routes to school is a really good program. He said we can talk about a multi-pronged approach. He asked if we have good GIS on sidewalks.

City Manager Gamble said yes, we just completed it.

Chairperson Hanover said the city manager can make them fix it. We also give money if you put in brand new sidewalk.

Commissioner Mills said it makes sense to give property owners options for financing. He discussed we could put a lien on property when it transfers over.

City Manager Gamble discussed a programmatic approach to this. He said one might get grant funding and another may have to pay out of pocket. We are looking at gap closure. We can bring this back to a meeting.

9. ADJOURNMENT

Motion by Commissioner Ward seconded by Commissioner Dzurka that the Planning Commission adjourn the meeting.

YEA: Hanover, Dzurka, Holden, Ward, Mills, Harger

NAY: None

Motion carried.

The meeting was adjourned at 7:09 p.m.

§ 155.004 DEFINITIONS.

KENNEL. Any premises on which ~~three-four~~ or more dogs, four months old or older, are kept.

DOGS

§ 92.20 LICENSE REQUIRED.

It shall be unlawful for any person to own, maintain, keep or harbor any dog within the city without first procuring a license therefor as prescribed by state law. ~~Application for a license shall state the breed, sex, age, color and markings of the dog and the name and address of the applicant. The application shall be accompanied by a certificate of a licensed veterinarian showing that the dog has been vaccinated against rabies.~~

~~(1990 Code, § 9.88) Penalty, see § 10.99~~

~~§ 92.21 IMPOUNDING DOGS; DISPOSITION.~~

~~It shall be the duty of the Police Department or Dog Warden to seize and impound any dog found anywhere in the city contrary to the provisions of this chapter. No dog so impounded shall be released to its owner or other authorized person without payment of the sum of \$3 to the Police Department or Dog Warden for its care and maintenance and without procuring a license as herein provided.~~

~~(1990 Code, § 9.89)~~

~~§ 92.22 RECORDS.~~

~~The Police Department or Dog Warden shall maintain a complete record of all dogs impounded under the provisions of this chapter and the disposition of same.~~

~~(1990 Code, § 9.90)~~

§ 92.23 FEMALE DOGS, RESTRICTION.

It shall be unlawful for the owner or custodian of any female dog to permit such dog off the premises of the owner or custodian when in heat unless the dog is under control and attached to a leash.

(1990 Code, § 9.91) Penalty, see § 10.99

§ 92.24 REPORT TO POLICE DEPARTMENT.

If any person is bitten by a dog, it shall be the duty of that person, or the owner or custodian of the dog having knowledge of same, to report same to the Police Department or ~~Dog Warden~~ Clinton County Animal Control within 12 hours thereafter. If the owner or

custodian of any dog has any reason to believe or suspect that such dog has become infected with rabies, it shall be the duty of that person to report the same to the Police Department or Dog Warden Clinton County Animal Control within 12 hours thereafter.

(1990 Code, § 9.92)

~~§ 92.25 QUARANTINE.~~

~~—In the event of any report to it as set forth in § 92.24, the Police Department or Dog Warden shall seize such dog and deliver it to the Health Officer. The Health Officer shall hold such dog in quarantine until a laboratory analysis by a licensed veterinarian is made to determine whether the dog is infected. The Health Officer shall promulgate and adopt such rules as he deems necessary for the procedure in all such cases and for the disposition of any dog delivered into his custody.~~

~~(1990 Code, § 9.93)~~

§ 92.26 RUNNING AT LARGE.

It shall be unlawful for the owner, or any other person having the possession, care, custody or control thereof, to permit any dog to run at large upon the public streets, walks, parks, or other public places within the city, unless such dog shall be attached to a leash of sufficient strength to restrain such dog in such manner as to be kept under the control of the person accompanying it.

(1990 Code, § 9.94) Penalty, see § 10.99

§ 92.27 ANNOYING DOGS PROHIBITED.

It shall be unlawful for any person to own, harbor or keep any dog which shall cause annoyance or disturbance to persons by frequent and habitual barking, howling or yelping. A violation of this section is a civil infraction (see § 36.06).

(1990 Code, § 9.95) (Am. Ord. 597, passed 2-28-2011)

§ 92.28 COLLECTION AND DISPOSAL OF ANIMALS WASTES.

Any person walking an animal or allowing them access to or on properties not owned by them, private or public, shall be required to collect solid animal wastes immediately and properly dispose of the same.

(Am. Ord. 504, passed 4-22-2002)

CATS

§ 92.29 STRAY CATS

It shall be unlawful to feed, shelter, or otherwise care for a stray cat that does not reside full time within the home of the owner.



RENTAL HOUSING INSPECTION CHECKLIST
(BASIC REQUIREMENTS FOR CERTIFICATE OF COMPLIANCE)
 (~~Effective April 12, 2023~~) (Effective January 1, 2024)

<u>INSPECTION STANDARD</u>	GENERAL AND LIFE SAFETY REQUIREMENTS	LIFE SAFETY	QUALITY OF LIFE
<u>ALL ROOMS</u>	ALL ITEMS MARKED MUST BE IN COMPLIANCE	ALL ITEMS MARKED MUST BE IN COMPLIANCE	NO MORE THAN 6 ITEMS CAN BE MARKED TO STAY IN COMPLIANCE
The unit is free of any exposed wiring	X	X	
All of the electrical and switch covers are present, secure, and free from cracks	X		X
At least one (1) window per bedroom shall be easily openable and capable of being held in position by window hardware.	X	X	
All basement bedrooms have at least one form of egress AND one emergency escape window with minimum dimensions of 20 inches by 24 inches	X	X	
All windows shall be kept in sound condition, good repair, and weather tight. Glazing materials shall be maintained free from cracks and holes. Every window other than a fixed window, shall be easily openable and capable of being held in position by window hardware.	X		X
All windows on the ground level shall be provided with locks sufficient to provide security for the occupants and property within.			X
Doors or hatchways on the ground level shall be provided with locks sufficient to provide security for the occupants and property within.			X
All ceilings are sound and intact, and free from structural damage. Cracked or loose plaster, decayed wood or other defective surface condition shall be corrected.	X		X
All floors are sound, intact, and free from trip hazards or holes. Decayed wood or other defective surface condition shall be corrected.	X		X
All walls are sound, intact, and free from structure damage. Cracked or loose plaster, decayed wood or other defective surface condition shall be corrected.	X		X
All closet doors are hung properly so that they do not fall. and have the proper hardware.			X
All rooms are free of inadequate maintenance, dilapidation, decay, damage, faulty construction, mold (not mildew) growth, or other condition that renders the room likely to cause injury or disease.	X	X	
<u>GENERAL REQUIREMENTS</u>			
A working smoke detector is installed on each level of the dwelling unit and in each bedroom	X	X	
If the unit utilizes natural gas for appliances, heat, hot water, or any other purpose, carbon monoxide detectors are installed on each level of the dwelling unit.	X	X	
Dwelling units are free of pests, insects, rodents, and vermin.	X	X	

Dwelling units are free from the accumulation of garbage and debris.			X
A handrail needs to be present when there are four (4) or more risers on the exterior or interior of the unit.	X	X	
Guardrail openings must be 4" or less and are required where stairs or a drop is greater than 30".			X
All stairwells (interior and exterior) must be free from loose, broken, or missing steps. Stairwells will be reviewed for visual evidence of structural failure or lack of structural integrity. Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.	X	X	
The dwelling unit is free from air pollutants (mold, sewer gas, natural gas, etc).	X	X	
All inoperable appliances have been removed from the dwelling unit.			X
All elevators have up-to-date certifications	X	X	
A safe, continuous, and unobstructed path of egress exists from any point in a building to the public way.	X	X	
Indoor storage is safe and sanitary; does not block doors, windows, or stairways.	X		X
No flammable liquids, such as gasoline or propane, are stored inside.	X	X	
All utilities (water, gas, electric) are turned on. If they are not, the landlord must provide proof that the utilities are not included in the lease, and that the tenant has been made aware, in writing, that they are responsible for those costs.	X	X	
All units must be connected to the public sanitary sewer and water service in accordance with city standards.	X	X	
<u>KITCHEN</u>			
The kitchen must have proper ventilation (hood vent or operable window), sufficiently close to the stove and oven to release steam and smoke out of the room.			X
All kitchen appliances provided by the landlord must function properly.			X
The kitchen sink has sufficient plumbing connections to provide hot and cold running water, are free of leaks, and drain.	X		X
<u>HEATING EQUIPMENT/AIR CONDITIONING</u>			
All heating equipment is capable of maintaining 68 degrees without the use of space heaters.	X	X	
The unit is free from unvented fuel burning space heaters or any other unsafe heating conditions	X		X
All window air conditioning units are secure.	X	X	
All vents and ductwork are installed and maintained in working order, free from obstructions, leaks, or defects.			X
If the furnace is located in a closet, the doors need to be vented.	X		X
All heating units such as a furnace or boiler must be inspected by a licensed heating & cooling contractor at least once every three years or if new, three years from the date on installation. An inspection report from the licensed heating & colling contractor must be present during the rental inspection.	X		
<u>BATHROOMS</u>			
The toilet operates, is secure to the floor, and free of leaks.	X		X
The sink, washbasin, and shower must have sufficient plumbing connections to provide hot and cold running water, be free of leaks, and drain.	X		X

Every bathroom must have proper ventilation (fan or operable window).			X
All plumbing must be sealed.			X
All plumbing fixtures must be installed and maintained in working order, free from obstructions, leaks, or defects. Volume and water pressure sufficient for the intended use of the fixture must be supplied to ensure proper function of these fixtures.	X		X
All toilets must have lids.	X		X
Basement toilets must be properly vented to the outside and enclosed for privacy.			X
All faucet fixtures must be in working condition			X
<u>WATER HEATER</u>			
The unit is equipped with (or connected to) a water heater that provides hot water to the unit.	X	X	
The water heater and associated piping is free from leaks. The pressure relief valve is free from leaks and has a discharge pipe that extends approximately six inches from the floor.	X	X	
The pressure relief valve is free from leaks and has a discharge pipe that extends approximately six inches from the floor			X
All flame shields (cover plates) are in place and properly installed.	X	X	
The flue pipe is installed and properly sealed.	X		X
<u>LAUNDRY ROOM</u>			
The dryer is installed and vented per manufacturer specifications. If manufacturer specifications are not available, the inspector shall use their best judgement regarding installation procedures.	X	X	
The laundry area is free of accumulation of lint and debris sufficient to cause a fire hazard.	X		X
<u>EXTERIOR OF BUILDING</u>			
Private electric service lines are free from hazards (i.e. tree limbs).		Checked but not used for Life Safety or Quality of Life determination	
All exterior vents must have operable vent hoods free from debris or damage.			X
All gutters and downspouts are functional and secured.	X		X
All dwellings, buildings and accessory structures shall be painted or covered with material that seals out moisture. All exterior surfaces wood, metal, masonry, and siding will have a protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All dwellings, buildings and accessory structures shall be maintained in good repair and be structurally sound with no openings, large gaps, or holes.	X		
All soffits, fascia, and gutters need to be intact and have no missing sections.	X		
Dwelling/building numbers must be legible from the street fronting the property. Numbers must be a minimum of 4" in height and 1/2" width. Numbers must have contrast with their background. Apartments: Each entrance to each apartment must have the correct number or letter attached on or adjacent to the door.	X		

RED X's indicates new column heading, GREEN X's indicate where an item was located. BLACK X's are the same or a new item.

For:
 Power Equipment
 11340 Tyler Drive
 Fowler, MI 48835

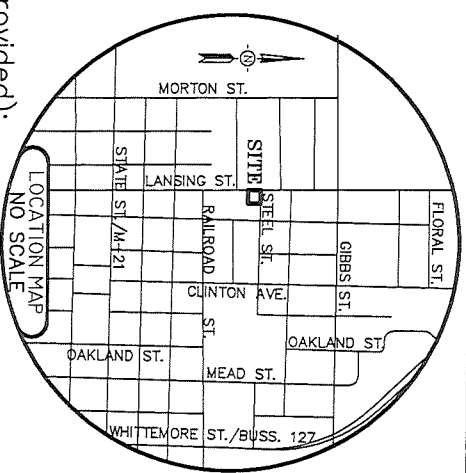
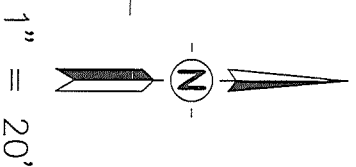
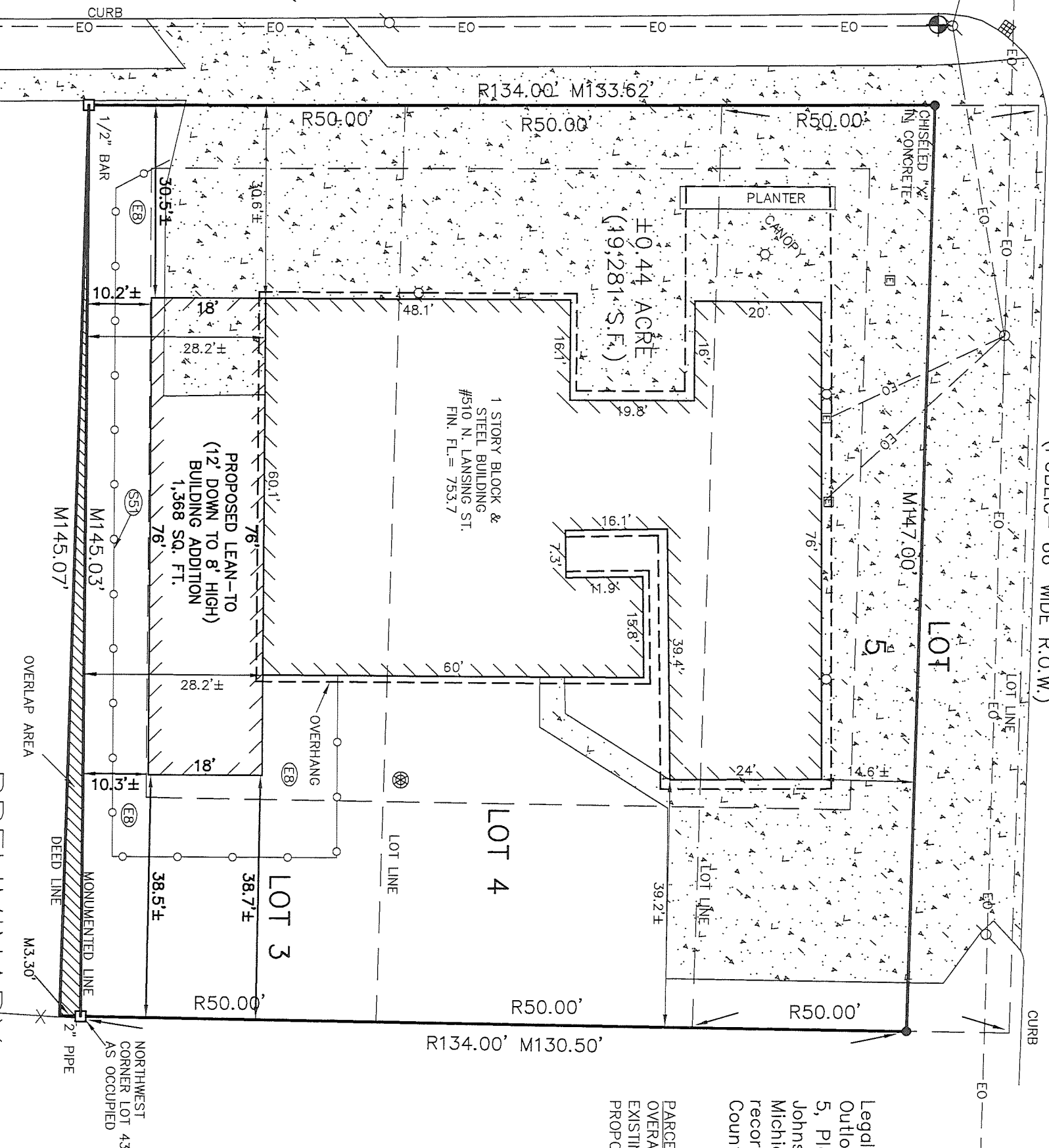
Survey Address:
 510 N. Lansing Street
 St. Johns, MI 48879
 Tax ID: 300-500-000-003-00

PLOT PLAN

"510 N. LANSING STREET, ST. JOHNS, MI 48879"

STEEL STREET (PUBLIC- 66' WIDE R.O.W.)

N. LANSING STREET (PUBLIC- 66' WIDE R.O.W.)



Legal Description (as provided):

Outlot A; Lot 3, Lot 4, and the South 34 feet of Lot 5, Plat of Walker & Steel's Subdivision, Village of St. Johns (now City of St. Johns), Clinton County, Michigan, according to the recorded plat thereof, as recorded in Liber 46 of Deeds, Page 331, Clinton County Records.

PARCEL CALCULATIONS:
 OVERALL PARCEL: 19,281 S.F.
 EXISTING BUILDING COVERAGE: 5,166 S.F. (26.7%)
 PROPOSED BUILDING COVERAGE: 6,534 S.F. (33.8%)

- R = Recorded Distance
- M = Measured Distance
- = Distance Not to Scale
- = Deed Line
- = Set 1/2" Bar with Cap
- = Found Iron as Noted
- = Concrete
- = Fence
- = Denotes Distance to the Survey Line
- = Utility Pole
- = Overhead Wires
- = Catch Basin
- = Monitoring Well
- = Electric Meter
- = Light Wall/Canopy mounted
- = Silt Fence

This plan was made at the direction of the parties hereon and intended solely for their immediate use and no survey has been made and no property lines were monumented, all easements recorded or unrecorded may not be shown, unless specifically noted, and no dimensions are intended for use in establishing property lines.

KEYS, INC. KYES ENGINEERING
 BRYAN LAND SURVEYS
 2116 HASLETT ROAD, HASLETT, MI 48840
 PH. 517-339-1014 FAX. 517-339-8047
 13432 PRESTON DRIVE, MARSHALL, MI 49068
 PH. 269-781-9800 FAX. 269-781-9805

DRAWN BY	SLH	SECTION	9, 77N, R2W
FIELD WORK BY	—	JOB NUMBER:	101677.HSE
SHEET	1 OF 2		

- NOTES:
1. LOT DIMENSIONS SHOWN ARE FROM KEBS, INC. LOT SURVEY, JOB NO. 101677.LOT, DATED 8/29/23.
 2. EASEMENTS, IF ANY, NOT SHOWN.

- Soil Erosion Control Notes:
1. Clean roads daily
 2. Clean catch basin filters once a week.
 3. Inspect and maintain silt fence once a week.
 4. Keep soil erosion permit posted at all times until site is stabilized.
 5. All BMP's must remain in working order until site is stabilized.
 6. Excavated soil to be used as fill on site.
 7. Slab on grade foundation.

PRELIMINARY

ERICK R. FRIESTROM
 PROFESSIONAL SURVEYOR NO. 53497

DATE



October 2, 2023

Planning Commission
City of St. Johns
100 E. State Street, Suite 1100
St. Johns, Michigan 48879

Subject: 510 N. Lansing Street Site Plan Review

Dear Commissioners,

We have reviewed the request for Site Plan Approval at 510 N. Lansing Avenue, to allow an expansion of the existing building. The lot is zoned MU Mixed Use District. This site was approved for Special Use and Site Plan approval in December of 2022 to include the following land uses:

- Small Engine Repair
- Showroom

In May of 2023, the site was approved for an outdoor display area to support the approved business.

The applicant proposes to add a 1,368 addition to the existing building. Ordinarily, an addition under 10,000 square feet would be eligible for "Committee Site Plan Approval" and would not go to the full Planning Commission. However, with the timing of the application, the full Planning Commission meeting is occurring before a Committee could have been formed and met. So the Site Plan will be reviewed by the full Commission.

Because the addition was eligible for Committee Site Plan Approval, no amendment to the approved Special Use permit is required.

Our comments regarding the criteria for approving the Site Plan follow.

- 1) Dimensional Standards.** The lot is a corner lot. The definition of "Front Yard" in Section 155.044 states that "In the case of a corner lot, the front yard will be one of the two sides of the lot fronting on a street that is designated as the front yard by the property owner at the time of applying for a zoning permit." During the 2022 site plan approval, Lansing Avenue was denoted as the front yard, and Steel Street was considered a side yard. We have evaluated the site with those designations in mind.

Standard Type	Ordinance Requirement (MU)	510 N. Lansing Proposed Conditions	Ordinance Compliance
Minimum Lot Area	7,000 square feet	19,698 square feet	Yes
Minimum Lot Width	75 feet	134 feet	Yes
Minimum Front Yard Setback	10 feet	30.6 feet (Lansing Street)	Yes
Minimum Side Yard Setback	10 feet	14.6 feet (north/Steel Street) 10.3 feet (south)	Yes



Minimum Rear Yard Setback	20 feet	39.2 feet (east)	Yes
Maximum Building Height	30 feet	<30 feet	Yes
Maximum Lot Coverage	60%	33.8%	Yes
Maximum Residential Density	1 unit per 4,000 square feet	0 residential units	Yes

2) Parking, Loading, and Access.

a. Number of Spaces. The minimum parking requirement is as follows:

- 6,534 square feet of “household equipment repair shop” / 200 square feet = **33 parking spaces.**

The Planning Commission used their authority under Section 155.343.J to consider the nine existing parking spaces on the site sufficient in the 2022 approval. However, the addition triggers a requirement for 7 new parking spaces. The Planning Commission should discuss whether any new parking should be required. One input to that discussion should be the specific use of the addition. If it is for storage, the parking requirement for warehousing (1 space per 600 square feet) could be used instead.

b. Barrier-Free Spaces. At least one parking space out of every 25 must be barrier-free (i.e. reserved for people with disabilities). The site is currently required to have one barrier-free parking space, which was included in the 2022 approval. If the new approval requires more than 25 parking spaces, then a second barrier-free space is required.

c. Dimensions. The parking spaces on the 2015 site plan meet the dimensional requirements in the Zoning Ordinance.

The layout of the parking spaces violates Section 155.343.B, which reads “each space shall be accessible separately from a street; each parking area shall be so designed and marked as to provide for orderly and safe movement and storage of vehicles.” However, Section 155.343.J states that the Planning Commission can modify the standards of Section 155.343 “when a demonstrated need is documented by the applicant and the Planning Commission determines that the proposed alternative complies with the intent of this chapter.”

The Planning Commission used that authority to approve the spaces as currently designed in 2022.

d. Paving and Striping. The parking lot is paved as required in Section 155.343.E.

e. Loading Spaces. No loading spaces was required in 2022. However, the proposal increases the size of the building to 6,534 square feet, triggering a requirement of one loading space. The Planning



Commission should discuss whether there is a need for a loading space, and where one could be located.

- 3) **Landscaping.** The following landscaping is required. However, Section 155.296 states that the City may determine, during the Site Plan process, that “conditions unique to a parcel” prevent strict compliance with the letter of landscaping regulations, and allow alternate designs.

No new landscaping information has been submitted, since the landscape design was approved in 2022. Please find our analysis of the landscaping proposed in 2022 below. Any required landscaping that has not yet been installed must be installed.

- a. **Buffer Zone.** Section 155.297 requires a buffer zone between commercial uses (including those on mixed use sites with a residential component) and residential uses. The buffer zone may be a 6 foot tall wall, a 6 foot tall berm, or one tree and four shrubs per 25 feet of property line. The 2015 site plan shows 13 trees along the south property line (1 per 11.3 feet) and 13 trees along the (1 per 10.3 feet). There is one tree in the corner that we have counted for both property lines. There are no shrubs on the plan.

There are existing trees on the site.. There are seven trees along the south property line (1 per 21 feet) and a cluster of trees on the east side of the site, though it is not clear exactly how many trees there are in that area, and some may be on the lots to the east, and thus would not count as buffer landscaping.

By our reading of the Ordinance, no buffer zone is required along the south property line, because it abuts a commercial use that is zoned MU.

Additionally, the building at 301 Steel Street is not a residential use, so no landscaping is required along that property line.

505 Ottawa Avenue, on the other hand, is a residential use, and a buffer zone is required. The property line between 510 Lansing and 505 Ottawa is 100 feet long, for a requirement of four trees and 16 shrubs. There are trees in the vicinity of the property line, and the Planning Commission considered them acceptable buffering in 2022.

b. Parking Lot Landscaping.

- i. **Buffer Zone.** Parking lots add an additional requirement to the buffer zones – a 48 inch high continuous screen of hedge, wall, or berm. This requirement was waived by the Planning Commission in 2022 because of the parking design, which does not allow for the wall, hedge, or berm.
- ii. **Parking Lot Trees and Islands.** Parking lots with more than 16 spaces are required to have one tree per 8 spaces, each within an island of at least 150 square feet. The Planning Commission approved the parking lot to have less than 16 spaces in 2022. If more spaces are required with this approval, this requirement may kick in.



- c. Right-of-Way Landscaping.** Along the right-of-way, 1 tree is required for every 30 feet of frontage. The tree can be planted in the public right-of-way with the permission of the City. There is currently one tree on the Lansing Avenue frontage and zero trees on Steel Street.

Steel Street does not have a grass “verge” in the right-of-way, because parking spaces in that area are accessed directly from the street. No trees were required along Steel Street in 2022.

Lansing Avenue has a grass verge. The 137 feet of frontage trigger a requirement for 5 trees, but only one tree was required in 2022 due to the lack of space between driveways and power lines.

- d. Landscaping Adjacent to Buildings.** Ornamental landscaping is required along the perimeter of buildings. However, there is limited space for landscaping alongside the buildings, and this requirement was waived in 2022.
- 4) Lighting.** No lighting information has been submitted. While the lighting for most of the site will not change from what was approved in 2022, the applicant must submit information regarding any light fixtures on the proposed addition.
- 5) Trash Receptacles.** There is an existing dumpster pad on the northeast corner of the site containing a dumpster. No changes are proposed.
- 6) Signage.** No signage has been submitted. Signage may be approved separately through the sign permit process with the City administration.

RECOMMENDATION

At the October 11 meeting, the Planning Commission should discuss the parking and loading needs of the site, and the limits of its power under section 155.343.J. Once consensus has been reached on that issue, the Planning Commission should decide whether the Site Plan can be approved, or whether variances or redesigns are required.

Please let us know if you have any questions.

Respectfully submitted,
McKENNA

Christopher Khorey, AICP
Senior Principal Planner

§ 155.276 USES REQUIRING SITE PLAN REVIEW.

Site plans are required to be submitted under any of the following circumstances:

(A) *Administrative site plan review.*

(1) An administrative site plan review consists of a general description and drawing of the proposed development and includes the name and address of the applicant or contractor and the address of the property to be improved.

(2) An administrative site plan review is subject to staff review and approval of the Zoning Administrator and is applicable to the following circumstances:

(a) The addition of a new dwelling unit to any property. In order for the new dwelling unit to be approved, all relevant provisions of this chapter must be met, including the parking and paving requirements in § 155.341, the minimum dwelling unit size in § 155.189, and the maximum lot coverage requirement in §155.160.

(b) The construction of an addition less than 1,000 square feet in size to any principal structure other than single family or duplex residence.

(c) The construction of non-residential accessory structures less than 1,000 square feet in size.

(d) Parking lots consisting of ten or fewer spaces or the addition of ten or fewer spaces to an existing lot.

(e) Residential accessory buildings and structures to include decks, gazebos, at-grade patios, handicap access ramps, driveways, off-street parking facilities, private sidewalks, and swimming pools.

(f) Fences.

(g) Signs.

(h) Home occupations.

(i) All changes on use of a site that are not listed elsewhere in this division, division (B) or division (C).

(j) The construction of an addition to a single family or duplex residence.

(B) *Committee site plan review.*

(1) A committee site plan review shall be submitted in accordance with the requirements of §155.279. Six copies of the plan shall be submitted to the Zoning Administrator, who shall forward the plan to the Committee within seven days of application. Each application shall be accompanied by the payment of a fee based on the fee schedule adopted by the City Commission.

(2) The Committee shall be composed of any three Planning Commission members, one of which will be a concurrent member of the City Commission.

(3) A Committee Site Plan Review is applicable to the following circumstances:

(a) The construction of an addition of 1,000 square feet or greater, but less than 5,000 square feet in size, to any principal structure other than single family or duplex residence, provided the proposed construction is not adjacent to a residentially zoned district.

(b) The construction of a non-residential accessory structure greater than 1,000 square feet, but less than 5,000 square feet in size, provided the proposed construction is not adjacent to a residentially zoned district.

(c) The addition of more than ten spaces to an existing parking lot, provided the lot is not adjacent to a residential zoned district.

(C) *Planning Commission Site Plan Review.*

(1) A Planning Commission Site Plan Review shall be submitted in accordance with the procedures of §155.278 and subject to the requirements of § 155.279.

(2) Planning Commission Site Plan Review is applicable to the following circumstances:

(a) As part of an application for a special use permit.

(b) The construction of any new principal residence other than single family or duplex residence.

(c) The construction of an addition 5,000 square feet or greater in size to any principal structure other than single family or duplex residence.

(d) The construction of an addition 1,000 square feet or greater in size to any principal structure, other than single family or duplex residence, that is adjacent to a residentially zoned district.

(e) The construction of a non-residential accessory structure 5,000 square feet or greater in size.

(f) The construction of a non-residential accessory structure 1,000 square feet or greater in size that is adjacent to a residentially zoned district.

(g) The construction of a new parking lot consisting of more than ten spaces.

(h) As part of an application for a condominium development.

(Ord. 616, passed 9-23-2013; Am. Ord. 643, passed 4-23-2018; Am. Ord. 657, passed 12-14-2020; Am. Ord. 665, passed 12-13-2021)

ARTICLE IX. GOLF CARTS

Sec. 33-170. Operation of golf carts on city streets.

A person may operate a golf cart on city streets, subject to the following restrictions:

- (1) A person shall not operate a golf cart unless he or she is at least sixteen (16) years old and licensed to operate a motor vehicle.
- (2) The operator of a golf cart shall comply with the signal requirements of MCL 257.648 that apply to the operation of a vehicle.
- (3) A person operating a golf cart upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one (1) proceeding in the same direction.
- (4) A person shall not operate a golf cart on a state trunk line highway (including M-52, M-21 and M-71). This subsection does not prohibit a person from crossing a state trunk line highway when operating a golf cart on a city street, using the most direct line of crossing.
- (5) Where a usable and designated path for golf carts is provided adjacent to a highway or street, a person operating a golf cart shall be required to use that path.
- (6) A person operating a golf cart shall not pass between lines of traffic, but may pass on the left of traffic moving in his or her direction in the case of a two-way street or on the left or right of traffic in the case of a one-way street, in an unoccupied lane.
- (7) A golf cart shall not be operated on a sidewalk constructed for the use of pedestrians or on or across a cemetery or burial ground.
- (8) A golf cart shall be operated at a speed not to exceed fifteen (15) miles per hour and shall not be operated on a highway or street with a speed limit of more than thirty (30) miles per hour except to cross that highway or street.
- (9) A golf cart shall not be operated on city streets during the time period from one-half (½) hour before sunset to one-half (½) hour after sunrise.
- (10) A golf cart shall not be operated on the James Miner Trail or the Riverwalk Trail.
- (11) A person operating a golf cart or who is a passenger in a golf cart is not required to wear a crash helmet.
- (12) This article does not apply to a police officer in the performance of his or her official duties.
- (13) A golf cart operated on a city street under this article is not required to be registered under the Michigan Vehicle Code for purposes of section 3101 of the Insurance Code of 1956, 1956 PA 218, MCL 500.3101.
- (14) As used in this article, "golf cart" means a vehicle designed for transportation while playing the game of golf. A golf cart is not required to meet the vehicle safety requirements of a low-speed vehicle for approval under this article.
- (15) All golf carts intended for street use shall be registered and the owners or operators of those golf carts shall register such golf carts prior to operating the same on any city street, at no cost, with the Owosso

Police Department and receive a registration sticker. The registration sticker must be affixed in plain view on the driver's side of the golf cart below the seating area at all times it is operated on city streets.

(16) Violation of any of the provisions of this section shall be penalized as a civil infraction.

(Ord. No. 819 , § 1, 6-21-21)

Secs. 33-171—33-185. Reserved.



125 W Main St
Elsie MI 48831
(989) 862-4273
www.Elsie.org

Village of Elsie Golf Cart Resolution

Frequently Asked Questions – Rules & Regulations

The Village of Elsie Golf Cart Resolution allows residents to register golf carts for use on Village of Elsie Streets. This does not include streets, roads, trails outside of the Village of Elsie Village limits.

Who can operate a golf cart?

Subject to certain restrictions, a person can operate a golf cart on certain Village streets as long as he or she is at least 16 years old, is licensed to operate a motor vehicle and both the person and the golf cart are registered with the Village of Elsie.

What types of vehicles fall under the Golf Cart Resolution?

Only golf carts are covered. Golf carts are defined as a vehicle designed for transportation while playing the game of golf. All other types of vehicles such as ATVs and UTVs, are not covered by this resolution. To be legally operated on Village streets golf carts must be registered with and approved by the Village of Elsie. Further, golf carts must have Headlights on the front, and taillights on the rear, visible from 500' affixed to the rear of the cart.

When can I operate my golf cart?

If registered, golf carts can be operated one-half hour after sunrise until one-half hour prior to sunset (2014 PA 491). In other words, golf carts cannot be operated on Village streets in the dark. Also, golf carts shall not be operated during weather events with snow and/or ice on the ground.

Where can I operate my golf cart?

A properly registered person may operate a registered golf cart on Village streets with the following restrictions:

The operator of a golf cart shall obey by all sections pertaining to traffic in the Michigan Vehicle Code and the Uniform Traffic Code.

A person operating a golf cart upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or a vehicle proceeding in the same direction.

A person shall not operate a golf cart on a state trunk line highway or on streets with a speed limit more than 30 miles per hour.

State Highways, County Roads, Private Streets and School Drives are not Village streets and the Village's resolution does not allow golf carts to be operated on the same. Provided, golf carts may cross state trucklines (except interstates) to go from one portion of a Village street to another, where golf carts are permitted to operate, by using the most direct line of crossing. A golf cart shall not be operated on a sidewalk, bike path or where motorized vehicles are prohibited.

These restrictions do not apply to a police officer, Village officials, employees, contractors or volunteers in the performance of Village duties.

How fast can I operate my golf cart?

Michigan law provides that golf carts operated on Village streets must not exceed 25 miles per hour. Operating your golf cart on a Village street more than 25 miles per hour will result in a ticket.

How much does the registration sticker cost?

There is a \$10.00 Annual cost to register your golf cart with the Village of Elsie. Registration stickers are valid from April 1st and expire March 31st the following year.

What are the insurance requirements?

The applicant must show proof of insurance as a rider to a homeowner's or renter's policy, or in any other form of policy, for coverage of personal injury or property damage resulting from operation of the subject golf cart. A registration sticker will not be issued unless proof of insurance provided at the time of the inspection. A copy of the registration must be with the cart at all times.

Where do I register my golf Cart?

You may bring your golf cart to The Village of Elsie Admin Office, 125 W Main St Elsie, MI, 48831. A Elsie Police Officer or Code Enforcement officer will process your Registration Application, examine your golf cart and check your proof of insurance.

What are the penalties for violating the Golf Cart Resolution?

Any person violating any provisions of this article shall be responsible for a civil infraction and a fine in the amount in accordance with the Civil infraction and fine chart specified in the section 7.5-3 in the Village of Elsie Ordinance book.

Additional Information - The Golf Cart Resolution and documents can be found on www.elsie.org Should you have any questions or comments feel free to contact the Village of Elsie (989) 862-4273 or by email at manager@elsie.org. Please see a complete listing of the Rules and Regulations concerning golf carts in the Village of Elsie on pages 3-4 of this document.

Village of Elsie Golf Carts - Rules and Regulations

Definitions

Village means the Village of Elsie in County of Clinton, State of Michigan.

Decal means the sticker displayed on the front of every registered golf cart within the Village, which are obtained by completing and submitting the proper registration form to the Village of Elsie

Driver license means an operator's or chauffeur's license or permit issued to an individual by the Secretary of State under Chapter III of the Michigan Vehicle Code, 1949 PA 300, MCL 257.301 to MCL 257.329, as amended, for that individual to operate a vehicle, whether or not conditions are attached to the license or permit.

Golf cart means a vehicle designed for transportation while playing the game of golf.

Maintained portion means that portion of a road improved, designated or ordinarily used for vehicular traffic.

Operate means to ride in or on, or be in actual physical control of the operation of the golf cart.

Operator means a person who operates or is in actual physical control of the operation of a golf cart.

Registration means the process through which every person intending to operate a motorized golf cart on roads or streets within the Village must follow.

Street means a road, roadway, street or right-of-way within the Village of Elsie street system, but does not include a private road. The terms road, roadway, street and right-of-way are interchangeable.

Sunset and *sunrise* mean that time determined by the National Weather Service on any given day.

Operation of golf carts on Village streets - A person may operate a golf cart on Village streets, subject to the following restrictions:

- (1) A person shall not operate a golf cart on any street unless he or she is at least 16 years old and is licensed to operate a motor vehicle.
- (2) The operator of a golf cart shall comply with the signal requirements of MCL 257.648, as amended, that apply to the operation of a vehicle.
- (3) All golf carts are required to have head lights on the front and taillights on the rear of the golf cart that shall be visible from all distances up to 500 feet.
- (4) The operator of a golf cart shall obey by all sections pertaining to traffic in the Michigan Vehicle Code and the Uniform Traffic Code.
- (5) A person operating a golf cart upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

(6) A person shall not operate a golf cart on a state trunk line highway. This subsection does not prohibit a person from crossing a state trunk line highway when operating a golf cart on a street of the Village, using the most direct line of crossing.

(8) A person operating a golf cart shall not pass between lines of traffic, but may pass on the left of traffic moving in his or her direction in the case of a two-way street, or on the left or right of traffic, in an unoccupied lane, in the case of a one-way street.

(9) A golf cart shall be operated at a speed not to exceed 25 miles per hour and shall not be operated on a roadway or street with a speed limit of more than 35 miles per hour except to cross that roadway or street. The Village may designate roads or classifications of roads for use by golf carts.

(10) A golf cart shall not be operated on the streets of the Village during the time period from one-half hour before sunset to one-half hour after sunrise. Golf carts shall not be operated on Village streets during inclement weather or when snow or ice are present on the streets.

(11) A person operating a golf cart or who is a passenger in a golf cart is not required to wear a crash helmet.

(12) A golf cart shall not be used to carry more persons at one time than the number for which it is designed and equipped.

(15) Golf carts shall not be operated on a road or street in a negligent manner, endangering any person or property, or obstructing, hindering, or impeding the lawful course of travel of any motor vehicle or the lawful use by any pedestrian of public streets, sidewalks, paths, trails, walkways or parks.

(16) Off-road vehicles, such as Gators, quads, dirt bikes, all-terrain vehicles (ATVs), a multitrack or multi-wheel drive vehicle, dune buggy, or like-vehicles are not considered golf carts.

(17) This section does not apply to a police officer, Village officials, employees, contractors or volunteers in the performance of Village duties.

(18) The operator of the golf cart involved in an accident resulting in injury's to or death of any person, or property damage or some person acting for him/her, or the owner of the golf cart having knowledge of the accident shall immediately by the quickest means of communication notify 911 and or the Clinton County Central Dispatch.

Parking Regulations - The parking, stopping, and standing regulations provided in the Village Code, shall also apply to golf carts operated in the Village, as if they are motor vehicles under those provisions.

Registration and decals.

(a) Prior to operating a golf cart on Village streets, the owner of a golf cart shall register the golf cart on an annual basis by making application to the Village of Elsie. Such application shall include proof of insurance as a rider to a homeowner's or renter's policy, or in any other form of policy selected by the applicant, for coverage of personal injury or property damage resulting from operation of the subject golf cart. The Village of Elsie shall review and approve or deny each application, and provide a list of registered golf carts to the Elsie Police and the Code Enforcement departments.

(b) There shall be a \$10.00 charge for the registration of a golf cart, and each approved golf cart shall be issued a registration decal. The golf cart owner shall affix each decal provided by the Village of Elsie Department on a clearly visible place on the left rear of the golf cart near the taillight. The decal shall be valid for one year.

(c) Operating a golf cart on a Village street without registering or with an expired registration is prohibited.

(d) The Village of Elsie retains the right to refuse to issue and/or revoke any registration decal from any golf cart for any reason that is felt appropriate to ensure the safety and well-being of the citizens of Village.

(e) Any police officer or code enforcement officer or designee may temporarily suspend any registration decal, and ban further access on any public street or public property by any golf cart, when in the opinion of that officer the golf cart is being used in a manner to cause damage to public property or members of the public.

(f) The Village Council reserves the right to waive the registration requirements of this ordinance for special events that utilize golf carts.

Violations and penalties

Any person violating any provisions of this article shall be responsible for a civil infraction and a fine in the amount in accordance with the Civil infraction and fine chart specified in section 7.5-3 in the Village of Elsie Ordinance book.



Memorandum

TO: City of St. Johns Planning Commission

FROM: Christopher Khorey, AICP, Senior Principal Planner

SUBJECT: **Minimum Parking Requirements**

DATE: October 2, 2023

In recent years, St. Johns has experienced more demand for development (particularly residential development) on the edges of its downtown. While this development is considered desirable under the City’s Master Plan and Downtown Plan, the approval processes have been hampered by parking concerns. Projects have had to use unwieldy Conditional Rezoning processes, and haggling between the City and developers over the number of parking spaces has been common.

We recommend that the Planning Commission develop a new system for parking requirements. Below please find an analysis of the current situation, and a summary of the policies discussed at the September 13 meeting.

CURRENT PARKING REQUIREMENTS

Currently, there are two levels of parking requirements in the Zoning Ordinance: the CBD Central Business District Zoning District and Everything Else. The CBD District exempts all uses from minimum parking requirements. All other districts are subject to the parking requirements in Section 155.342 of the Zoning Ordinance. For residential developments, the requirement is two parking spaces per unit.

This creates an “all or nothing” situation, as shown on the map on the following page.



No Parking Requirement



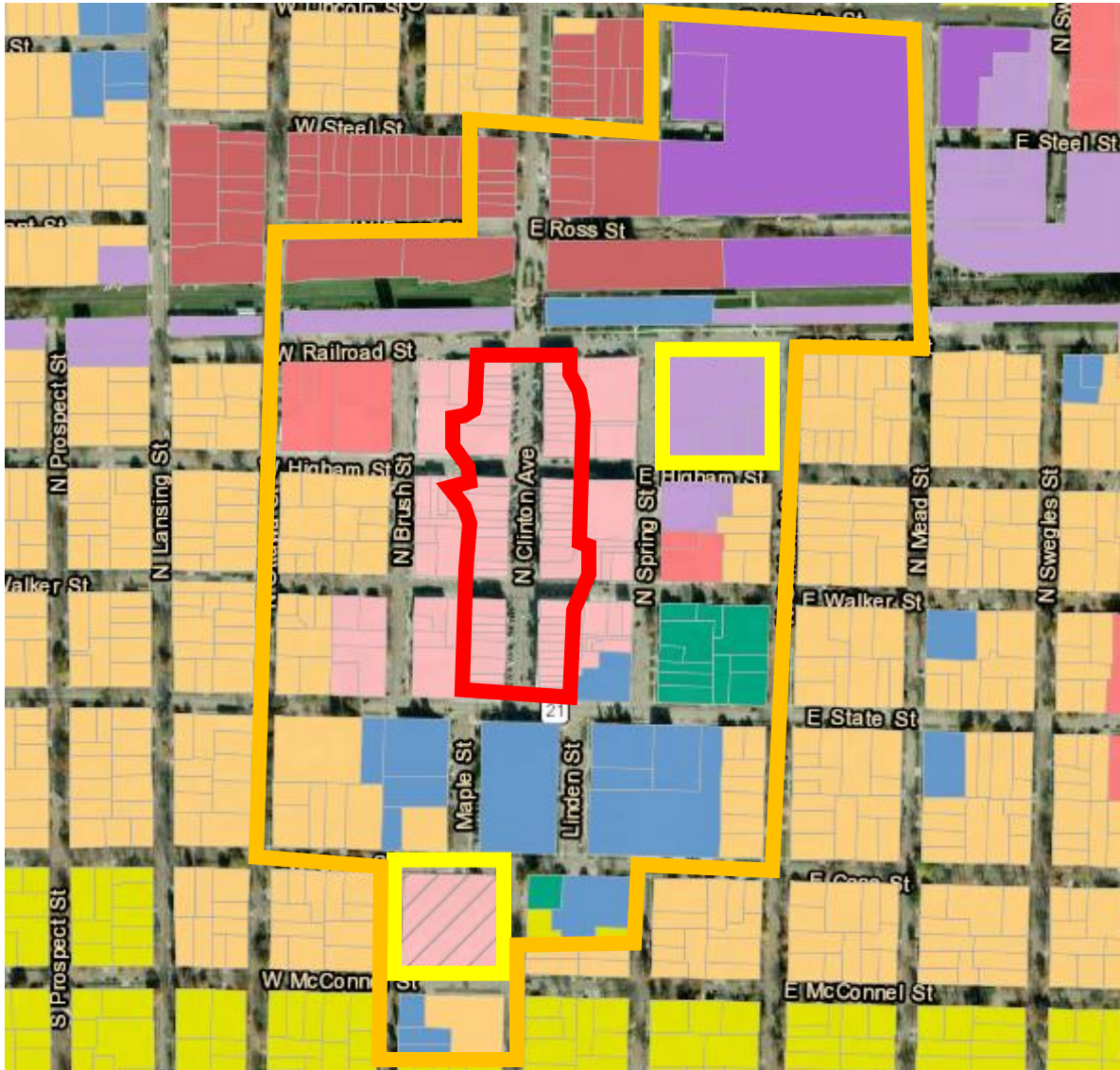
Conditional Rezoning Agreements






PROPOSED PARKING REQUIREMENT REVISIONS

The strategy for parking requirements following the September discussion has three levels:

- **Parking Exempt Zone:** This area would be reduced from the current CBD District to encompass just the core downtown shopping district along Clinton Avenue. Developments with 10 or more housing units would be required to provide parking, even if they are in the Parking Exempt Zone. They would be subject to the rules of the Parking Reduction Zone instead.
- **Parking Reduction Zone:** We recommend that this area allow reductions from the parking requirements in Section 155.342, such as the following:
 - **Residential:** 1.25 spaces per dwelling unit (reduction from 2 spaces per dwelling unit). The parking requirement could be reduced to as low as 1.15 spaces per dwelling unit, based on the automatic reductions described below.
 - **Non-Residential:** 85% of the requirement in Section 155.342, with the possibility to reduce down to as low as 75% using the reductions below.
 - **Off-Site Parking Lot by Special Use Permit:** A private, off-site parking lot could be established to meet some or all of the parking requirement, but would be subject to a Special Use Permit.
 - **Automatic Reductions:**
 - **Bike Racks:** 1 parking space would be removed from the minimum requirement for every 5 bike racks provided at the development.
 - **Curbside Pickup Spaces:** Curbside Pickup parking spaces would count as 1.5 spaces each, for purposes of determining compliance with the required minimum, because parkers using curbside pickup spaces occupy the space for less time than a regular parking space.
 - **Payment in Lieu of Parking:** A developer could pay to reduce the minimum parking requirement. We recommend that the fee be significant, and reflect the City's actual costs to construct and maintain public parking spaces – something on the order of \$15,000 per space. This system could be used to replace required private off-street parking with public on-street parking, which has been done in the past, but has not had a formalized mechanism.
- **Full Parking Zone:** This area would include the rest of the City and would be subject to the full requirements of Section 155.342.



-  Parking Exemption Zone
-  Parking Reduction Zone
-  Conditional Rezoning Agreements



OTHER ASPECTS OF POTENTIAL AMENDMENTS

Expansion of the Parking Reduction Zone or Parking Exempt Zone

The Amendments could include criteria for City Commission approval of an expansion of the boundaries of the Parking Reduction Zone or Parking Exempt Zone. One key criteria should be that the site in question must be adjacent to the existing boundaries.

Mixed Use/Joint Use: Currently, mixed use developments have to provide the full minimum parking requirement for all uses (Section 155.340.H), but “joint use” parking lots can have their parking requirement reduced to 50% of each use by the Planning Commission or Zoning Administrator. We recommend that the system be clarified.

Section 155.343.J: This section currently reads:

The Planning Commission may modify the above standards when a demonstrated need is documented by the applicant and the Planning Commission determines that the proposed alternative complies with the intent of this chapter.

It is not clear what the Ordinance means by “the above standards.” Section 155.343 is the design and construction requirements for parking lots, which should not be waived for health and safety reasons. This language has been used to waive the standards of Section 155.342, which includes the number of required parking spaces, but it’s not clear that that was the intent. The ability of the Planning Commission to reduce parking requirements, other than the system discussed above, should be discussed.

Electric Vehicle Chargers

The Amendments could also include standards for electric vehicle chargers. Generally, McKenna recommends that EV chargers be exempted from the requirements for accessory structures, but prohibited from reducing the size or number of parking spaces within a lot.

I look forward to discussing this topic on October 11.