

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: November 8, 2023

The St. Johns Planning Commission will hold a regular meeting on November 8, 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: None
6. New Business:
 - A. Northwoods of St. Johns (709 E. Gibbs St.) – Site Plan Review.
(5:36 – 5:45) (ACTION ITEM - Approval)
7. Old Business:
 - A. Golf Cart Policies and Potential Amendment – Continued Discussion.
(5:46 – 5:55)
 - A. RV Parking Amendment – Continued Discussion.
(5:56 – 6:05)
 - B. Downtown Parking Policies and Potential Amendment – Continued Discussion.
(6:06-6:15)
8. Committee Site Plan Approvals: None

9. Commissioner Comments.

(6:16-6:25)

10. Adjournment

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

- *Rental Inspection Checklist Updates - Report from Subcommittee*
- *Definition of "Permanent Foundation" - Potential Ordinance Amendment*
- *Requiring sidewalk installation at time of sale - Potential Ordinance Amendment*

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**CITY OF ST. JOHNS
PLANNING COMMISSION**

**OCTOBER 11, 2023
REGULAR MEETING MINUTES**

1. CALL TO ORDER

The meeting of the St. Johns Planning Commission was called to order by Chair Hanover at 5:31 p.m.

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

2. APPROVAL OF AGENDA

Motion by Commissioner Holden seconded by Commissioner Eshelman to approve the agenda as presented.

YEA: Hanover, Holden, Mills, Harger, Eshelman

NAY: None

Motion carried.

3. APPROVAL OF MINUTES – SEPTEMBER 13, 2023 MEETING

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

YEA: Hanover, Holden, Mills, Harger, Eshelman

NAY: None

Motion carried.

4. PUBLIC COMMENT FOR NON-AGENDA ITEMS

There were none.

5. PUBLIC HEARINGS

A. Pets Language Amendment – Zoning Ordinance Section 155.004 and Ordinance 92 Section 9.20-29

Mr. Khorey discussed the kennel language. He said the ordinance would remove language in the general code of ordinances and also regarding the regulation of dogs that is outdated (the city doesn't have a dog warden or issue licenses; these are all county functions). He said it would have a new provision regarding stray cats.

Commissioner Eshelman asked about nuisance cats and if there was anything that allows a citizen to have a nuisance complaint.

Mr. Khorey said not about cats; it is something about waste and is under the section heading "dog". He said we could possibly move it from under that heading.

Commissioner Mills complimented the work of staff and said it is a win for the general public since it increases the number of animals that property owners can have on the property.

Motion by Commissioner Eshelman seconded by Commissioner Holden to open the public hearing.

Roll call vote:

YEA: Hanover, Holden, Mills, Harger, Eshelman

NAY: None

Motion carried.

The public hearing was opened at 5:38 p.m.

John Thelen, 509 S. Baker, was present. He said he was glad to see the information about cats. He discussed an issue with cats in neighborhood and asked what a neighbor does to report that.

Mr. Khorey said it is in the general ordinance so it is enforced by the police.

Motion by Commissioner Holden seconded by Commissioner Eshelman to close the public hearing.

YEA: Hanover, Holden, Mills, Harger, Eshelman

NAY: None

Motion carried.

The public hearing was closed at 5:39 p.m.

B. Rental Inspection Checklist Amendments

Ken Skunda was present. He said he is finding open soffits with squirrels and raccoons coming out of them. He said the same for inside, there are a lot of homes without drywall in the ceiling. He discussed that currently they can miss six items of that type. He said some have 12 things wrong and some have 6 and don't have to fix any issues. He said accessory structures is a big issue. He said one had a garage that was collapsed on one of the tenant's cars. He said this shouldn't have to be separated. He said he heard comments about windows not being held open, he said he had one where you can put your fingers through the wood of the window and it needs to be replaced. He said even if you have 10 items that failed, you wouldn't have to fix those things and you could fix the simple ones.

City Manager Gamble said what Ken is speaking of is a purposeful project. He discussed how the city can work collaboratively with the renters. We want to make sure these properties are in good keeping for neighbors and those leasing. He said there was a major gap in the ability of the city to address these real issues that none of us in this room would probably allow in our homes. He said they scrubbed this list to make sure rental offerings are what we believe are a good view of city.

Commissioner Eshelman asked if the checklist revision accomplishes those goals.

Mr. Skunda said it does. He said a lot needed CO2 detectors and he had them run down to the hardware store to get one. He discussed cracked electrical covers. He said the biggest things with the windows is they could be broken and still pass the inspection.

Chairperson Hanover discussed the list and the changes.

Mr. Khorey said the planning commission has the authority to change these or split them.

Motion by Commissioner Eshelman seconded by Commissioner Mills to open the public hearing.

Roll call vote

YEA: Hanover, Holden, Mills, Harger, Eshelman

NAY: None

Motion carried.

The public hearing was opened at 5:49 p.m.

John Thelen, 509 S. Baker, was present. He said he owns two rental units. He said it seems like if things come before a planning commission, the neighbors within so many feet get notice. He said landlords get inspections by email and they should be sent an email out about the rental checklist (agenda item).

City Manager Gamble said it is published on the website.

Mr. Khorey said we also published a public hearing notice in the newspaper.

Chairperson Hanover said we didn't always collect email addresses in the past.

Mr. Khorey said we did meet the state minimum requirements for a public hearing.

Mr. Thelen discussed his tenants. He said one received a 30-day notice last night. He said if he is not in unit to see the condition of the apartment. He said he didn't cause any of the issues. He had brand new carpet, paint, when he moved in. He said with switch covers, if the tenant damages them, I am responsible for it?

Mr. Skunda said landlords are notified of the inspection date months in advance.

Mr. Thelen said homes have old windows and sometimes with humidity you can't open them. He said he thinks glass missing or cracked glass is more of an issue. He discussed page 2, mold. He said if someone is not cleaning and has mold in the shower or insects, pests, and vermin the landlord can't know. He said the tenants are allowing it to happen. He said "safe and unobstructed path of egress", is that something the landlord should get dinged for a re-inspection fee if the tenant is doing it themselves? He discussed kitchen sink leaks and said he has had toilets that have leaked. He said if tenants don't tell you that is leaking, how do you fix it. We have to pay for a re-inspection. He discussed "laundry free of lint and debris"; landlords aren't emptying lint traps.

Commissioner Eshelman asked if he gets advance notice of inspection? Is there an issue where you couldn't do a walkthrough with the tenant?

Mr. Thelen said he does. He said they would get a copy of checklist. He said some of these things are nit-picky.

Commissioner Mills said in the revisions he doesn't see any changes to the checklist. The checklist items have been in place since the ordinance has been in place. He said he doesn't disagree with the sentiments on the list being nit-picky. He asked if these have been enforced that way?

Mr. Thelen said they have not been dinged. He said the one inspection he had, from start to finish, was twelve minutes. He said \$175 for a 12-minute walk through inspection is a pretty quick thing. He said someone is making some money here.

Chairperson Hanover said the inspections are done once every three years.

City Manager Gamble said that is one facet of the overall rental process. He discussed communication, documentation and inspections. He said they are understandable points that Mr. Thelen mentioned. He said he agrees if it was every month, it would be crazy. He discussed a partnership with the landlords to make sure things aren't getting off the rails. He said Ken is a very reasonable person and willing to work with people. He discussed having the tools in Mr. Skunda's toolbox to make sure we are partnering.

Mr. Thelen said as a taxpayer and landlord, this is more strict than last year and it is a slippery slope of what is next. Do we really have a system that is broke? Is this really a problem program is trying to fix?

Chairperson Hanover discussed that other cities have had this for years.

Terry Black, 308 N. Swegles, was present. He discussed tenants and said if you haven't owned a rental, you wouldn't know. He said you are making changes less than a year into this. What makes them different from a homeowner? He discussed smoke detectors. He said he has rentals in Lansing and asked the people before if they are working and they say yes, everything is working well. He said he had the batteries taken out of them. He said Ken does a good job. He said he looks at the place and doesn't give you a hard time. He discussed electrical covers. He said every time you do an inspection it raises the rent on everybody.

Commissioner Mills asked how the enforcement has been thus far one year in?

Mr. Black discussed CO2 detectors. He said he took Ken to a rental where he just evicted someone.

Commissioner Holden asked if would help or hurt that you would be notified 30 days ahead and give a copy of this to your renter and have them let you know.

Mr. Black said he did that. He said he has 19 apartment rentals and he usually goes in a day before to double check. He said not all of them are like that. You brought the conflict onto us more.

Jody Post was present. He said when this was first talked about, he said tenants have right to take us to court about things too. You said on your side they won't do that. We have to take them to court for everything. We don't get paid. He said rental inspection was to make sure the property was safe for the tenants.

Chairperson Hanover discussed code enforcement violations for homeowners.

Mr. Post said he takes care of his properties and he is not concerned with passing inspections. The inspector was great with him. It is raising the cost of everything and rents in this city have gone up significantly. Every single year it is a cost to him for inspections. He said he has long-term tenants and he is raising their rent. He said they are forking out more money now instead of next year just to get passed on the inspection. He said it is hurting the tenants in this town.

Mr. Skunda said some of these landlords are great, but they are not seeing the places he is seeing. These landlords are the ones that are taking care of things. He said it is hard for the good ones to know. He said we didn't change the mold and mildew language; it was just put in another column with two headings. He said it was always life safety and you couldn't miss it. With smoke detectors, he is lenient if you get batteries in them today. He said those things can get fixed. He said a lot of things on the checklist were just moved over to the general column.

Chairperson Hanover said the list was made up by a previous planning commission. He said they are relying on Ken's judgment on this. She asked if there is something in here that we can maybe keep in certain areas?

Mr. Skunda said he doesn't have a problem with some of the window things. He said you have to have a window that opens in a bedroom. He said it is up to you if you want to change the wording or separate them out.

Chairperson Hanover said it might be something we go point-by-point on a subcommittee and maybe discuss with a landlord and the inspector.

City Manager Gamble said that is one of the reasons why we are here, the lessons learned on what worked and what needs to be tweaked. We would like to make changes prior to going out the next year, we want to get ready before year 2 of the program.

Chairperson Hanover said to pick a couple of members for the committee and if one of the landlords that want to be part of it.

It was discussed that Mr. Thelen, Mr. Black, Chairperson Hanover and Commissioner Mills on the committee.

Commissioner Mills said he wanted to compliment Ken. He said it all comes down to enforcement and his take away from this evening is that our enforcement is customer service minded.

Motion by Commissioner Mills seconded by Commissioner Holden to close the public hearing.

YEA: Hanover, Holden, Mills, Harger, Eshelman

NAY: None

Motion carried.

The public hearing was closed at 6:29 p.m.

6. NEW BUSINESS

A. Pets Language Amendment – Zoning Ordinance Section 155.004 and Ordinance 92 Section 9.20-29

Chris Khorey said we had a proposal to move the animal waste section out of the dog heading. He said it would be appropriate for a motion to recommend this to the city commission.

Motion by Commissioner Eshelman seconded by Commissioner Mills that the planning commission approve to recommend to the city commission based on moving the section out of the dog heading.

YEA: Hanover, Holden, Mills, Harger, Eshelman

NAY: None

Motion carried.

B. Rental Inspection Checklist Amendments

Chairperson Hanover asked for a motion to form a committee.

Motion by Commissioner Eshelman seconded by Commissioner Mills that the planning commission form a subcommittee and have met by their November meeting and tweak it in December.

YEA: Hanover, Holden, Mills, Harger, Eshelman

NAY: None

Motion carried.

C. 510 N. Lansing Site Plan Approval

Chris Khorey said because there are only five of you here tonight you have a quorum, but going forward all decisions have to be unanimous (majority of the membership). If you can't reach consensus, I would recommend tabling. He said

this is a site plan for a small engine business. He said the proposal is a 1,368 square foot addition to their building that would extend out to the south. He said it is not that complicated of a site plan and most of what is going on at their site is just fine. He said if anything hasn't been installed yet it has to be installed. He said it would kick in additional parking spaces because of the addition. In 2017, we allowed the site to have less parking. This triggers 7 new parking spaces. He said that is not on the plan and he is not sure where they would go. He asked if the 9 current parking spaces are sufficient. If not sufficient, we would recommend a denial of the proposal to expand the building.

There was a discussion of lot coverage and increasing impervious surface.

Chairperson Hanover said she looks at the worst-case scenario. She said later on someone could buy the building and have more workers.

Chris Thelen, owner of the property and a partner in the power equipment business, was present. He said it depends on what we are looking to do with the additional space on what would be required. He said their business has been extremely busy and they are running out of space for storage of machines. He said the addition would just be for additional storage of machines. It would be cold storage and would never be a showroom. He said parking is a tough thing. He said they have never come close to utilizing the parking that they have. He said he understands the issue of future use. He said they could add two more parking spots on the east end of the building. He said it would be stacked parking for employees only. If they need to do that they could, but prefer not to. He said they have two employees, partners in the business. He said people are usually picking up and dropping off and they are scheduled.

Mr. Khorey said it is mixed use zoning. He said it would behoove us to look at this practically. If there is a new use, it will be reviewed. He said parking waivers are not variances. He said it is something you can do during site plan review and are not permanent.

Commissioner Mills said he lives on Lansing Street and has driven by this place a million times. He said he has never seen parking as an issue there. He discussed if there is a transfer of property or a sunset provision. He thanked them for growth and economic development.

Mr. Thelen said he appreciated that; it has been better than they had envisioned.

Commissioner Holden asked if the addition attaches to the building.

Mr. Thelen said yes.

Commissioner Eshelman said he doesn't have an issue. He said the neighbor to the south is not going to be residential.

Mr. Thelen said they are not taking down any trees, everything in place now stays in place.

Mr. Khorey discussed existing trees around the property. He discussed approved contractor storage to the south. He said if any more parking was added, that was going to kick in a new landscaping requirement.

Motion by Commissioner Eshelman seconded by Commissioner Mills that the planning commission approve the site plan for 510 N. Lansing.

YEA: Hanover, Holden, Mills, Harger, Eshelman

NAY: None

Motion carried.

D. Site Plan Committee Membership and Logistics

Chris Khorey said previously the approval came here. He said technically, it was eligible to go to committee for site plan review. He read the section. He said the purpose of that is to allow investment to move forward without waiting until the

next planning commission meeting. There is no current committee. Do we think we should have a committee? He said he would request for the planning commission to appoint 3 members. He said one would be a city commission member.

Chairperson Hanover said that was used in the past.

Mr. Khorey said there is nothing in the ordinance that would prohibit the group from meeting virtually. He said it is not an official body and subject to any of the Michigan Zoning Enabling Act.

There was a discussion of:

- Transparency and who would otherwise approve the site plan.
 - Right now, they are brought here.
- A way to roll in decisions of this committee as a standing agenda item for this commission's purview.
 - Have a heading on the agenda and could put the approved site plan in the agenda.
 - All decisions are appealable to the ZBA (Zoning Board of Appeals) by the applicant and their neighbors.
- It would be for under 5,000 square feet, unless a single-family home or duplex, which goes to Mr. Khorey.
- A preliminary review for the mini commission.
 - McKenna would still provide a report.

Commissioner Mills said he was shocked these sorts of developments have to come for approval.

Mr. Khorey said you could recommend those go to administrative. He said you would have to do a public hearing, etc.

Commissioner Eshelman and Chairperson Hanover offered to be on the committee.

Mr. Khorey said we need one of the city commissioners also.

Motion by Commissioner Harger seconded by Commissioner Mills that the planning commission appoint 3 individuals to serve on the site plan committee (Hufnagel, Eshelman, Hanover).

YEA: Hanover, Holden, Mills, Harger, Eshelman

NAY: None

Motion carried.

Mr. Khorey said he would like a standing meeting time every two weeks and we can cancel if we don't need it.

7. OLD BUSINESS

A. Golf Cart Policies and Potential Amendment

Commissioner Eshelman said his focus was on people with limited mobility. He said for those people with electric wheelchairs, we can't prevent them from having golf carts. He said to take a step back and figure out what we do about people with golf carts at the Mint Festival. He said he lives on the same street as the police station and it appears there is no enforcement on this issue. Should we have a special access week for the Mint Festival? He said there have been a few garage sales since then and he noticed golf carts are out.

Chairperson Hanover said she doesn't like to make rules unless there is a need for rules.

Commissioner Eshelman said he was looking to make sure people with mobility issues had access. We can't overrule Federal law that allows it.

There was a discussion of:

- If there is a need for us to have a law.
 - If the community is under 30,000, you would have to make them street legal.
- ADA is a separate issue.

- Is there something to allowing them during Mint Festival.
- Is it a safety risk?
- Newer golf carts have headlights, brakes, turn signals, etc.
- Local municipalities that allow golf carts.
- Use of golfcarts with a boundary for their use or tied to a special event permit with street closures or a specific boundary.
- If golfcarts can be parked in the front and back yards.
- The police chief is opposed to allowing golf carts on the streets 365 days.
- Possibly allowing on Saturdays.
- Exemption for enforcement of trail system.
- Get a recommendation from the DDA from an economic development standpoint.
- Chris researching LTV.
- Taking a look at the chief's email and bullet points.
- Setting up appointment for the chief to discuss with and Owosso and Elsie.
- Moving forward cautiously on this.

B. Downtown Parking Policies and Potential Amendment

Chris Khorey discussed: the map; the Brush, State, Walker, and Ottawa area; avoids residential; Lansing Street is out right now, but could be added; could add the entire mixed-use district.

Chairperson Hanover discussed the purple area. She asked that we discuss this another evening.

Mr. Khorey said he can make a couple of edits to the map and bring it back next time.

Chairperson Hanover said she liked the idea of a fee.

8. COMMISSIONER COMMENTS

Commissioner Eshelman said we should take the time and follow-up on what the business community thinks about golf carts. He said they should get Scott and Eric's impressions as city commissioners also. He said it changes the aspect of the community. He said golfcarts are primarily around retirement communities. Do they want to see the city go in that direction?

9. ADJOURNMENT

Motion by Commissioner Holden seconded by Commissioner Mills that the Planning Commission adjourn the meeting.

YEA: Hanover, Holden, Mills, Harger, Eshelman

NAY: None

Motion carried.

The meeting was adjourned at 7:24 p.m.



October 30, 2023

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

Subject: Northwoods of St. Johns (709 E. Gibbs Street) Site Plan Review

Dear Planning Commissioners,

As requested, we have reviewed the submitted Site Plan for “Northwoods of St. Johns”, a 22-unit residential condominium development proposed for the northeast corner of Gibbs Street and Joyce Lane.

The applicant proposes to construct 11 duplexes – 8 on Joyce Lane and 3 on Gibbs Street. Yard space, including a large communal yard adjacent to the existing apartments on Randy Lane, would be common areas, maintained by a homeowner’s association.

The parcel was rezoned to R-3 High-Density Residential from GC General Commercial in 2022. Duplexes are a permitted use by right in R-3 District, so only a Site Plan is required, though both McKenna and the City Attorney will need to review the Master Deed and By-Laws prior to the issuance of a Building Permit.

Our comments regarding the criteria for approving the Site Plan.

Site Plan (Physical Characteristics). Following are our comments on the submitted site plan.

- a. Dimensional Standards.** Guidelines for dimensional standards are outlined in Section 155.170 Table of Dimensional Requirements. No lot splits are proposed, because the development will be a condominium.

Because the lot is a corner lot, either Gibbs Street or Joyce Lane can be considered the Front Lot Line. We have determined that Gibbs Street is the more favorable choice for the design of the development, and the analysis below reflects that. With Gibbs as the front lot line, the northern lot line is the rear lot line, the Joyce frontage is a “secondary street frontage”, with the same requirements as a front lot line, and all other lot lines are side lot lines.

Standard Type	Ordinance Requirement (R-3)	709 E. Gibbs Conditions	Ordinance Compliance
Minimum Lot Area	7,000 sq. ft.	5.19 acres	Yes
Minimum Lot Width	75 feet	279.74 feet	Yes
Minimum Front Yard Setback	10 feet	19 feet (Unit 1) 21 feet (Units 2-16)	Yes, though the front setback for Units 17-22 is incorrectly measured



		>10 feet (Units 17-22)	from the centerline of Gibbs Street. <u>The measurement from the Gibbs Street right-of-way line must be added to plans.</u>
Minimum Side Yard Setback	10 feet	35 feet (Unit 2 to Unit 3) 35 feet (Unit 4 to Unit 5) 45 feet (Unit 6 to Unit 7) 24 feet (Unit 8 to Unit 9) 22 feet (Unit 10 to Unit 11) 22 feet (Unit 12 to Unit 13) 22 feet (Unit 14 to Unit 15) 30 feet (Unit 16 to Unit 17) 25 feet (Unit 18 to Unit 19) 25 feet (Unit 20 to Unit 21) "10+/-" Feet (Unit 22 to East Property Line)	<u>No Clear for Unit 22 to East Property Line. Please submit the exact distance, because "10 +/-" could be less than 10 feet, which would not be in compliance.</u> Distances between buildings included for context.
Minimum Rear Yard Setback	35 feet	35 ft. (Unit 1 to North Lot Line)	Yes
Maximum Building Height	30 feet	<u>Not Submitted</u>	<u>Not Submitted</u>



Maximum Lot Coverage	60%	<60%	Yes
Minimum Dwelling Unit Size	500 sq. ft.	>500 sq. ft.	Yes
Maximum Residential Density	10 per acre	4.24 units per acre	Yes

2) Parking, Loading, and Access.

a. Garage and Driveway. Each duplex would have a single driveway, leading to a garage, though the design of the garages has not been submitted. The driveway would have space for two cars. The garages appear to be large enough for two cars, but the size of the garages must be confirmed.

b. Number of Spaces. The site will be required to have the following number of parking spaces.

- 22 Residential Units x 2 Spaces per Unit = 44 spaces

Assuming the garages are, in fact, large enough to hold two cars each, there are 44 spaces shown – 22 in the garages and 22 in the driveways.

c. Location of Spaces. Section 155.341.J of the Zoning Ordinance distinguishes between “driveways” and “parking areas” for duplexes. There are “no parking areas” on the plans – only driveways. The driveways all lead to garages, so they are in compliance with Section 155.341. J.

d. Barrier-Free Spaces. There is no need for designated barrier free spaces for duplex residential structures.

e. Dimensions. There is no need for parking space dimensions for duplex residential structures.

f. Loading Spaces. There is no need for designated loading spaces for duplex residential structures.

g. Sidewalks. Sidewalks have been proposed along both Gibbs Street and Joyce Lane, where they will connect to existing sidewalks to the north (along Joyce) and the east (along Gibbs).

3) Landscaping. The Planning Commission should decide if a landscaping plan for this duplex is necessary.

a. Buffer Zone. There is no requirement for a designated buffer zone between . However, the large “back yard” between the duplexes and the apartments on Randy Lane will preserve green space in the neighborhood. While there is no requirement for a specific tree-by-tree preservation plan, the applicant should specify the portion of the site that will be clear cut for construction of the



duplexes, and the portion of the site that will be preserved. No trees should be removed from the area to be preserved, unless the applicant wishes to propose the removal of specific weed or invasive species. If so, the applicant must be submit a plan for review by McKenna.

Additionally, the condominium bylaws must specify that the preserved green space will be maintained by the homeowner's association.

- b. Parking Lot Landscaping.** There is no need for designated parking lot landscaping for duplex residential structures.
- c. Right-of-Way Landscaping.** Section 155.299.B requires one tree per 30 feet of frontage. These trees may be located in the front yard, or may be approved by the City's Department of Public Works (DPW) to be located between the sidewalk and the street.

The Gibbs Street frontage is 279.74 feet wide, for a requirement of 10 trees. The Joyce Lane frontage is 674.78 feet wide, for a requirement of 23 trees. We recommend that the trees be spaced more or less evenly along both frontage, to provide consistent shade along the sidewalk, and add beauty to the front yard of every unit.

The required street trees must be added to the plan, and the locations of any trees proposed between the sidewalk and the road must be submitted to the DPW.

- d. Landscaping Adjacent to Buildings.** There is no need for designated landscaping adjacent to buildings for duplex residential structures.
- 4) Lighting.** Duplexes are exempt from formal lighting standards. However, each unit should have either a front yard light or a porch light, as well as a light over the rear entrance. These lights should be shown on the plan, with specs for the light fixtures submitted as well.
- 5) Trash Receptacles.** The homes will have residential garbage pickup and trash receptacles. Use of trash receptacles should follow requirements of Section 150.131(M). No revisions to the Site Plan are needed for trash pickup.
- 6) Design Standards (Section 155.185.H).** Section 155.185.H requires single family and duplex units to be consistent in design with the homes around it. No elevation or architectural rendering has been submitted.

Below are pictures of the existing residential in the area. We recommend that the Planning Commission require the proposed duplexes to demonstrate a higher level of architectural quality than the existing nearby residential development. We recommend the following:

- A variety of building materials (or at least colors) to avoid a "cookie cutter" appearance.
- Prominent entrances/front porches.
- Large windows, with grills of other decorative features.
- Windows in the garage doors (which mitigate the impact of the garages being the most prominent part of the building).



- 7) **Signage.** No signage has been proposed, other than addresses.
- 8) **Utilities and Curb Cuts.** Utility connections and driveway/curb cut permits must be approved by the Department of Public Works prior to the application for a Building Permit to Clinton County.



RECOMMENDATION

Prior to the November 8 Planning Commission meeting, the applicant should submit an elevation or architectural rendering so that the Planning Commission can see what the duplexes will look like, and determine compliance with Section 155.185.H.

At the November 8 meeting, if the Planning Commission finds the design of the duplexes acceptable, we recommend approval with the following conditions:

- 1) The following dimensional information must be submitted:
 - a. The setback of Units 17-22 from the right-of-way of Gibbs Street, rather than the centerline.
 - b. The setback of Unit 22 from the eastern lot line, rounded to the nearest inch rather than the nearest foot.
 - c. The height of each of the 11 buildings.
 - d. The size of the garages.
- 2) The following landscaping information must be submitted:
 - a. A line delineating the part of the site where trees will be removed from the part of the site where trees will be preserved.
 - b. A listing of any weed or invasive species to be removed from the preserved portion of the site.
 - c. The proposed locations for the required 33 frontage trees (23 along Joyce and 10 along Gibbs).
- 3) Location and specifications of the light fixtures proposed for each unit.
- 4) Review and Approval of the Condominium By-Laws and Master Deed by McKenna and the City Attorney.
- 5) Review and Approval of Utility Connections and Curb Cuts by the Department of Public Works.
- 6) Review and Approval by the City Engineer.

Please let us know if you have any questions.

Respectfully submitted,
McKENNA

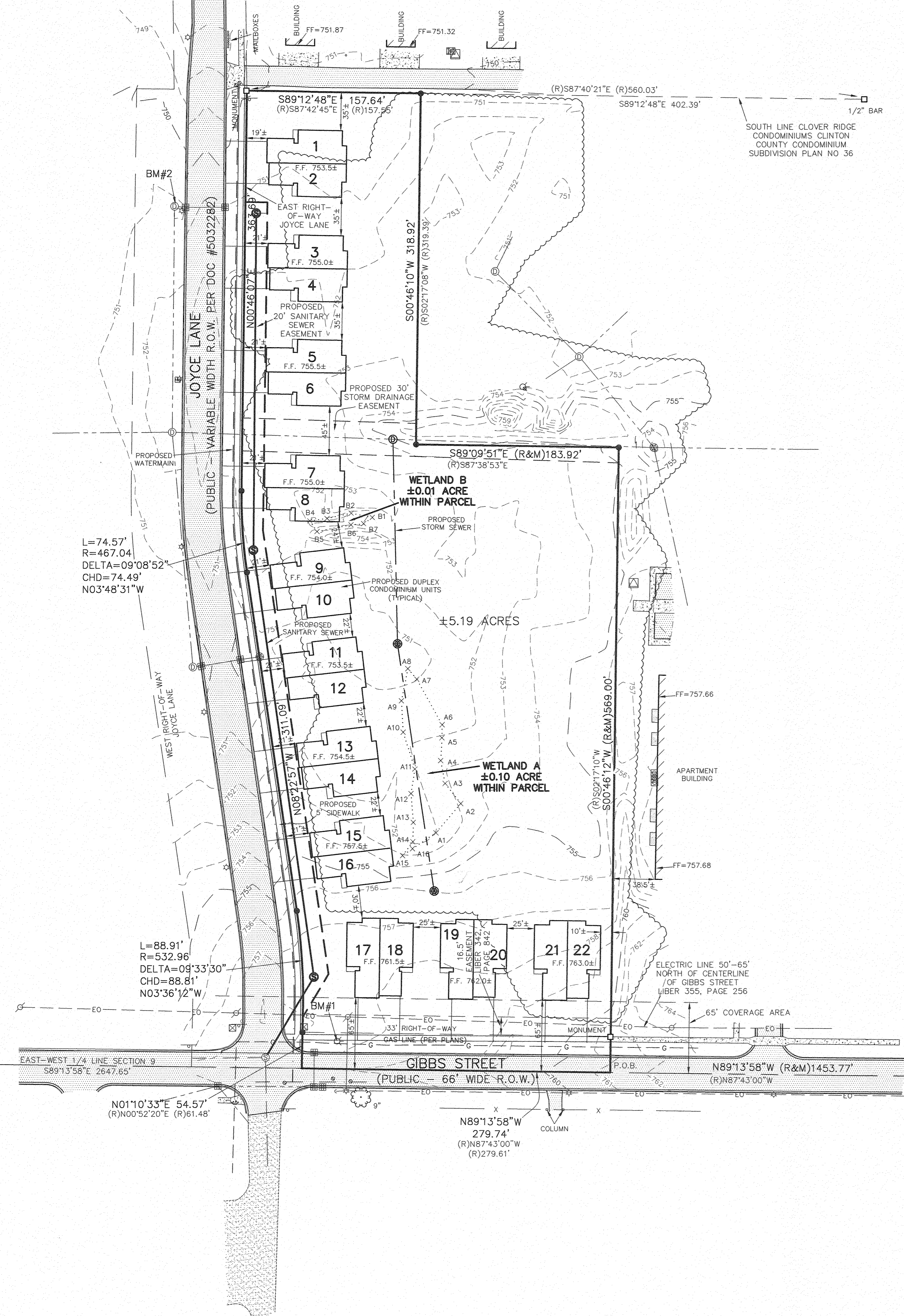
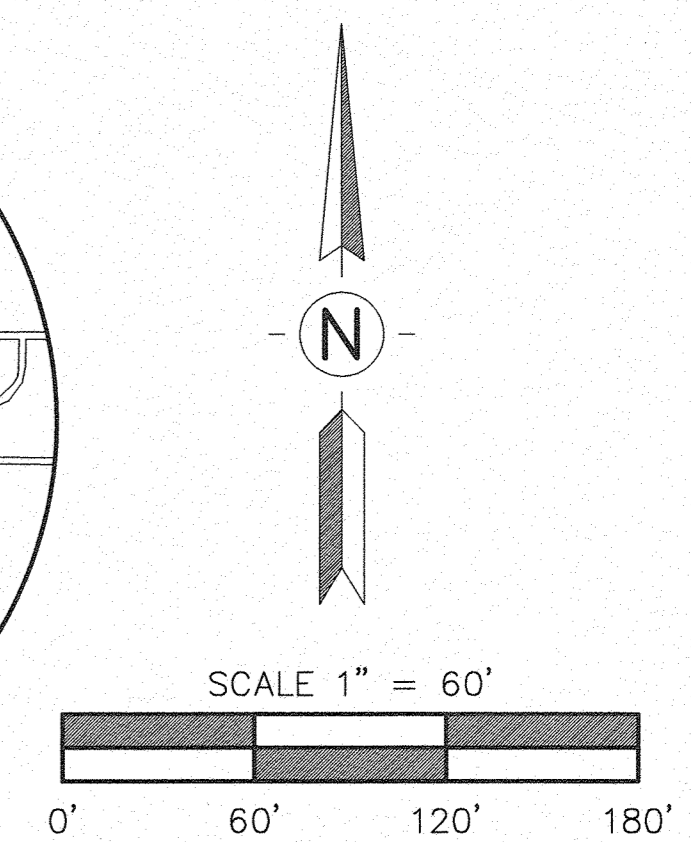
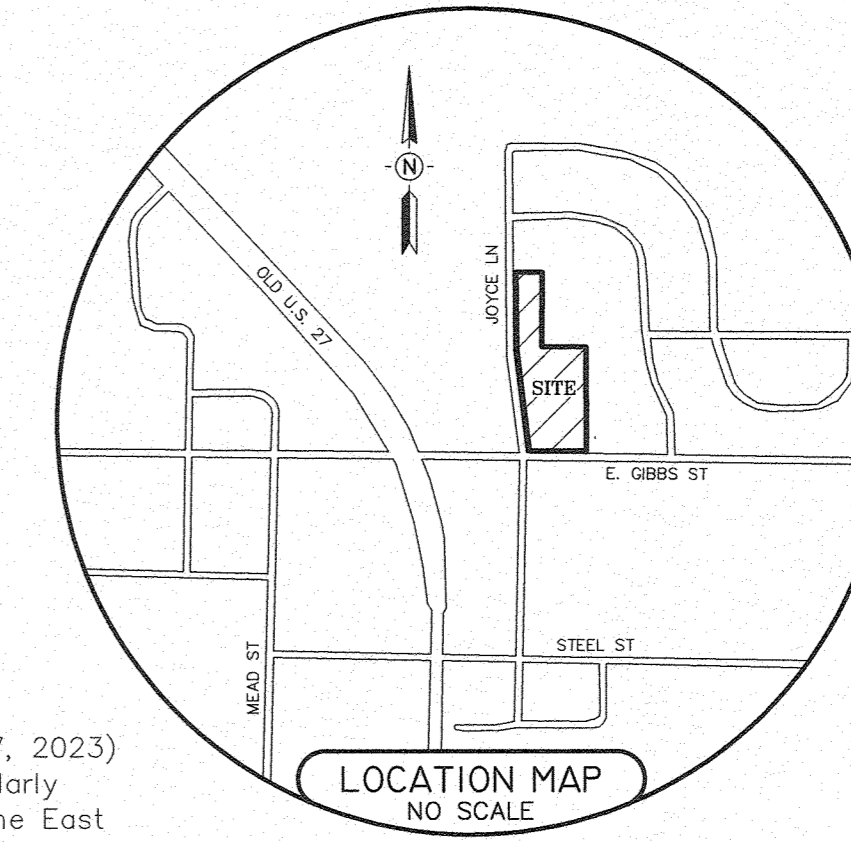
Christopher Khorey, AICP
Senior Principal Planner

PRELIMINARY CONDOMINIUM LAYOUT

NORTHWOODS OF ST. JOHNS

"709 E. GIBBS STREET, ST. JOHNS, MI 48879"

FOR: BLACK OAK LAND HOLDINGS, LLC



LEGAL DESCRIPTION:

(As provided by Old Republic National Title Insurance Company, File No. 19-22851941-OWO, dated January 17, 2023)
 Part of the Northeast 1/4 of Section 9, T7N, R2W, City of St. Johns, Clinton County, Michigan, more particularly described as follows: Beginning on the East and West 1/4 line North 87° 43' 00" West, 1453.77 feet from the East 1/4 corner; thence continuing along said East and West 1/4 line North 87° 43' 00" West, 279.61 feet; thence North 00° 52' 20" East, 61.48 feet; thence on a 2547.91-foot-radius curve to the left for an arc length of 269.41 feet, said curve having an internal angle of 6° 03' 30" and a long chord bearing North 05° 13' 06" West, 269.29 feet; thence on a 1595.10 foot radius curve to the right for arc length of 242.55 feet, said curve having an internal angle of 8° 42' 45" and a long chord bearing North 03° 41' 01" East, 242.32 feet; thence North 02° 17' 28" East, 319.17 feet; thence South 87° 42' 45" East, 157.55 feet; thence South 02° 17' 08" West, 319.39 feet; thence South 87° 38' 53" East, 183.92 feet; thence South 02° 17' 10" West, 5 69.00 feet to the point of beginning.

AS SURVEYED:

(The following legal description describes the same parcel of land as the provided description)
 A parcel of land in the Northeast 1/4 of Section 9, T7N, R2W, City of St. Johns, Clinton County, Michigan, the surveyed boundary of said parcel described as: Commencing at the East 1/4 corner of said Section 9; thence N89°13'58"W along the East-West 1/4 line of said Section 9 a distance of 1453.77 feet to the point of beginning of this description; thence N89°13'58"W continuing along said East-West 1/4 line 279.74 feet to the East right-of-way line of Joyce Lane as recorded in Document No. 5032282 of Clinton County, Michigan, records; thence along said East right-of-way line the following five courses: N01°10'33"E 54.57 feet; Northwesterly 88.91 feet along a curve to the left with a radius of 532.96 feet, a delta angle of 09°33'30", and a chord of 88.81 feet bearing N03°36'12"W; N08°22'57"W 311.09 feet; Northwesterly 74.57 feet along a curve to the right with a radius of 467.04 feet, a delta angle of 09°08'52", and a chord of 74.49 feet bearing N03°48'31"W; and N00°46'07"E 363.59 feet to the South line of Clover Ridge Condominiums as recorded in Condominium Subdivision Plan No. 36 of Clinton County, Michigan, records; thence S89°12'48"E (recorded as S87°40'21"E) along said South line 157.64 feet; thence S00°46'10"W 318.92 feet; thence S89°09'51"E 183.92 feet; thence S00°46'12"W perpendicular to said East-West 1/4 line 569.00 feet to the point of beginning; said parcel containing 5.19 acres, more or less, including 0.21 acre, more or less, presently in use as public right-of-way for Gibbs Street; said parcel subject to all easements and restrictions, if any.

SCHEDULE B, SECTION II, EXCEPTIONS:

(As provided by Old Republic National Title Insurance Company, File No. 19-22851941-OWO, dated January 17, 2023)

- Item 7: Easement for construction of sanitary sewer recorded in Instrument No. 5224299; does not cross parcel and is not shown hereon.
- Item 8: Area as described in Instrument No. 5205071; crosses parcel, however is blanket in character and not shown hereon.
- Item 9: Easement to Consumers Power Company recorded in Liber 355, Page 256; crosses parcel, is plottable and shown hereon.
- Item 10: Easement recorded in Liber 353, Page 758 and Liber 353, Page 903; crosses parcel, however is blanket in character and not shown hereon.
- Item 11: Right of Way to General Telephone Company recorded in Liber 342, Page 842; crosses parcel, is plottable and shown hereon.
- Item 12: Right of Way to Consumers Power Company recorded in Liber 287, Page 253; does not cross parcel and is not shown hereon.
- Item 13: Right of Way to Consumers Power Company recorded in Liber 201, Page 217; does not cross parcel and is not shown hereon.

SURVEYOR'S NOTES:

1. This plan was made at the direction of the parties named hereon and is intended solely for their immediate use. Survey prepared from fieldwork performed in July 2023.
2. All bearings are Michigan State Plane South Zone grid bearings obtained from GPS observations using corrections obtained from the nearest National Geodetic Survey C.O.R.S. station.
3. All dimensions shown are as-measured unless otherwise noted.
4. All elevations are North American Vertical Datum of 1988 (NAVD88).
5. All dimensions are in feet and decimals thereof.
6. No building tie dimensions are to be used for establishing the property lines.
7. All plottable easements which cross the subject property are shown per Old Republic National Title Insurance Company, Commitment No. 19-22851941-OWO, dated January 17, 2023.
8. By scaled map location and graphic plotting only, this property lies entirely within Flood Zone "X", areas outside the 0.2% annual chance floodplain, according to the National Flood Insurance Program, Flood Insurance Rate Map for the City of St. Johns, Clinton County, Michigan, Community Panel No. 260726 0075 D, dated May 3, 2011.
9. Utility information as shown was obtained from available public records and from supporting field observations, where possible, and is subject to verification in the field by the appropriate authorities prior to use for construction. MISS DIG was not contacted to mark utilities on site.
10. Wetland delineation was completed by Marx Wetlands, LLC, on July 19, 2023, and flagging locations from said delineation were located and are shown hereon. Their professional opinion is that these are not likely regulated by EGLE.

BENCHMARKS:

- BENCHMARK #1 ELEV. = 759.08 (NAVD88)
 TOP NORTHWEST FLANGE BOLT OF HYDRANT ABOVE "S" IN "WATEROUS", IN NORTHEAST QUADRANT OF JOYCE & GIBBS ±10' NORTH OF NORTH BACK OF CURB OF GIBBS, ±44' EAST OF EAST BACK OF CURB OF JOYCE LANE
- BENCHMARK #2 ELEV. = 751.23 (NAVD88)
 CHISELED "X" IN SOUTH SIDE OF MANHOLE RIM WEST SIDE OF JOYCE LANE ±10' WEST OF WEST BACK OF CURB OF JOYCE LANE, ±115' SOUTH OF CENTERLINE OF ASPHALT DRIVE TO CONDOS ±1080' NORTH OF GIBBS STREET

ZONING:

PROPERTY HAS BEEN REZONED PER CLIENT TO R-3: MULTI-FAMILY LOW DENSITY RESIDENTIAL
 SETBACKS:
 FRONT: 10'
 SIDE: 10'
 REAR: 35'

PROPOSED 22 UNIT RESIDENTIAL CONDOMINIUM CONSISTING OF 11 SINGLE STORY DUPLEX BUILDINGS EACH WITH A TOTAL EXTERIOR AREA OF ±3,650 S.F. INCLUDING GARAGES

NOTES:

COMMON ELEMENT AREA BEHIND UNITS MAY BE USED AS A COMMUNITY GREENSPACE AND/OR AREAS FOR COMMUNITY TRAILS/ACTIVITIES.

LEGEND

(M)	= MEASURED DIMENSION	⊙	= SANITARY MANHOLE
(R)	= RECORDED DIMENSION	⊕	= DRAINAGE MANHOLE
•	= SET 1/2" BAR WITH CAP UNLESS NOTED	⊗	= FIRE HYDRANT
□	= FOUND IRON AS NOTED	⊗	= CATCH BASIN
—	= DEED LINE	⊗	= VALVE
—	= DISTANCE NOT TO SCALE	⊗	= SIGN
—	= FENCE	•	= POST
—	= ASPHALT	⊗	= UTILITY POLE
—	= CONCRETE	⊗	= LIGHT POLE
—	= GRAVEL	—	= GUY WIRE
—	= EXISTING CONTOUR ELEVATION	—	= UTILITY PEDESTAL
—	= WETLAND	⊗	= TRANSFORMER
—	= SANITARY SEWER	⊗	= HANDHOLE
—	= STORM SEWER	—	= DECK
—	= GAS LINE		
—	= OVERHEAD WIRES		
—	= EDGE OF WOODS		
—	= DECIDUOUS TREE		

REVISIONS	COMMENTS	KEBS, INC. ENGINEERING AND LAND SURVEYING	
10/03/2023	ORIGINAL	2116 HASLETT ROAD, HASLETT, MI 48840 PH. 517-339-1014, FAX 517-339-8047 WWW.KEBS.COM	
		Marshall Office - Ph. 269-781-9800	
		DRAWN BY: KDB	SECTION: 9, T7N, R2W
		FIELD WORK BY: JW/MR	JOB NUMBER:
		SHEET: 1 OF 1	101494.CND

DANE B. PASCOE
 PROFESSIONAL SURVEYOR
 DATE: 10-3-23
 NO. 54434

MICHIGAN VEHICLE CODE (EXCERPT)
Act 300 of 1949

257.657a Operation of golf cart on village, city, or township streets or state trunk line highway.

Sec. 657a. (1) A village or city having a population of fewer than 30,000 individuals based upon the 2010 decennial census may by resolution allow the operation of golf carts on the streets of that village or city, subject to the requirements of this section. A township having a population of fewer than 30,000 individuals based upon the 2010 decennial census may by resolution, unless disapproved by the county board of commissioners under subsection (3), allow the operation of golf carts on the streets of that township, subject to the requirements of this section.

(2) If a village, city, or township allows the operation of golf carts on the streets of that village, city, or township, that village, city, or township may require those golf carts and the operators of those golf carts to be recorded on a list maintained by that village, city, or township. A village, city, or township shall not charge a fee for listing golf carts or the operators of those golf carts.

(3) A county board of commissioners may, by resolution, disapprove the operation of golf carts on the streets of a township located within that county if the county board of commissioners conducts a hearing and determines that 1 or more of the following apply:

(a) The operation of golf carts on the streets of that township would cause significant environmental damage.

(b) The operation of golf carts on the streets of that township would cause a significant concern of public safety.

(4) The county board of commissioners shall provide public notice of a hearing under subsection (3) at least 45 days before the hearing is conducted. The county board of commissioners shall also provide written notice of a hearing under subsection (3) to the township at least 45 days before the hearing is conducted.

(5) 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.

(6) The operator of a golf cart shall comply with the signal requirements of section 648 that apply to the operation of a vehicle.

(7) 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.

(8) Except as otherwise provided in subsection (9), 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 a village, city, or township, using the most direct line of crossing.

(9) The legislative body of a local unit of government may request the state transportation department to authorize the local unit of government to adopt an ordinance authorizing the operation of golf carts on a state trunk line highway, other than an interstate highway, located within the local unit of government. The request shall describe how the authorization would meet the requirements of subsection (10). The state transportation department shall solicit comment on the request from the local units of government where the state trunk line highway is located. The state transportation department shall consider comments received on the request before making a decision on the request. The state transportation department shall grant the request in whole or in part or deny the request not more than 60 days after the request is received. If the state transportation department grants a request in whole or in part under this subsection, the local unit of government that submitted the request may adopt an ordinance authorizing the operation of golf carts on the state trunk line highway that was the subject of the request. A county may submit a request for authorization under this subsection on behalf of 1 or more local units of government located within that county if requested by those local units of government.

(10) The state transportation department shall authorize operation of a golf cart under subsection (9) only on a state trunk line highway that is not an interstate highway within a local unit of government that has already adopted an ordinance under subsection (1), that serves as a connector between portions of the local unit of government that only connect through the state trunk line highway, and that meets 1 or more of the following requirements:

(a) Provides access to tourist attractions, food service establishments, fuel, motels, or other services.

(b) Serves as a connector between 2 segments of the same county road that run along discontinuous town lines.

(c) Includes a bridge or culvert that allows a golf cart to cross a river, stream, wetland, or gully that is not crossed by a street or county road on which golf carts are authorized to operate under an ordinance adopted as

provided in subsection (1).

(11) The state transportation department may permanently or temporarily close a state trunk line highway to the operation of golf carts otherwise authorized under subsection (9) after written notice to the clerk of the local unit of government that requested the authorization under subsection (9). The notice shall be in writing and sent by first-class United States mail or personally delivered not less than 30 days before the adoption of the rule or order closing the state trunk line highway. The notice shall set forth specific reasons for the closure. The state transportation department is not required to develop a plan for an alternate route for a state trunk line highway that it has temporarily closed to the operation of golf carts.

(12) Where a usable and designated path for golf carts is provided adjacent to a highway or street, a person operating a golf cart may, by local ordinance, be required to use that path.

(13) 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 2-way street or on the left or right of traffic in the case of a 1-way street, in an unoccupied lane.

(14) A golf cart shall not be operated on a sidewalk constructed for the use of pedestrians.

(15) A golf cart shall be operated at a speed not to exceed 15 miles per hour and shall not be operated on a state trunk line highway or a highway or street with a speed limit of more than 30 miles per hour except to cross that state trunk line highway or highway or street. A village, city, or township may, by resolution, designate roads or classifications of roads for use by golf carts under this subsection.

(16) A golf cart shall not be operated on a state trunk line highway or the streets of a city, village, or township during the time period from 1/2 hour before sunset to 1/2 hour after sunrise.

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

(18) A person operating a golf cart on a state trunk line highway shall ride as near to the right side of the roadway as practicable.

(19) This section does not apply to a police officer in the performance of his or her official duties.

(20) A golf cart operated on a street of a village, city, or township under this section is not required to be registered under this act for purposes of section 3101 of the insurance code of 1956, 1956 PA 218, MCL 500.3101.

(21) As used in this section, "golf cart" means a vehicle designed for transportation while playing the game of golf. A village, city, or township may require a golf cart registered within its jurisdiction to meet any or all of the following vehicle safety requirements of a low-speed vehicle for approval under this section:

(a) At least 2 headlamps that comply with section 685.

(b) At least 1 tail lamp that complies with section 686.

(c) At least 1 stop lamp and 1 lamp or mechanical signal device that comply with sections 697 and 697b.

(d) At least 1 red reflector on each side of the golf cart as far to the rear as practicable and 1 red reflector on the rear of the golf cart as required for low-speed vehicles by 49 CFR 571.500.

(e) One exterior mirror mounted on the driver's side of the golf cart and either 1 exterior mirror mounted on the passenger side of the golf cart or 1 interior mirror as required for low-speed vehicles by 49 CFR 571.500.

(f) Brakes and a parking brake that comply with section 704.

(g) A horn that complies with section 706.

(h) A windshield that complies with section 708a.

(i) A manufacturer's identification number permanently affixed to the frame of the golf cart.

(j) Safety belts that comply with section 710a and that are used as required by section 710e.

(k) The crash helmet requirements applicable to low-speed vehicles under section 658b.

History: Add. 2014, Act 491, Imd. Eff. Jan. 13, 2015;—Am. 2018, Act 139, Eff. Aug. 8, 2018.

St. Johns Golf Cart Ordinance
DRAFT October 31, 2023

Sec. 70.06. Operation of golf carts on city streets.

No person shall operate a golf cart on city streets, except under the following circumstances:

- (1) As used in this article, "golf cart" means a multi-passenger electric vehicle designed for low speeds (less than 25 miles per hour) with four wheels and a roof, generally designed for use during the game of golf.
- (2) A golf cart shall be classified as a Low Velocity Transporter if it meets the following definition. Low Velocity Transporters shall be exempt from Subsections 13 and 14 of this Ordinance. All other sections of this Ordinance shall apply to Low Velocity Transporters.
 - The term "Low Velocity Transporter" shall mean a golf cart with ALL of the following features, each of which must meet the applicable definition and requirements in the Michigan Vehicle Code (Public Act 300 of 1949):
 - Headlights (at least two)
 - Taillights
 - Brake Lights
 - Turn signals
 - Seatbelts
 - Windshield (with wipers)
 - Rear View Mirrors (front and wing)
 - Front and Rear Bumpers
 - A Horn
- (3) Golf carts may be operated on city streets during the following times ONLY:
 - Saturdays and Sundays between the hours of 7 AM, or dawn, whichever is later, and 9 PM, or dusk, whichever is earlier.
 - During the days designated by the City Commission for the annual Mint Festival, between the hours of 7 AM, or dawn, whichever is later, and 9 PM, or dusk, whichever is earlier.
 - During the hours designated by the City Commission as Trick or Treat hours on Halloween.
- (4) All golf carts operated in the City of St. Johns must obtain a license from the St. Johns Police Department. Each license shall be independently numbered and registered to a full-time resident of St. Johns. The Police Department shall issue a sticker with the license number, which must be displayed on the golf cart at all times.
- (5) The person operating the golf cart must be at least sixteen (16) years old and licensed to operate a motor vehicle.
- (6) The operator of a golf cart shall comply with the signal requirements of MCL 257.648 that apply to the operation of a vehicle.
- (7) 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.

Commented [CK1]: This would place the Golf Carts ordinance in the City's Traffic Code, under General Provisions.

Commented [CK2]: Thoughts on this?

- (8) A person shall not operate a golf cart on a state trunk line highway (including M-21 and Business Route US-127). 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.
- (9) 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.
- (10) 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.
- (11) 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.
- (12) 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.
- (13) A person operating a golf cart or who is a passenger in a golf cart shall wear a crash helmet, unless the golf cart meets the definition of Low Velocity Transporter in Subsection 2.
- (14) Reflectors shall be affixed to the front, rear, and both sides of the golf cart, unless the golf cart meets the definition of Low Velocity Transporter in Subsection 2.
- (15) This article does not apply to a police officer in the performance of his or her official duties.
- (16) 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.
- (17) Violation of any of the provisions of this section shall be penalized as a civil infraction.

Commented [CK3]: Should golf carts be allowed on the Meijer CIS Trail?

§ 155.341 OFF-STREET PARKING REGULATIONS WITHIN A RESIDENTIAL DISTRICT.

(A) Intent. These off-street parking regulations have been adopted to improve safety, traffic circulation and aesthetics within residential districts in the city. They are intended to regulate parking patterns and the location and quality of parking areas in residential areas over the long term. It is not the intent of these regulations to regulate temporary, infrequent and irregular occurrences.

(B) All residential buildings or non-residential buildings in a residential district shall be provided with required parking areas on the same lot with the building or on a lot immediately adjacent to the lot with the building intended to be served, but not more than 100 feet from the building it is servicing.

(C) No repairing, modifying, or operations shall be allowed upon any vehicle, otherwise properly parked on a residential property, for a period in excess of 24 hours, except within fully enclosed buildings or if it is determined that such repair, modification, or operation will not constitute a nuisance or annoyance to adjoining property owners or occupants. Any such work within any 24-hour period allowed under this provision shall not, however, consist of any major repair, redesigning, modifying, or dismantling work but only such occasional minor work as may be required to maintain a vehicle in normal operating condition.

(D) In the event the foregoing regulations create any special hardship beyond the control of a particular resident, the Zoning Administrator is hereby given the authority to grant permission to an applicant to operate contrary to the provisions hereof for a limited period of time not to exceed 14 days.

(E) Required parking areas, including driveways and driveway approaches, shall be constructed from materials that provide a hard surface (concrete ~~or~~, asphalt, or permeable pavement material), shall be drained properly, and shall be maintained in a safe and usable condition. Other hard surfaces, including, but not limited to, turf pavers, paving stones, open concrete grids, may be used with prior approval from the Zoning Administrator. Gravel, dirt, crushed aggregate, and other non-pavement surfaces shall not be permitted for required parking areas.

(F) Recreational vehicle means any self-propelled or towed vehicle intended primarily for recreational purposes and shall include, but not be limited to, motor homes, travel trailers, tent trailers, collapsible trailers, expandable trailers, pick-up coach campers, unattached pick-up covers, motorcycle trailers, snowmobile trailers, utility trailers, vehicle transporting trailers, stock car trailers, camping trailers, boat trailers, snowmobiles, trail bikes or cycles, unlicensed motorcycles or motor driven cycles, pontoon boats, rafts, ATV's, golf carts, and boats.

(G) Storage and parking of recreational vehicles within all residentially zoned districts shall comply with the following:

Commented [CK1]: Should small recreational vehicles like golf carts and ATVs be treated separately? Maybe everyone gets one free "small" RV in addition to their allowable number of total RVs?

(1) Other than in an enclosed building, no person shall park or store more than one item of recreational equipment ~~upon any lot or parcel~~ per 10,000 square feet of lot area, up to a maximum of 3 recreational vehicles.

(2) All such vehicles shall remain unoccupied and shall not be connected to sanitary sewer facilities or have a fixed connection to electricity, water, or gas, except that the parking and occupancy of a recreational vehicle on private property shall be permitted for a period not to exceed two weeks, but not to exceed four times a year.

(3) Recreational vehicles stored on any city lot or parcel between October 16 through April 30 must be parked on a hard surface ~~(asphalt or concrete)~~ meeting the requirements of Section 155.341.E. Recreational vehicles must be parked behind the front line of the house. Parking is allowed in the side ~~or rear~~ yard on ~~the~~ grass, gravel, or another unpaved surface from May 1 through October 15. (See graphic below.)

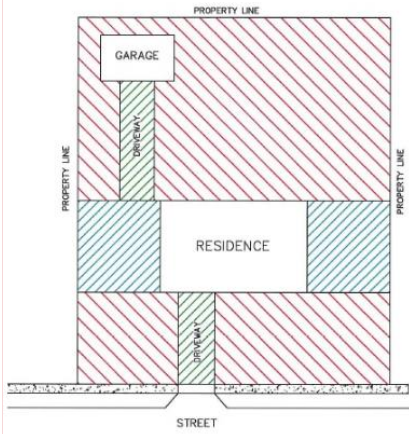
(4) Corner lots have two front yards and two side yards (see graphic below). The Zoning Administrator has the authority to grant residents on a corner lot permission to park their recreational vehicle ~~in their side yard~~ in one of their front yards from May 1 through October 15. (See graphic below.)

(H) No parking is allowed in the rear of buildings except in garages, driveways leading to garages, and other parking spaces approved by special use permit.

(I) Not more than three outdoor parking spaces are permitted on a residential lot unless additional spaces are permitted by special use permit.

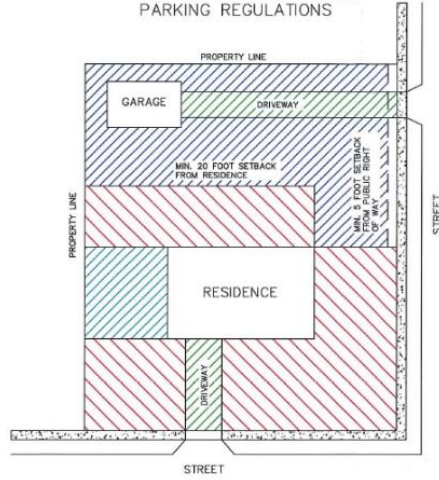
(J) Motor vehicles shall be allowed to be parked only on a parking area or driveway. A parking area is defined as that portion of a lot used for the exclusive purpose of parking a motor vehicle. A driveway is defined as the maneuvering lane needed to allow vehicles to move from the street to a garage or to a public parking area at the far end of the maneuvering lane. ~~The driveway and~~ No parking area shall ~~not~~ be located in front of the residential structure.

OFF-STREET PARKING REGULATIONS



-  NO OFF-STREET PARKING ALLOWED
-  OFF-STREET PARKING ALLOWED ON ASPHALT OR CONCRETE SURFACE AT ALL TIMES
-  OFF-STREET PARKING ALLOWED ON ASPHALT OR CONCRETE SURFACE AT ALL TIMES OR ON UNIMPROVED SURFACES FROM MAY 1ST TO OCTOBER 15TH

CORNER LOT OFF-STREET PARKING REGULATIONS



-  NO OFF-STREET PARKING ALLOWED
-  OFF-STREET PARKING ALLOWED ON ASPHALT OR CONCRETE SURFACE AT ALL TIMES
-  OFF-STREET PARKING ALLOWED ON ASPHALT OR CONCRETE SURFACE AT ALL TIMES OR ON UNIMPROVED SURFACES FROM MAY 1ST TO OCTOBER 15TH
-  OFF-STREET PARKING ALLOWED FROM MAY 1ST TO OCTOBER 15TH ON UNIMPROVED SURFACES WITH THE APPROVAL OF ZONING ADMINISTRATOR. NO PERMANENT STORAGE ALLOWED REGARDLESS OF SURFACE TYPE.

Commented [CK2]: May need to revise graphic depending on final language.



Memorandum

TO: City of St. Johns Planning Commission
FROM: Christopher Khorey, AICP, Senior Principal Planner
SUBJECT: **Minimum Parking Requirements**
DATE: October 31, 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



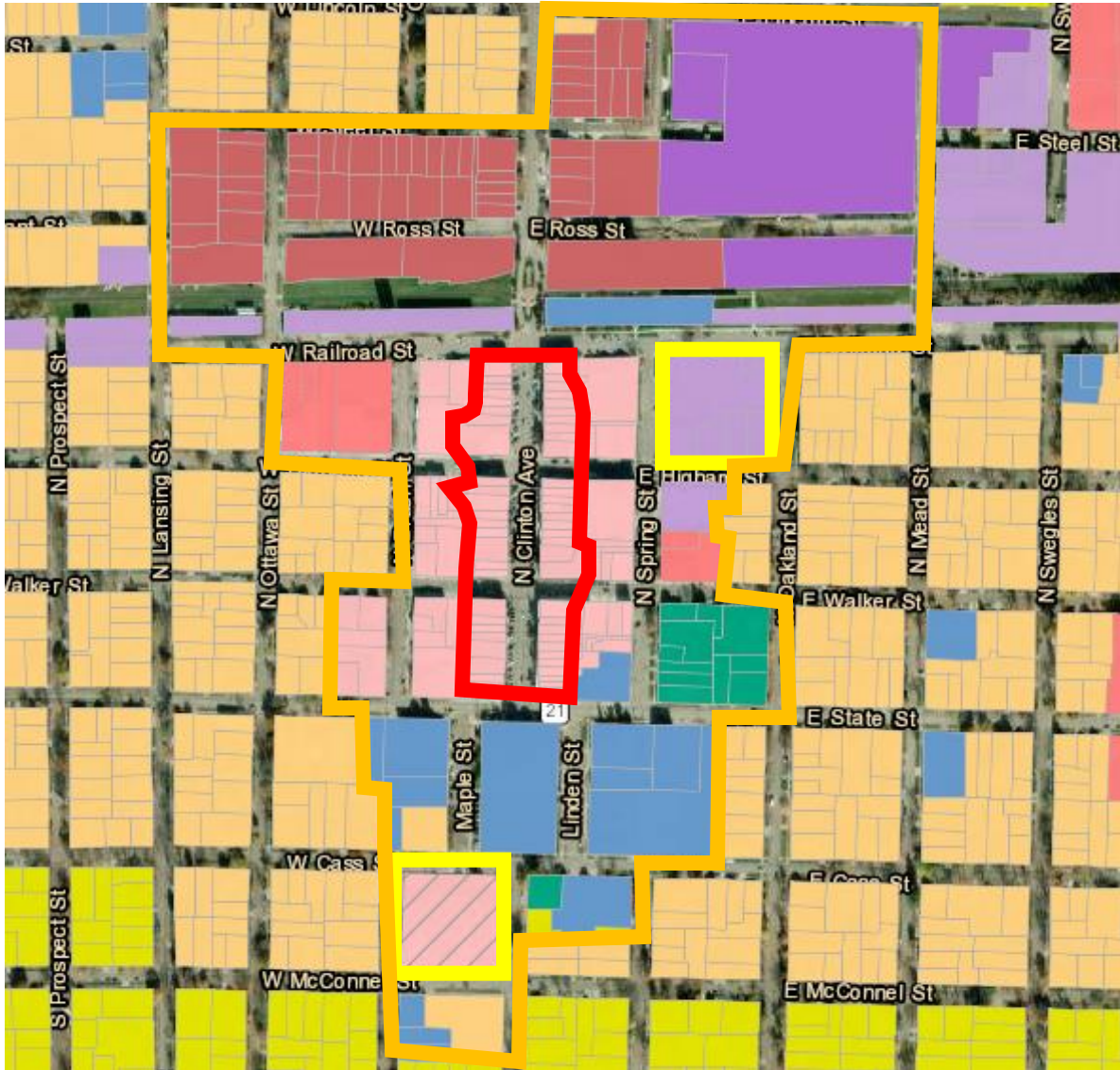
Conditional Rezoning Agreements






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 November 8.